

SETX AND SWLA AREA CONTINGENCY PLAN

MSU Area Contingency Plan
Section 2000 Unified Command

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Section 2100 – Unified Command

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The U.S. Coast Guard is tasked by the National Contingency Plan (NCP) with providing the pre-designated Federal On-Scene Coordinator (FOSC) for oil and hazardous material spills and releases which effect or threaten navigable waters of the United States. OPA 90 clearly establishes that the FOSC has the ultimate responsibility for directing oil spill response including response objectives and strategies. When dealing with the NCP section 300 of 40 CFR, FOSC are required to direct response efforts and coordinate all other actions at the scene of a spill or release. The NCP further states that the basic format for the response management system is a structure that brings together federal and state agencies, and the responsible party (RP), to achieve an effective and efficient response. In addition, the command Staff also includes the positions Safety, Information and Liaison Officer, which are discussed in Sections 2120, 2200 and 2300. As the FOSC, the Captain of the Port (COTP) heads the local multi-agency response team. This team must assess the situation and identify, select, and implement the most appropriate means of response. Often, decisions regarding critical response actions must be made quickly and with incomplete information. Failure to implement appropriate response actions quickly may result in the loss of the selected response action as an option, and will significantly increase the difficulty and costs associated with the containment, recovery, and restoration of natural resources. The structure for responding to these types of incidents is commonly referred to as the UC. It should be noted that in this structure, the FOSC retains ultimate authority in a response operation for decisions relative to the response. The Command Section has overall responsibility for the management of incident activity and sets all incident objectives and priorities.

Useful References:

- USCG Incident Management Handbook COMDTPUB P3120.17A
– August 2006
- National Contingency Plan (NCP)
- Title 40 Code of Federal Regulations (CFR) Part 300

2110 Response Management System

Incident Command System (ICS) is an on-scene management structure suitable for managing any incident. To standardize response management, the USCG has adopted the National Incident Management System (NIMS) Incident Command System (ICS). ICS is a scalable structure that encompasses all phases and complexity levels of incident management. ICS consists of five primary management functions (Command, Operations, Planning, Logistics, and Finance) and a Unified Command structure. The Unified Command for COTP Port Arthur area of responsibility depending on the incident will be determined on a case-by-case basis factoring in the specifics of the incident, determinations outlined in the existing response plans and/or decisions reached in the initial meeting of the UC. The UC may consist of any combination of the following agencies the U.S. Coast Guard, NOAA Scientific Support Coordinator, U.S. Army Corps of Engineers, Texas General Land Office, Texas Commission on Environmental Quality, Louisiana Oil Spill Coordinator's Office, Louisiana Department of Environmental Quality, Louisiana State Police,

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and the Responsible Party. The makeup of the UC remains flexible and may change throughout the incident in order to adapt to changes experienced during the incident. While Vessel Response Plans, On-shore Facility Response Plans, Pipeline Response Plans, and Off-shore Facility Plans are required to have a management plan compatible with the ACP, there is no requirement for these plans to strictly follow ICS.

Unified Command (UC) is an expansion of the ICS organization. UC is responsible for overall management of the incident. UC directs incident activities, including development and implementation of overall objectives and strategies, and approves ordering and releasing of resources. UC is not a “decision by committee”. The principals are there to command the response to an incident. Time is of the essence. UC should develop synergy based on the significant capabilities that are brought by the various representatives. There should be personal acknowledgement of each representative’s unique capabilities, a shared understanding of the situation, and agreement on the common objectives. With the different perspectives on UC comes the risk of disagreements, most of which can be resolved through the understanding of the underlying issues. Contentious issues may arise, but the UC framework provides a forum and a process to resolve problems and find solutions.

The Command Section consists of the unified command and three staff functions.

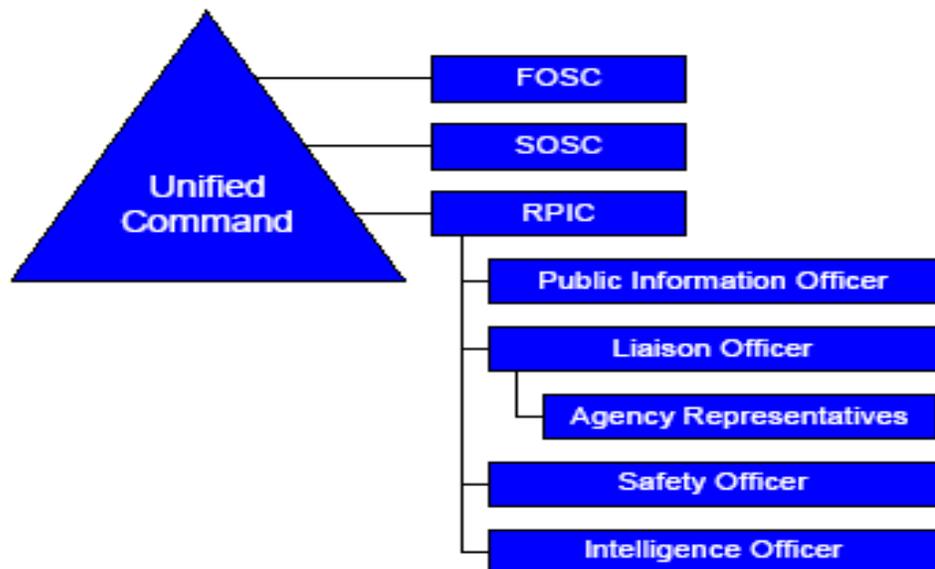


Figure 1 - Unified Command Structure

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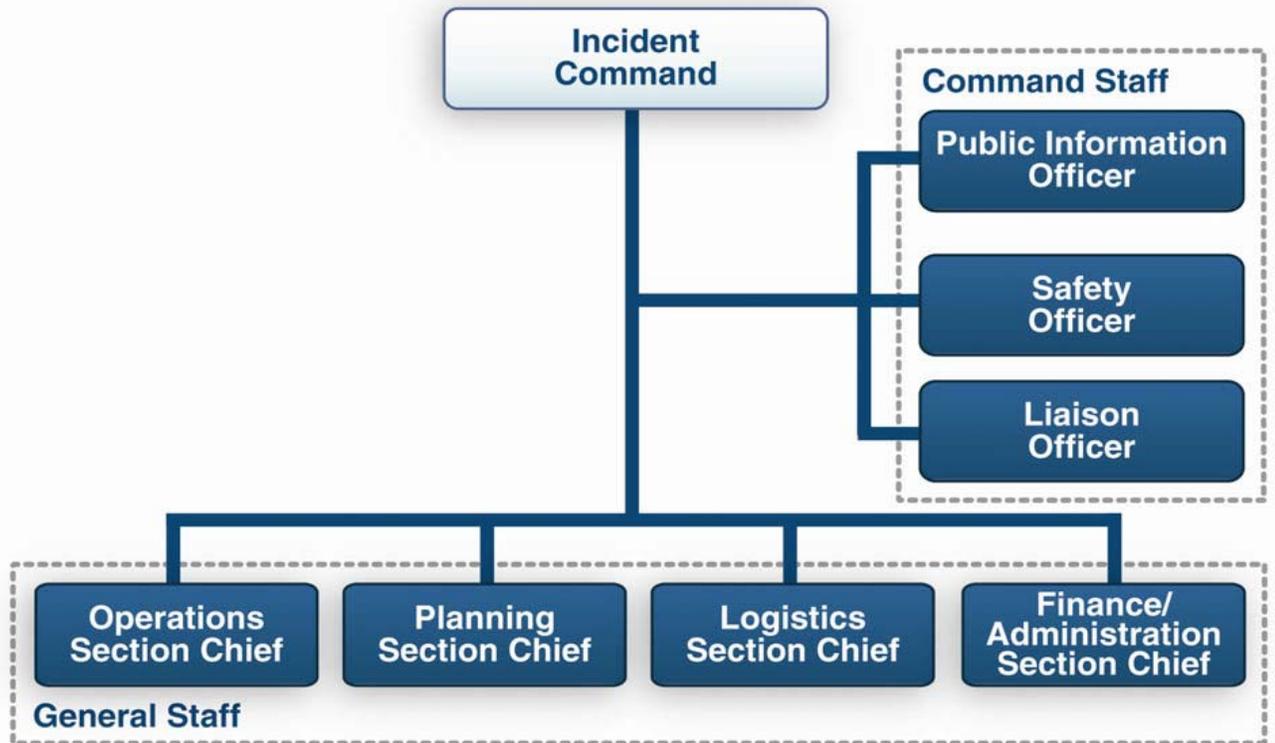
2120 Unified Command Positions

To be a member of the UC you must have authority and jurisdiction. UC members may also include agencies, organizations or private industries bringing large amounts of tactical and support resources to the table. The need for UC is brought about when an incident impacts the jurisdictional or functional responsibility of more than one agency. As a component of ICS, the UC is a structure that brings together the “Incident Commanders” of all major organizations that have jurisdictional responsibility for the incident to coordinate an effective response while carrying out their own agencies jurisdictional responsibilities. UC links the responding organizations to the incident and provides a forum for these agencies to make consensus decisions.

UC representatives will be considered for selection as members of the UC, providing the involved organization meets the following criteria:

- Must have jurisdictional authority or functional responsibility under a law or ordinance for the incident; and, Must have incident or response operations impact on your organization’s Area of Responsibility (AOR); and, Must be specifically charged by law or ordinance with commanding, coordinating or managing a major aspect of the incident response; and, Should have the resources to support participation in the response organization.
- The complete list of ICS positions are designated by the Watch Quarter Station Billet (WQSB) for MSU Port Arthur. Assignment to positions within the ICS structure is based on the members billet number. After reporting to MSU Port Arthur every member is required to attend and complete the required schools to gain the necessary qualifications to perform the duties of the position that they are assigned.

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The process of moving the responsibility for incident command from one Incident Commander to another is called “transfer of command.” The incoming Incident Commander may give the previous Incident Commander another assignment on the incident. The initial Incident Commander retains first-hand knowledge at the incident site. This strategy allows the initial Incident Commander to observe the progress of the incident and to gain experience. It should be recognized that transition of command on an expanding incident is to be expected. It does not reflect on the competency of the current Incident Commander.

To accomplish this task the incoming Incident Commander should, if at all possible, personally perform an assessment of the incident situation with the existing Incident Commander. The incoming Incident Commander must be adequately briefed. The ICS Form 201 is especially designed to assist in incident briefings. It should be used whenever possible because it provides a written record of the incident as of the time prepared. This briefing must be by the current Incident Commander, and take place face-to-face if possible. The briefing must cover the following: incident history (what has happened), priorities and objectives, current plan, resource assignments, incident organization, resources ordered/needed, facilities established, status of communications, any constraints or limitations, incident potential, and delegation of authority.

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After the incident briefing, the incoming Incident Commander should determine an appropriate time for transfer of command. At the appropriate time, notice of a change in incident command should be made to: Agency headquarters (through dispatch), General Staff members (if designated), Command Staff members (if designated), and all incident personnel.

Available ICS position specific job aids can be found in Chapter 9000, Appendix V. Job aids to assist the incident commander with responding to incidents are provided by a number of federal agencies. Below is a small sample of hyperlinked job aids to assist UC's:

<u>Incident Types</u>	<u>Coast Guard IMH</u>	<u>AC OP Cycle</u>	<u>JFO OP Cycle</u>	
<u>Command P</u>	<u>Event P</u>	<u>Finance P</u>	<u>General P</u>	<u>Expanded</u>
<u>General P</u>				
<u>JOPES P</u>	<u>Logistics P</u>	<u>Operations P</u>	<u>Planning P</u>	<u>Safety P</u>

2130 Area ICS Command and General Staff

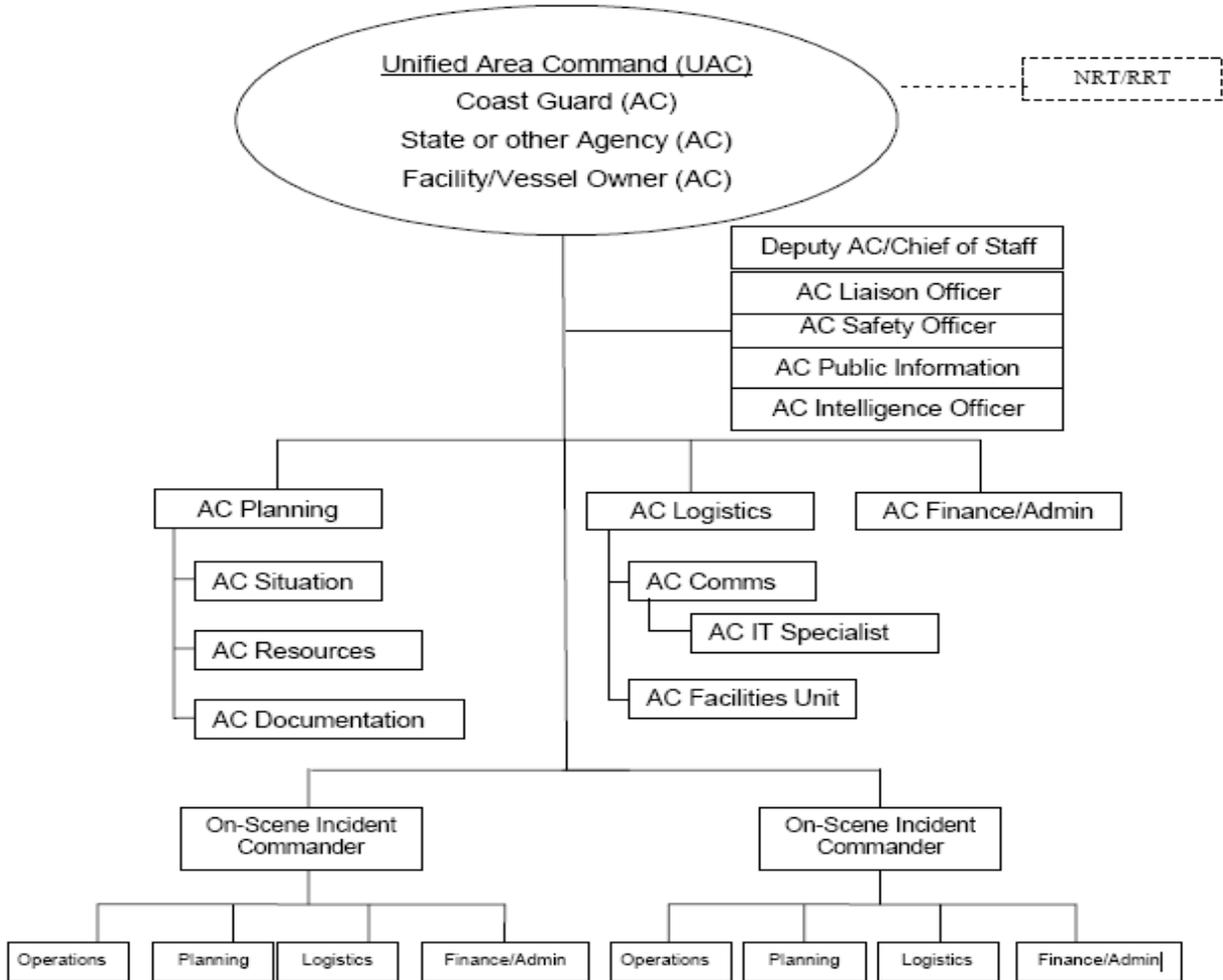
The Area Response Management System is Area level of the National Response System that assists the FOSC with preparing for and responding to pollution incidents. The goal of the Area Response Management System is to identify how those participating in the response management structure can best communicate and coordinate with each other for planning, logistics, finance, operations, and communications to ensure effective response coordination. Because the key players differ from area to area, Area Committees must have the flexibility to tailor systems to their basic organization for the specific area.

The purpose of an Area Command (AC) is to oversee the management of the incident(s), focusing primarily on strategic assistance and direction and resolving competition for scarce response resources. This organization does not supplant the IC's and UC's, but supports and provides strategic direction. Execution of tactical operations and coordination remains the responsibility of the on-scene incident command/unified command structure. Area Command is an organization activated by the Sector, District, or Area Commander to ensure coordination for Command, Planning, Logistical and Fiscal matters.

The AC organization should be kept as small as possible. The size of the AC organization will be determined by the authorities and support requirements of the incident(s) and follows standard ICS principles like flexibility and scalability.

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AREA COMMAND ORGANIZATION



2140 Staff Functions Defined

2140. 10 Incident Commander

The Incident Commander (IC) has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site. On many incidents, command is carried out by a single IC. The IC is selected based on qualifications and experience. The IC may have Deputy IC's who may be from the same agency or from an assisting agency. The Deputy IC must have the same qualifications as the IC, as they must be ready to take over that position at any time.

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A typical oil or hazardous substance incident may likely begin with the local Fire Chief or County Sheriff as the Incident Commander. As the responders from the various regulatory agencies with jurisdiction arrive, these agencies will, whenever possible and practical, be organized under the Unified Command Structure (as shown in Figure 2000-1), which includes, but not limited to:

- The pre-designated Federal On-Scene Coordinator (FOSC):
- U.S. Coast Guard; U.S. EPA
- The State On-Scene Coordinator (SOSC):
- TGLO, LOSCO, TCEQ, LDEQ
- The Local On-Scene Coordinators (LOSC):
- Fire Chief; County Emergency Management Agency; County Sheriff
- Tribal OSC, as applicable
- Responsible Party (RP) Representatives
- RP; Qualified Individual (QI); Spill Management Team Leader
- To support the IC the “Incident Commander Initial Checklist” is provided below as a generic aid which can be used on all oil and hazardous substance incidents:
- Incident Commander Initial Checklist:
- Establish Incident Command Post (ICP) (as required).
- Establish immediate priorities:
- First Priority is always “Provide for the safety and welfare of citizens and response personnel”, including:
 - People involved in the incident
 - Responders
 - Other emergency workers
 - Bystanders
- Second Priority is incident stabilization:
 - Continue to ensure life safety
 - Stay in command
 - Manage resources efficiently

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- Determine incident objectives, strategy and tactical direction. Incident objectives are based on realistic expectations of what can be accomplished when all allocated resources have been effectively deployed. Chapter 4 of the IMH contains Key Decisions, Priorities, Response Objectives and Staff Assignments. Incident Objectives are listed under the categories of: Safety, Search and Rescue, Fire/Salvage, Port Waterways and Coastal Security/Law Enforcement, Waterways Management, Oil/HAZMAT Spills, Environmental, and Management.
- Incident Objectives: To aid the IC/UC in the initial phase of an incident, generic Objectives were pre-selected from Chapter 4 of the IMH under the categories of Safety, Oil Spill, Environmental, and Management. They consist of:
 - Provide for the safety and welfare of citizens and response personnel.
 - Initiate actions to control the source and minimize the volume released.
 - Manage coordinated interagency response efforts.
 - Determine oil/hazmat fate and effect (trajectories), identify sensitive areas, develop strategies for protection.
 - Provide protection of environmental sensitive areas including wildlife and historic properties.
 - Contain and recover spilled material (Oil/HAZMAT).
 - Conduct an assessment and initiate shoreline cleanup efforts.
 - Identify threatened species and prepare to recover and rehabilitate injured wildlife.
 - Remove oil from impacted areas.
 - Keep public, stakeholders and media informed of response activities.
 - Prepare resource estimates and submit necessary resource requests.
 - Prepare additional IAPs for selected operational period subsequent to the initial 48 hour IAP until relieved or until incident operations are finished.

2140.20 The Federal On-Scene Coordinator

The Federal official pre-designated by the EPA for inland areas and by the USCG for coastal or major navigable waterways. These individuals coordinate all federal containment, removal, disposal efforts, and resources during an incident under subpart D of the NCP (40 CFR 300) or

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the government official designated to coordinate and direct removal actions under subpart E of the NCP. A FOSC can also be designated as the Incident Commander. Anyone responsible for reporting releases should be aware of which FOSC has responsibility for the affected area. For locations near the coast or a major waterway, there may be both a Coast Guard and EPA FOSC with assigned responsibilities within jurisdictional boundaries of various state or local entities. For more information about FOSC and their areas of responsibility refer to section 1400 National Response System.

2140.30 The State On-Scene Coordinator

The SOSOC is the individual designated to represent the state and their issues. The Texas Oil Spill Prevention and Response Act of 1991 has pre-designated the Texas General Land Office as the lead agency (SOSOC) to direct the State's response for oil spills in coastal waters. For hazardous materials spills, the Texas Commission on Environmental Quality (TCEQ) serves as lead agency. The Louisiana Oil Spill Prevention and Response Act of 1991 has pre-designated the Louisiana Oil Spill Coordinators Office (LOSCO) of the Governor to act as the lead state agency/ State On-Scene Coordinator (SOSOC) for all oil spills or threatened oil spills affecting the land, coastal waters, or any other waters of Louisiana. For hazardous substance releases, the Louisiana Department of Public Safety serves as the SOSOC

2140.40 The Responsible Party

Each responsible party for a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining shorelines or the Exclusive Economic Zone is a key member of the UC and is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90. Any removal activity undertaken by a responsible party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the ACP, and the applicable response plan required by OPA 90. Each responsible party for a vessel or facility from which a hazardous substance is released, or which poses a substantial threat of a discharge, is liable for removal costs as specified in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 U.S.C. 9601 et seq.). Section 4202 of OPA 90 states that these response plans shall:

- be consistent with the requirements of the National Contingency Plan and Area Contingency Plans;
- identify the qualified individual having full authority to implement removal actions, and require immediate communications between that individual and the appropriate Federal official and the persons providing personnel and equipment pursuant to clause (iii);
- identify, and ensure by contract or other means approved by the President, the availability of private personnel and equipment necessary to remove to the maximum extent

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practicable a worst case discharge (including a discharge resulting from fire or explosion), and to mitigate or prevent a substantial threat of such a discharge;

- describe the training, equipment testing, periodic unannounced drills, and response actions of persons on the vessel or at the facility, to be carried out under the plan to ensure the safety of the vessel or facility and to mitigate or prevent the discharge, or the substantial threat of a discharge
- be updated periodically
- be resubmitted for approval of each significant change.

2140. 50 Responsible Party's Liability

As defined in the Oil Pollution Act of 1990 (OPA 90), each responsible party for a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters or adjoining shorelines or the Exclusive Economic Zone is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90. Any removal activity undertaken by a responsible party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the Area Contingency Plan, and the applicable response plan required by OPA 90. If directed by the OSC at any time during removal activities, the responsible party must act accordingly.

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) 2110.32 Rights of the Responsible Party. Each responsible party for a vessel or facility from which a hazardous substance is released, or which poses a substantial threat of a release, is liable for removal costs as specified in CERCLA (42 USC 9601 et seq).

As long as the responsible party is taking appropriate action, the responsible party maintains their right to be in full partnership with the response effort and the Unified Command. That is:

The Responsible Party has the right to be a fully participating member of the Unified Command and is expected to exercise that right;

The Responsible Party has the right to a timely and accurate cost accounting of reimbursable government expenditures and, when practical, should be approached with all requests to bring government furnished equipment to the scene prior to mobilizing that equipment;

The Responsible Party has the right to offer dissenting opinions within the Unified Command.

2150 Response Objectives

The four general response priorities of the NCP (40 CFR Part 300.317), and this ACP is as follows

- To give safety and human health top priority during every response action;

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- To stabilize the situation in order to prevent the event from worsening;
- To use all necessary containment and removal tactics in a coordinated manner to ensure timely, effective response; and
- To take action to minimize further environmental impact from environmental discharges.
- Response objectives will vary depending on the circumstances of each incident. Chapter four of the Coast Guard IMH has a number of example objectives listed for categories such as safety, search and rescue, firefighting, salvage operations, waterways management, oil/hazmat spills, environment, management, and port, waterways, and coastal security/law enforcement. These objectives can be used as is or modified in response specific risk applications. Objectives need to be specific, measurable, achievable, reasonable, and time-specific to be affective.

2200 – Safety

Any incident requiring response of personnel poses varying dangers to responders unique to the incident circumstances. An important consideration in any response activity is to protect the health and safety of the responders and the general public. To do this requires that the chemical and physical hazard associated with each operation be assessed and methods implemented to prevent or reduce harm to responders. Employees of the Coast Guard, other government employees, 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 Occupational Safety and Health Administration (OSHA) standards for hazardous waste operations and emergency response found in 29 CFR 1910.120. This rule regulates the safety and health of employees involved in remedial operations at uncontrolled hazardous waste sites being cleaned up under government mandate and in certain hazardous waste treatment, storage, and disposal operations conducted under the Resource Conservation And Recovery Act of 1976 (RCRA). The regulations also apply to both emergency response and post-emergency cleanup of hazardous substance spills. The definition of hazardous substance used 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. Thus, most oils and oil spill responses are covered by these regulations. The rules cover employee protection during initial site characterization and analysis, monitoring activities, materials handling activities, training, and emergency response.

In addition, other regulations in general industry (part 1910), construction (part 1926), and the maritime industry (parts 1911 to 1925) may also apply. Also, any hazards for which OSHA does not have a standard could be addressed. Examples of these are heat and cold stress, since extreme

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temperatures and humidity can be reached in the southeast. Safety considerations are an input to every activity that is undertaken and are an outcome of each response activity. For example, an outcome of identifying a specific chemical may cause changes in safety requirements. Additional information about safety can be found in Appendix I Health and Safety Plan.

2210 Safety Officer

The SOFR function is to develop and recommend measures for assuring personnel safety and to assess and/or anticipate hazardous and unsafe situations before they compound the complexity of the incident. Only one primary SOFR will be assigned for each incident. The SOFR Job Aid (reference (e)) should be reviewed regarding the organization and duties of the SOFR.

Each response organization must have an effective health and safety program including medical surveillance and health monitoring, appropriate safety equipment, standardized safety procedures, and an active training program. Exposure to the health and safety of the public sector must be identified and controlled through early countermeasures to prevent additional emergency situations from compounding the incident. To do this, the chemical and physical hazards associated with each operation must be assessed, and methods implemented to eliminate or reduce those hazards. Only one primary SOFR will be assigned for each incident.

The SOFR may have assistants, as necessary, and the assistants may also represent assisting agencies or jurisdictions. Safety assistants may have specific responsibilities, such as air operations, hazardous materials, etc.

The major responsibilities of the SOFR are:

1. Participate in tactics and planning meetings, and other meetings and briefings as required.
2. Identify hazardous situations associated with the incident.
3. Brief Command on safety issues and concerns.
4. Review the IAP for safety implications.
5. Provide safety advice in the IAP for assigned responders.
6. Exercise emergency authority to stop and prevent unsafe acts (every responder has this authority and will exercise this authority at their discretion).
7. Investigate accidents that have occurred within the incident area.
8. Request assistants, as needed.
9. Review and approve the Medical Plan (ICS 206-CG).

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10. Develop the Site Safety Plan and publish Site Safety Plan Summary (ICS 208-CG) as required.
11. Develop the Work Safety Analysis Worksheet (ICS-215a-CG) as required.
12. Ensure that all required agency forms, reports and documents are completed prior to demobilization.
13. Have debriefing session with the IC prior to demobilization.
14. Maintain Unit/Activity Log (ICS 214).

2220 Site Characterization

The Occupational Safety and Health Administration (OSHA) conducts safety and health inspections of hazardous waste sites to ensure that employees are protected and to determine compliance with its regulations. OSHA will provide the FOSC with advice, guidance, and assistance regarding hazards to persons involved in removal or control of oil or chemical spills and in the precautions necessary to prevent endangerment of their health and safety. The assigned Safety Officer should establish communication with OSHA representative at the beginning stages of a medium or large spill. Site characterization during an incident will be determined by the criteria set forth in the USCG ICS Safety Officer (SOFR) Job Aid and the Incident Management Handbook.

2240 Site Safety Plan Development

The site safety plan will be developed in accordance with the OSHA regulations for Hazardous Waste Operations and Emergency Response, 29 CFR 1914.120. One of the key components of a safe and effective response is the early development of a comprehensive Site Safety and Health Plan. A Site Safety Plan is required when personnel must enter a contaminated area to mitigate oil pollution and is designed to protect entry personnel as much as possible. The Site Safety plan addresses the following areas:

- Objectives of the response;
- Organization and coordination;
- Identification of all hazards associated with the released product;
- Personnel protective equipment requirements;
- On-scene work plans;
- Communications;
- Emergency contingency plans;
- Decontamination procedures; and
- First aid

At a minimum the plan should include health and safety hazard analysis for each site, task or operation with a comprehensive operations work plan. This should address personnel training

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requirements, personal protective equipment selection criteria and confined space entry procedures. In addition, it should detail an air monitoring plan, site control measures, and the format for pre-entry and pre-operations briefings.

2240.10 Site Safety Plan Review

Once the plan is completed, it is reviewed by the Incident Commander and the OSC for approval. Initial and subsequent entries may be conducted only after the Site Safety plan is approved. Additionally, prior to entry, all entry personnel receive a thorough briefing to ensure everyone is fully aware of exactly what is to be done and what potential hazards exist. After approving the Site Safety Plan the FOSC will continue to monitor response, cleanup and disposal activities to ensure the completeness and to ensure all safety and environmental concerns are addressed.

2240.20 Plan Acceptance and Verification

All personnel on site, contractors and subcontractors included shall be informed of the site emergency response procedures and any potential fire, explosion, health or safety hazards related to the operation. This incident will be managed and operated under the “Unified Command System” as set forth by national, state and local standards. This plan must be reviewed and an agreement to comply with the requirements of this plan must be signed by all personnel prior to entering the exclusion zone or contamination reduction zone. Noncompliance with the site safety procedures will be grounds for reprimand and possible removal from site activities. A site safety officer will be appointed to develop, implement and verify compliance with the Site Safety and Health Plan. This plan is in effect upon approval and signature of the Unified Commander.

2240.30 Training Requirements

In oil spill responses where OSHA regulations apply, the OSC must ensure that paragraphs (b) through (o) of 29 CFR 1910.120 are complied with. Coast Guard personnel routinely involved in pollution response should complete a 40-hour course meeting the OSHA training in paragraph (e) of 29 CFR 1910.120. Training records should reflect that OSHA requirements have been satisfied.

2300 Information

Considering the high level of environmental awareness in many communities, any pollution incident is likely to generate interest from the public and the media. The public's perception of how a response is being handled is determined during its earliest stages. The ultimate purpose of public information efforts conducted during an environmental emergency is to ensure the public is well informed by issuing timely, credible, and coordinated releases of accurate information be disseminated to the news media, government officials, and the public. It is critical that the Unified Command Structure displays a coordinated front in deploying and managing resources. Information may come from flyover or other video coverage, phone calls, on-site interviews, web site posting, public meetings, or other methods. One or two inquiries by telephone can be handled by a short telephone interview with the Public Information Officer or the appropriate Branch Chief.

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The public affairs plan is designed to demonstrate concern for human and environmental impacts of the incident; define response actions planned or underway; project a team response by federal, state, local and industry representatives. For large spills, it is not always possible to serve the people and the news media by conducting individual phone interviews. However, when significant media interest is anticipated, the PAO should generate a media release describing the incident, response efforts, future plans, and other details as necessary.

2310 Public Information

The Public Information Officer (PIO) is responsible for developing and releasing public information, with Unified Command's approval, about the incident to the news media and public, incident personnel, and to other appropriate agencies and organizations. The PIO is also responsible for controlling direct media access to staff within the Unified Command structure.

Agencies have different policies and procedures relative to the handling of public information. Only one PIO will be assigned for an incident, including incidents operating under UC and multi-jurisdiction incidents. The PIO may have assistants as necessary and the assistants may also represent jurisdictional agencies, the Responsible Party, or other Response Partners responding to the incident.

Major responsibilities of the PIO include:

- Establish a NIMS-compatible Joint Information System (JIS) and, if needed, a physical and/or virtual Joint Information Center (JIC).
- Contact the jurisdictional agencies and Responsible Party to coordinate public information activities.
- Gather incident information from Command, Planning's Situation Unit, other Sections and sources as needed.
- Prepare initial information summary as soon as possible after arrival.
- Observe constraints on the release of information imposed by Command.
- Obtain approval for release of information from Command. Prepare and disseminate news releases, photos, videos and other public information.
- Attend Command meetings to obtain the latest incident information and brief Command on public information strategies, rumors and public concerns.
- Arrange for media interviews and briefings by Command and incident personnel.
- Escort any media or public visitors authorized to tour incident sites.
- Respond to special requests for information.

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- Obtain media information that may be useful to incident planning.
- Maintain current information summaries and/or displays of the incident and provide information on the incident's status to incident personnel.
- Resolve conflicting information and correct any factual errors as soon as possible.
- Maintain Unit/Activity Log (ICS 214).
- A job aid for the Public Information Officer can be found at <https://homeport.uscg.mil/ics>

2320 Joint Information Center (JIC)

Information section is on the Area Committee work list, and will be improved as part of the 2014 annual update cycle. Please refer to the 2013 ACP work list.

The PIO should establish a Joint Information System (JIS) and, if necessary, a physical or virtual Joint Information Center (JIC) compatible with the National Incident Management System (NIMS). NIMS compatible JIC models include the National Response Team's JIC model, the FEMA 517 JIC model and the NIMS IS-702 JIC model. An initial site for the JIC should be quickly designated to expedite the set-up and the rapid dissemination of initial incident information. The Public Information Officer should invite public affairs representatives of each Command organization (Federal, State, Local and Responsible Party) to respond at the initial JIC location and/or remain in frequent telephone, email and fax communication to coordinate public information activities.

The role of the JIC is to:

- Provide multiple phone lines and email access for incoming inquiries, staffed by knowledgeable individuals.
- Ensure designated public information representatives and spokespersons from Local, State, Federal and Responsible Party organizations responding to the incident are available to the media and public.
- Develop and produce joint news releases and other documents which must be approved by the FOSC, SOSC, LOSC, and RPIC prior to distribution; once approved, provide copies internally to Command and other incident personnel, and externally to the media, public and other stakeholders.
- Schedule, organize, and facilitate media briefings, community meetings, and other opportunities to provide public information.

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- Equipment needs for the JIC vary and are dependent on the size and impact of the incident as well as media and public interest levels. If possible, designate a separate Media Room for use by reporters covering the story. The room should ideally be equipped with several phone lines, electrical outlets, desks or tables, and chairs. Display maps, status boards, and other visual aids that can be used on-camera. Set up a table near the door for the latest news releases, fact sheets, and advisories.
- The location of an oil spill or hazardous substance release cannot be pre-determined because the Area Contingency Plan encompasses a vast area of potential locations. The initial site of the JIC for any oil or hazardous materials spill may be located at the offices of the Federal On-Scene Coordinator (FOSC).

For incidents occurring in waters under the jurisdiction of Sector Houston-Galveston, the initial JIC can be established at:

USCG Sector Houston-Galveston

9640 Clinton Drive
Houston, TX 77029
Phone: (713) 671-5100/ (713) 678-9035 PAO Sector HG
Fax: (713) 671-5177 (24 hrs)

For incidents occurring in waters under the jurisdiction of Marine Safety Unit Texas City, the initial JIC can be established at:

USCG Marine Safety Unit Texas City

3101 FM 2004
Texas City, TX 77553-1229
Phone: (409) 978-2700/ (409) 978-2736 PAO (409) 978-2743
Fax: (409) 978-2670

For incidents where Sector Houston-Galveston or MSU Texas City is not able to provide an initial JIC location, the initial JIC can be established at:

USCG Public Affairs Detachment Houston

1178 Ellington Field
Houston, TX 77034
Phone: (713) 578-3081/ (713) 578-3082

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Fax: (713) 578-3090

Information furnished to the JIC by its members shall not be considered appropriate for external release unless it is clearly labeled, "FOR PUBLIC DISTRIBUTION". The JIC shall provide opportunity for all members to review information prior to release. However, it is the responsibility of the member to take advantage of that opportunity and review the release information. The JIC will conduct daily coordinated meetings at least twice daily, at 6:30a.m. and 1:30 p.m., unless otherwise notified. These meetings will coordinate scheduled updates in time for most media deadlines. The JIC manager may initiate a "time out" at any time to clarify strategy, known facts, or share input from the Unified Command.

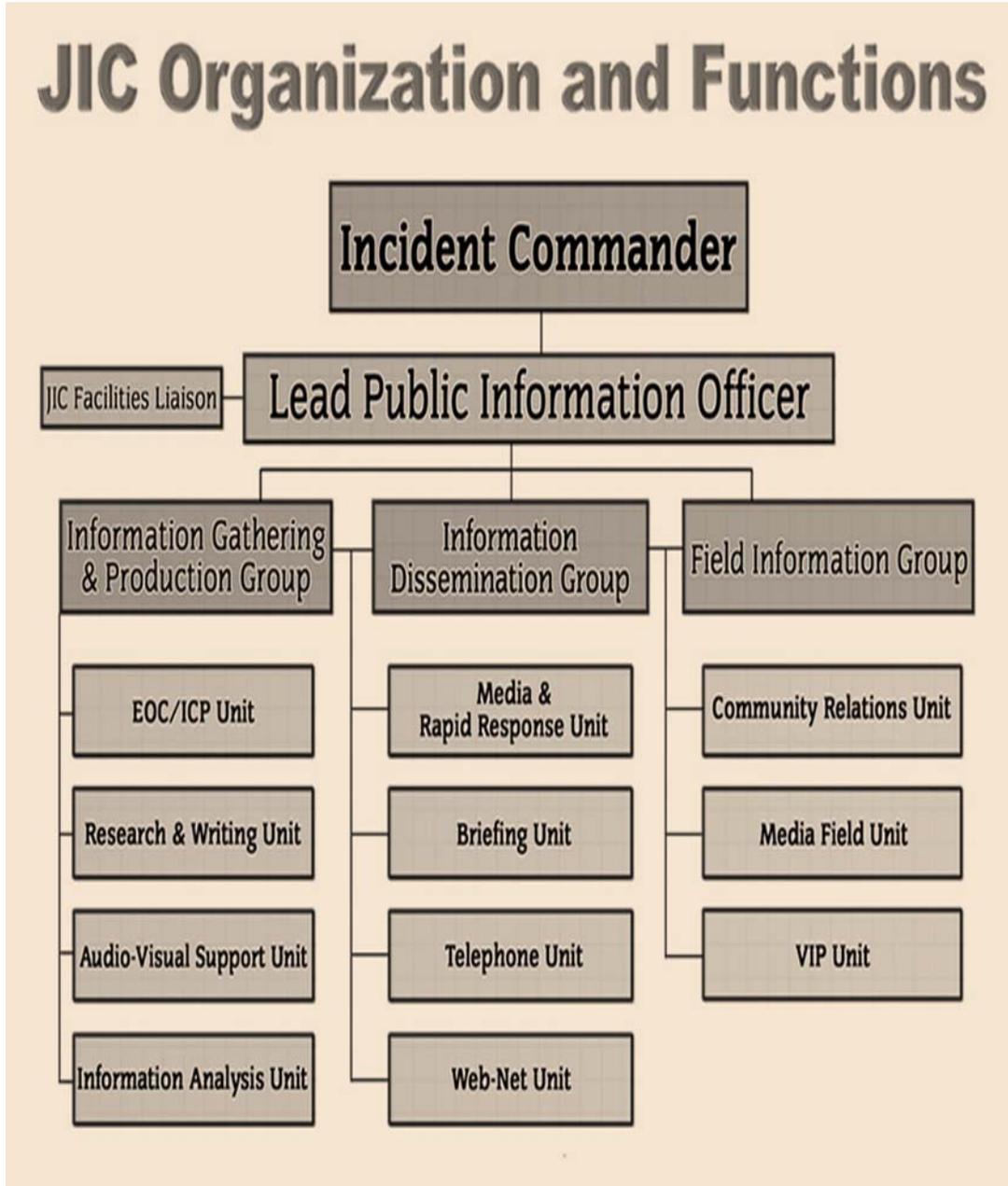
Video sharing is an effective method of providing external information. Members are encouraged to provide originals (or first copies) of any raw video appropriate for general release. The JIC will ensure the availability of video for all interested media. Video provided to the JIC will be considered in the public domain unless claims to copyright are clearly indicated.

A log should be maintained to track inquiries by reporters. Include basic information such as names, news organization, time of call, and information sought. Media requests that require follow up action should be highlighted and assigned to proper personnel to ensure that questions are answered in a timely manner (in consideration of deadlines). The logs will also serve as background information for new members to the JIC during shift changes.

During major and Offshore oil spill incidents (e.g. Deepwater Horizon), public affairs policy dictates that all oil spill products produced by the local PIO must be vetted by USCG District 8 PIO before that information be provided to the media. The flow rate of this information is based only on fact and not conjecture which is part of the verification process by USCG District 8. In the absence of factual information, public affairs policy should ensure that information providers acknowledge the uncertainty and efforts to obtain reliable information.

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2330 Organization Chart



2340 News Release / Press Conferences

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As soon as possible, the PIO should prepare a News Advisory identifying the PIO (or JIC, if established) as the official source of information about the incident. By definition, “news advisory” contains information solely for the news media to plan their story coverage. A news advisory is not for broadcast, publication, or release to the public.

If initial incident information is readily available, the News Advisory should be accompanied by a News Release written in “bullet point” or Fact Sheet format summarizing the key facts about the incident. The time required to compile, write, and obtain Command approval of such a Fact Sheet will be substantially faster than needed to produce a narrative News Release.

As time permits, a more detailed news release should be prepared describing the incident, identifying the Responsible Party and response agencies, containment and cleanup efforts, future plans and other details as necessary. An updated news release or fact sheet should be prepared for distribution at each news conference or media briefing. By definition, a “news release” is information for broadcast, publication, and release to the public at the time identified on the news release.

Each media advisory, fact sheet, and news release should be approved by the organization’s Incident Commander or On Scene Coordinator (if speaking only for that organization) or by Unified Command (if issued as a joint news release.) Pre-approval is also required for posting any information on a website. Approval authority may be delegated by Command to the PIO.

These written products should be email or faxed to the major media outlets, government agencies, and external organizations listed in Section 9900 and other media outlets that have inquired about the incident. USCG Sector Houston-Galveston, MSU Texas City, PADET at Ellington, and USCG District 8 Public Affairs has these lists pre-programmed into their online media database. Coordination is recommended among federal, state, local and RP information specialists to minimize duplication. Photocopies should be provided to all Command Staff and Section Chiefs and any other key players who may end up speaking with the media.

Updated fact sheets or news release should be prepared at regular intervals until the incident has been concluded or there is no more media interest. Distributing such updates by 0500, 1000, 1500, and 2000 hours will place timely information in the hands of the media to meet radio, television, and newspaper deadlines. For a small incident, once-a-day updates by 1500 hours or twice-a-day updates by 0500 and 1500 hours may be sufficient. The JIC will ensure that personnel on scene are provided with information updates either by briefings or printed releases. Press conferences will be utilized when PIO representatives deem that it is the most appropriate interview format is to provide information to the public. The PIO representatives will determine whether to conduct individual interviews or briefing an entire group. These conferences could take place at the JIC or another designated location depending on the incident circumstances. PIOs will report verified information only and not speculate on cause or quantities.

The following items should be considered when setting-up for a press conference:

- Work with spokespersons to agree upon key messages
- Determine venue for media conference

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- Issue an advisory alerting media as to time/place
- Be sure to notify appropriate management/spokespersons
- Check on sufficient electrical outlets/accessibility
- Parking arrangements
- Identify location for individual interviews afterward
- Prepare media kits, if required
- Set up site - chairs, audiovisuals, refreshments, etc.
- Tape recorder to document the conference or for playback to personnel who couldn't attend
- Unified Command logo for backdrop visual, if appropriate
- Security (not in uniform)
- Check credentials of media attending
- Request that beepers and cellular phones be turned off as a courtesy to others recording, videotaping
- Brief media prior to main presenters arrival
- Establish time limitations with media before main presenters arrive
- Ensure the opening remarks of presenters are brief and focused

2340.10 Media Monitoring Services

It is highly probable that within a very short period of time, the news of an incident will begin being reported on by the various media outlets. Radio will generally be the first to report it, followed by special bulletins on television. It will be of particular benefit and interest to the Unified Command to monitor news reports in order to determine the extent and slant of the coverage. In addition, any misstatements can be identified and corrective action taken to correct inaccuracies.

2340.20 News Media Outlets

Public affairs specialists from USCG PADET Houston, Sector Houston-Galveston, MSU Texas City, or USCG District 8 External Affairs will email or fax the latest news releases and other public information to its online database of media outlets, city/county government agencies, and other stakeholders. Because this online database of names, phone, fax and email addresses is continually being updated, the database is no longer stored in the Area Contingency Plan.

Other media outlets and stakeholders NOT included in this online database may contact the Joint Information Center to request that they be added to the email or fax distribution list for news releases about the incident. Contact information for local media outlets including radio, television, and newspaper can be found in the 9000 Section.

USCG public affairs specialists can also post news releases, photos and video to an incident-specific JIC website for 24/7 access by the media and public. News releases, photos and video can also be posted on the District 8 website for media and public to access. The District Eight's External Affairs website is: <http://www.d8externalaffairs.com>

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2340.30 External Organizations

These organizations are non-governmental agencies such as non-profit response agencies, industry associations, environmental organizations, and academic institutions that the media and public may contact for validation or additional information during a spill.

Copies of the latest news releases should be faxed to these external organizations so they can respond to questions from the media and public and so they can email or fax the same information to their members, resource personnel, or additional contacts.

2340.40 City Government Offices

During an incident, determine the counties that could be impacted by the spill. Contact each county's Emergency Management Coordinator to determine if the spill could impact unincorporated areas under each county's jurisdiction, or if the spill could impact areas under the jurisdiction of one or more incorporated cities.

If one or more cities might be impacted, ask the applicable county Emergency Management Coordinator for the name, title, phone, email and fax number of each impacted city's Emergency Management Coordinator, Environmental Health Supervisor, or other appropriate municipal contact person.

The appropriate city and county officials should be added to the email and fax distribution of all news releases about the spill, and should be invited to send a city or county public affairs official to the Joint Information Center to serve as a local Public Information Officer.

2340.50 Standard Questions Asked by the Media

Experience has shown that the following questions are often asked by the media during press conferences. The answer to all of them should be addressed in the initial statement prior to opening the floor to questions.

1. How much oil has spilled?
2. Has it been contained?
3. What was the cause?
4. What time did the incident occur?
5. Whose fault was it?
6. What is the name and address of the responsible party?
7. What is the name and address of the owner/operator?
8. Who will assume responsibility for cleanup?
9. What's being done to clean it up?
10. Were there any injuries?
11. Is there any threat to environment?
12. Was the ship's captain intoxicated? (tanker incident)
13. How would you classify this spill? Large? Small?
14. How long will it take to cleanup?
15. How much will it cost to cleanup?

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16. Will people who suffer losses because of the spill be reimbursed?
17. How many people will be involved in the response?
18. What is the flag of this vessel? What nationality is the crew?
19. Will you use dispersants or in-situ burning?
20. What is the trajectory of the oil? How long before it hits the shoreline?
21. Are there aircraft surveillance operations ongoing? How many?
22. What wildlife or marine life is being threatened?
23. What kind of insurance do you have to cover this?
24. What are your biggest fears?
25. Is this an environmental disaster?
26. How old is this vessel?
27. If a tank ship, was it tanker double-hulled?
28. When it was last inspected?
29. Will the captain and crew be tested for drugs?
30. What happens if they test positive for drugs? Will they be fired?
31. Are there any other contingencies you are planning for? Is this your worst nightmare?
32. If not, what is?

2350 News Advisory Example

NEWS ADVISORY #1

CHANNEL POINT OIL SPILL

Issued January 01, 2013 at 10 a.m.

For more information, contact:

(Public Information Officer)

Joint Information Center

Phone: (xxx) xxx-xxxx

Email: xxxxx@xxxxxxxxxxx.xxx

JIC website: www.xxxxxxxxxxxx.xxx

JOINT INFORMATION CENTER NOW OPEN

The U.S. Coast Guard in cooperation with the Texas General Land Office and Atlas Marine opened a Joint Information Center (JIC) to communicate information about the Channel Point oil spill.

The JIC was established at the U.S. Coast Guard's Sector Houston-Galveston offices located at 9640 Clinton Drive in Houston, Texas.

The purposes of the JIC are:

- Compile the latest, most accurate incident information,
- Answer questions from the media and the public,
- Verify and correct any rumors about the incident,

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- Schedule media tours, interviews, & joint news conferences.
- A news conference has been scheduled for 3:00 p.m. at the (location).
- Parking for media vehicles is available in the parking lot north of the main building.
- News media representatives should bring government-issued photo identification (such as a driver's license or passport) and any media credential (such as a company identification badge or letter on company letterhead) for access to media areas of the JIC.
- All media and public inquiries about the incident should be directed to the JIC by phone, email, or by visiting the JIC website. The JIC will be staffed 24 hours.
- -end-

Additional contacts: (Phone numbers optional if working JIC.)

LT Jane Smith, USCG (xxx) xxx-xxxx

Mr. John Doe, Atlas Marine (xxx) xxx-xxxx

Ms. Anne Wilson, TGLO (xxx) xxx-xxxx

2360 Fact Sheet Example

FACT SHEET #1

CHANNEL POINT OIL SPILL

Issued July 22, 2008 at 10 a.m.

For more information, contact:

(Public Information Officer),

Joint Information Center

Phone: (xxx) xxx-xxxx

Email: xxxxx@xxxxxxxxxxx.xxx

JIC website: www.xxxxxxxxxxxx.xxx

TIME AND DATE OF INCIDENT: 8:45 a.m., July 22, 2008

LOCATION OF INCIDENT: Channel Point, Houston Ship Channel

TYPE OF INCIDENT: Barge grounded on shoreline

CAUSE OF INCIDENT: Under investigation

NAME OF VESSEL OR FACILITY: AT-411

TYPE OF VESSEL OR FACILITY: Single-hull 60,000 metric tons

OWNER OF VESSEL: Atlas Marine, Houston, Texas

STATUS OF PERSONNEL: 3 crewmen on duty, no injuries

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NAME OF PRODUCT RELEASED: Sour Kuwaiti Crude Oil

ESTIMATED SIZE OF RELEASE: 1000 barrels (42,000 gallons)

AMOUNT CONTAINED/RECOVERED: None

STATUS OF RELEASE SOURCE: Release from #3 port cargo tank

AREAS CURRENTLY IMPACTED: Channel Point and Clear Bayou

IMPACT ON SHIPPING TRAFFIC: Houston Ship Channel Restricted

IMPACT ON MARINE WILDLIFE: 2 oiled egrets reported

RESPONDING AGENCIES:

USCG Sector Houston-Galveston

Texas General Land Office (TGLO)

Atlas Marine

STATUS OF RESPONSE/CLEANUP: Equipment mobilized. Staging at
Channel Point off FM222.

PHONE NUMBERS ESTABLISHED: Oiled bird (713) 555-WILD

Claims Hotline (281) 555-HELP

-end-

2370 News Release Example

NEWS RELEASE #1

CHANNEL POINT OIL SPILL

Issued July 22, 2008 at 11 a.m.

For more information, contact:

(Public Information Officer)

Joint Information Center

Phone: (xxx) xxx-xxxx

Email: xxxxx@xxxxxxxxxxx.xxx

JIC website: www.xxxxxxxxxxxx.xxx

UNIFIED COMMAND LAUNCHES SPILL RESPONSE

HOUSTON--The U.S. Coast Guard, Texas General Land Office (TGLO), and Atlas Shipping established a Unified Command Post in response to a 42,000 gallon oil spill into the Houston Ship Channel from a damaged barge.

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At approximately 8:45 this morning, the tugboat Lucky Lady, pushing 6 barges outbound on the Houston Ship Channel, ran aground near Channel Point by Pasadena, Texas. The tugboat and barges, owned by Atlas Marine of Houston, were transporting crude oil when one of the barges, barge AT-411, suffered a rupture in the #3 port cargo tank. No injuries have been reported.

The Coast Guard has restricted vessel traffic on the Houston Ship Channel from Channel Point to the Galveston Causeway Bridge (MM 350 - MM 375) until further notice.

The Coast Guard Federal On-Scene Coordinator (FOSC) and the TGLO State on-Scene Coordinator (SOSC) are working with Atlas Marine ensuring cleanup efforts are underway. Atlas Marine activated its Spill Management Team and mobilized cleanup personnel and equipment from ABC Responders and XYZ Incorporated.

Two oiled egrets were sighted near Clear Bayou. The U.S. Fish and Wildlife service and Texas Parks and Wildlife will set up a wildlife rehabilitation trailer on Channel Point. The oiled bird wildlife number is (713) xxx-xxxx.

The cause of the incident is under investigation.

-end-

Additional contacts: (Phone numbers optional if working JIC.)

LT Jane Smith, USCG (xxx) xxx-xxxx

Mr. John Doe, Atlas Marine (xxx) xxx-xxxx

Ms. Anne Wilson, TGLO (xxx) xxx-xxxx

Section 2400 – Liaison

Liaison section is on the Area Committee work list, and will be improved as part of the 2014 annual update cycle. Please refer to the 2013 ACP work list.

Keeping the public and other interested parties informed is a primary incident objective. Staff members responsible for meeting this objective ensure that elected officials and stakeholders are well informed of the status of the incident, the decisions made and actions taken by the Unified Command. The ultimate purpose of public information efforts conducted during an environmental emergency is to ensure the public is well informed by issuing timely, credible, and coordinated releases of accurate information to the news media, government officials, and the public. There is a shared responsibility among the Unified Command representatives to ensure accurate and credible information is made available. It is also the shared role of the Unified Command representatives to ensure appropriate staffing in all positions within the Incident Management System. Incidents that are multi-jurisdiction, or have several agencies involved, may require the establishment of the Liaison Officer position on the Command Staff.

2410 Liaison Officer (LOFR)

The Liaison Officer (LOFR) is particularly important within the SE TX & SW LA AOR given the public safety authority of the multijurisdictional nature of the rivers and coastal spills in Texas and Louisiana. Given the importance of the LOFR duties, and to ensure public confidence

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and trust, it is the policy of the SE TX & SW LA ACP for the LOFR position to be filled by a qualified representative of a federal, state, tribal, or local agency, if available. If no such agency representative is initially available, qualified, or willing to be the LOFR, a responsible party representative may, upon the Unified Command's concurrence, fill the role. The LOFR may have assistants as necessary. Furthermore, a transition to a responsible party designated LOFR may occur with the concurrence of the Unified Command. The SE TX & SW LA ACP also encourages responsible parties to designate an Assistant LOFR, who will participate in all the meetings attended by and briefings made by the LOFR.

Investigators from Federal and state agencies will not normally be a part of the Unified Command. While personnel may report to individuals that are part of the Unified Command in their day-to-day chain of command, the investigators should be separate so as not to introduce polarized forces into the Unified Command system. Coordination with Unified Command may be done through the Liaison Officer.

Responsibilities are outlined as follows:

- Serve as primary incident point of contact for Agency Representatives.
- Maintain a list of assisting and cooperating agencies and Agency Representatives including name and contact information. Monitor check-in sheets daily to ensure that all Agency Representatives are identified.
- Establish and coordinate with interagency contacts.
- Keep assisting and cooperating agencies and other stakeholders supporting the incident aware of incident status.
- Monitor incident operations to identify current or potential inter-organizational problems.
- Coordinate response resource needs for incident activities with the OSC.
- Effectively channel assisting agency resources and cooperating agency support into the operational planning process in order to have positive effects on the response effort.
- Serve as key contributor to the positive public perception of the response effort.
- Serve as primary point of contact for all stakeholders who are not represented on the incident management team (IMT) and ensure their concerns, input, objectives, and issues are effectively addressed by the response effort.
- Manage the Liaison Staff Organization, including the assignment of Assistants and forming teams where necessary.

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- Effectively use Assistant Liaison Officers (ALOFR) to manage work activities in the Incident Command Post (ICP) and assign ALOFRs to other locations where direct linkage to the ICP is necessary, such as Emergency Operations Centers (EOCs), Command Centers and or the Joint Field Office (JFO).
- Develop and maintain a Stakeholder Coordination or Outreach Plan or process.
- Participate in the Command and General Staff and Planning meetings providing limitations and capability of assisting agency resources.
- Brief Command on liaison issues and concerns.
- Review the Incident Action Plan (IAP) to ensure that liaison oriented objectives, messages, issues, and information are included as appropriate.
- Review support and/or contingency plans for integration of stakeholder input and involvement.
- Develop, review and approve liaison related documents.
- Ensure all Liaison activities are documented on ICS-214, Unit Log.
- Complete all required forms and documentation prior to demobilization.
- Job aids for the LOFR can be found hyperlinked: [LOFR](#) [USCG IMH](#)

2420 Investigators

2420.10 Federal

2420.11 U. S. Coast Guard Investigative Service (CGIS)

CGIS Agents are available to investigate criminal violations of environmental laws enforced by the Coast Guard. CGIS should be notified and consulted regarding all cases that may be referred to the Department of Justice for criminal prosecution. CGIS Agents are trained criminal investigators who are familiar with the legal issues associated with prosecution of a criminal case. Additionally, CGIS Agents regularly work with agents of other Federal, State, and local law enforcement agencies and frequently become aware of violations of environmental laws and ongoing criminal investigations through these sources.

Unless expressly directed by the Chief of CGIS or higher authority, CGIS will not conduct an environmental crime investigation in a COTP zone without first notifying and, thereafter, coordinating with the COTP. Likewise the COTP should avoid committing the Coast Guard to participate in criminal investigations, either solely or in coordination with other enforcement agencies, without first consulting the District Commander who will ensure appropriate

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coordination with CGIS. In the event exigent circumstances require the initiation of a criminal investigation before such notification or consultation can occur, the required communication must occur as soon as practical thereafter. Finally, all unit commanders should keep in mind that, once a case is accepted for criminal investigation by CGIS, CGIS agents are required to follow procedures outlined in the CGIS Investigations Manual, COMDTINST M5527.1 (series).

2420.12 USEPA Criminal Investigations Division (EPA CID)

The Criminal Investigation Division (CID) investigates allegations of criminal wrongdoing prohibited by various environmental statutes. Such investigations involve, but are not limited to, the illegal disposal of hazardous waste; the export of hazardous waste without the permission of the receiving country; the illegal discharge of pollutants to a water of the United States; the removal and disposal of regulated asbestos containing materials in a manner inconsistent with the law and regulations; the illegal importation of certain restricted or regulated chemicals into the United States; tampering with a drinking water supply; mail fraud, wire fraud, conspiracy and money laundering relating to environmental criminal activities. CID Special Agents are sworn federal law enforcement officers with statutory authority to conduct investigations, make arrests for any federal crime, and to execute and serve any warrant.

2420.13 National Transportation Safety Board (NTSB)

The National Transportation Safety Board is an independent federal agency dedicated to promoting aviation, railroad, highway, marine, pipeline and hazardous materials safety. Established in 1967, the agency is mandated by Congress through the Independent Safety Board Act of 1974 to investigate transportation accidents, determine the probable causes of the accidents, issue safety recommendations, study transportation safety issues, and evaluate the safety effectiveness of government agencies involved in transportation. The Safety Board makes public its actions and decisions through accident reports, safety studies, special investigation reports, safety recommendations, and statistical reviews.

In accordance with the CG/NTSB MOU and 46 CFR 4.40-15(b), the NTSB shall conduct the investigation of certain major marine and public/nonpublic vessel casualties. Except for the preliminary investigation, a separate Coast Guard casualty investigation will not be conducted, nor will parties in interest be designated by the Coast Guard. Although these investigations are conducted by the NTSB in accordance with their procedures, the Coast Guard will participate fully as a party. The OCMI should maintain during the investigation.

2420.20 State

2420.21 Texas Department of Public Safety

The Texas Department of Public Safety (DPS) has adopted rules relating to the reporting of all transportation incidents involving releases of reportable quantities of hazardous materials and on-site coordination of transportation emergencies on public roads and railroads (Texas Government Code Ann., §411.018, Vernon Supp. 1990). These rules specify the DPS's role in

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on-site coordination and outline a written report requirement for carriers involved in hazardous materials transportation incidents (see 37 TAC §§3.101 and 3.102).

During transportation incidents involving hazardous materials, the DPS official, as on-site coordinator, is responsible for on-site coordination of transportation emergencies for all unincorporated areas and may assume the on-site coordination role within cities when requested to do so by local government (37 TAC §3.101(a)). The DPS law enforcement officer who is the first responder on-site is responsible for the on-site coordination (37 TAC §3.101(b)). The DPS on-site coordinator is authorized to make emergency rules when normal operating procedures prove inadequate (37 TAC §3.101(d)). DPS coordination responsibilities will be performed until relieved by appropriate DPS authority or until the incident is concluded.

2420.22 Louisiana Department of Public Safety and Corrections, Hazardous Material and Explosives Control Unit

The Hazardous Material and Explosives Control Unit has the responsibility for response and investigation of all chemical emergencies occurring within the State of Louisiana. The Hazardous Material and Explosives Control Unit is the SOSC for all Hazardous Substance releases.

2430 Federal/State/Local Trustees

2430.10 Federal Trustees

Unless delegated to an Authorized Official, the Secretary of the Interior is the natural resource trustee for the natural resources managed or controlled by the following DOI Bureaus:

- NPS: National parks, national monuments, national historic sites, national recreation areas, and wild and scenic rivers;
- USFWS: National wildlife refuges, national fish hatcheries, waterfowl production areas, migratory birds, threatened and endangered species, and anadromous fish.
- BLM: Public lands and federally owned minerals (underlying private as well as public lands).
- BIA: In cases where the United States acts on behalf of a Native American Tribe, the Secretary of the Interior also acts as trustee for natural resources for which the tribe would otherwise act as trustee, i.e., reservations and other lands or natural resources held in trust for the tribe including off-reservation natural resources).
- The Secretary of Agriculture is trustee for the national forests and national grasslands.
- The Secretary of Commerce, through the National Oceanic and Atmospheric Administration (NOAA), is trustee for lands under their administration; certain federally listed species; marine mammals; marine, anadromous, and some Great Lakes fishes; and essential fish habitat.
- The Secretary of Defense is trustee for military lands and USACE project lands.
- The Secretary of Energy is trustee for DOE lands and facilities.

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2440 Natural Resource Damage Assessment

Natural Resource Damage Assessment (NRDA) is outside the sphere of most emergency spill response actions. NRDA activities generally do not occur within the structure, processes, and control of the Incident Command System. However, particularly in the early phase of a spill response, many NRDA activities overlap with environmental assessments performed for the sake of spill response. Because spill response and NRDA activities might be performed in the same location, NRDA staff should remain coordinated with the spill response organization, and need to work with the LOFR to coordinate with the Unified Command, Environmental Unit, Wildlife Rescue/Rehabilitation Branch, and the Scientific Support Coordinator to resolve any problems or address areas of overlap. While NRDA resource requirements and cost fall outside the responsibility of the Logistics and Finance sections, coordination is again important.

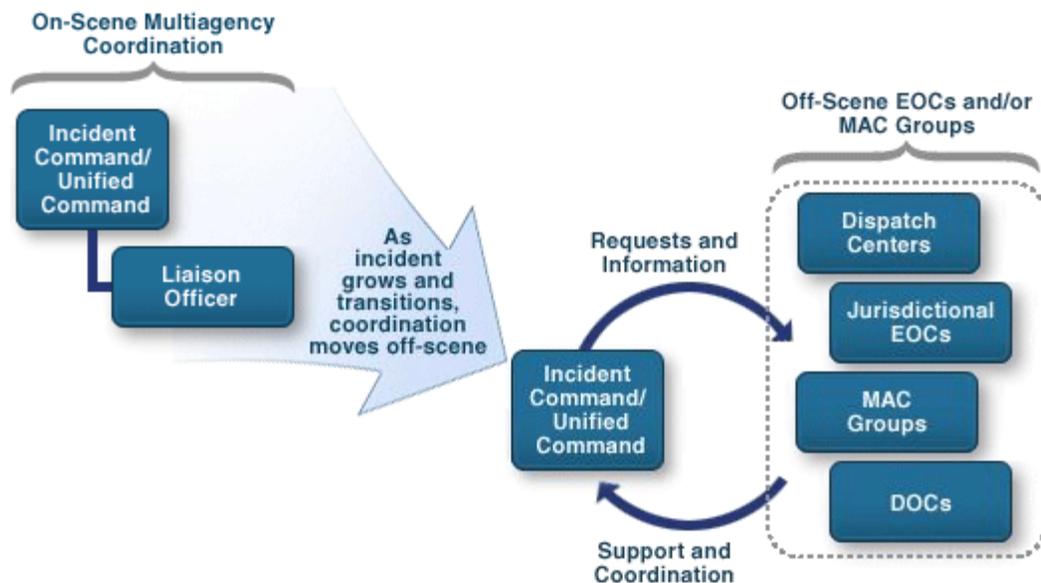
2450 Multiagency Coordination System

Multiagency coordination is a process that allows all levels of government and all disciplines to work together more efficiently and effectively. Multiagency coordination occurs across the different disciplines involved in incident management, across jurisdictional lines, or across levels of government. Multiagency coordination can and does occur on a regular basis whenever personnel from different agencies interact in such activities as preparedness, prevention, response, recovery, and mitigation.

Often, cooperating agencies develop a Multiagency Coordination System (MACS) to better define how they will work together and to work together more efficiently; however, multiagency coordination can take place without established protocols. MACS may be put in motion regardless of the location, personnel titles, or organizational structure.

Initially the Incident Command/Unified Command and the Liaison Officer may be able to provide all needed multiagency coordination at the scene. However, as the incident grows in size and complexity, off-site support and coordination may be required.

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Integral elements of MACS are dispatch procedures and protocols, the incident command structure, and the coordination and support activities taking place within an activated Emergency Operations Center. Fundamentally, MACS provide support, coordination, and assistance with policy-level decisions to the ICS structure managing an incident.

More information on [MACS](#) can be found on the FEMA NIMS website.

2460 Incident Investigation

Investigators from Federal and state agencies will not normally be a part of the Unified Command. While personnel may report to individuals that are part of the Unified Command in their day-to-day chain of command, the investigators should be separate so as not to introduce polarized forces into the Unified Command system. Coordination with Unified Command may be done through the Liaison Officer.

2470 Federal Agencies and Teams

2470.10 EPA Environmental Response Team

The EPA has three Environmental Response Teams station around the country (Edison, NJ, Cincinnati, OH, and Las Vegas, NV) which provide EPA regional and Headquarters Offices, the U.S. Coast Guard, other local, State, and Federal agencies, and foreign governments with technical assistance in responding to environmental emergencies such as spills of oil and hazardous substances and in assessing and cleaning up hazardous waste sites. The ERT, mandated as one of the Special Teams under the NCP, functions in an advisory capacity to OSCs and other Federal, State, and local officials concerned with spills and hazardous waste sites.

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The ERT is also utilized in recommending remedial actions for immediate and long-term activities at oil spill sites and for designing and implementing plans for monitoring air, water, and sensitive habitats. The ERT maintains an around-the-clock emergency response activation system for responding to environmental emergencies and uncontrolled oil and hazardous waste sites, consulting on water and air quality criteria, health and safety protocols, ecological risk assessment, interpretation and evaluation of analytical data, and engineering and scientific studies, and developing and implementing site specific safety programs.

The ERT also provides specialized equipment to meet specific site requirements for monitoring, analytical support, waste treatment, and containment and control, and develops technical manuals, policies and Standard Operating Procedures (SOPs) for specialized equipment, computer systems, and analytical process. The ERT assists in the development of innovative technologies for use at environmental emergencies and uncontrolled hazardous waste sites, and trains Federal, State, and local government officials and private industry representatives in the latest oil and hazardous substance response technology.

For more information visit: <http://www.ert.org/>

2470.20 EPA Radiological Emergency Response Teams

The EPA has two Radiological Emergency Response Teams (RERT) one based in Las Vegas, NV and one in Montgomery, AL. The RERT responds to emergencies involving releases of radioactive materials. Working closely with EPA's Superfund program as well as federal, state, and local agencies, the RERT responds to emergencies that can range from accidents at nuclear power plants, to transportation accidents involving shipments of radioactive materials, to deliberate acts of nuclear terrorism.

For more information visit: <http://www.epa.gov/radiation/rert/rert/html>

2470.30 U.S. Department of Health and Human Services

The U.S. Department of Health and Human Services (HHS), through the Agency for Toxic Substance and Disease Registry (ATSDR), serves the public by using the best science, taking responsive public health actions, and providing trusted health information to prevent harmful exposures and disease related to toxic substances. The ATSDR is directed by congressional mandate to perform specific functions concerning the effects on public health of hazardous substances in the environment. These functions include public health assessments waste sites, health consultations concerning specific hazardous substances, health surveillance and registries, response to emergency release of hazardous substances, applied research in support of public health assessments, information development and dissemination, and education and training concerning hazardous substances.

For more information visit: <http://www.atsdr.cdc.gov/atsdrhome.html>

2470.31 The National Institute for Occupational Safety and Health (NIOSH)

NIOSH provides national and world leadership to prevent work-related illness, injury, disability, and death by gathering information, conducting scientific research, and translating the

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knowledge gained into products and services, including scientific information products, training videos, and recommendations for improving safety and health in the workplace.

In response to requests from workers (or their representatives), employers, and other government agencies, NIOSH Health Hazard Evaluation scientists conduct workplace assessments to determine if workers are exposed to hazardous materials or harmful conditions and whether these exposures are affecting worker health. NIOSH evaluates the workplace environment and health of employees by reviewing records and conducting on-site environmental sampling, epidemiologic surveys, and medical testing.

2470.40 U.S. Department of Agriculture

The U.S. Department of Agriculture (USDA) has scientific and technical capability to measure, evaluate, and monitor, either on the ground or by use of aircraft, situations where natural resources including soil, water, wildlife, and vegetation have been impacted by hazardous substances and other natural or man-made emergencies. The USDA may be contacted through the U.S. Forest Service emergency staff officers who are the designated members of the RRT. Other Agencies within the USDA that have relevant capabilities and expertise are:

The U.S. Forest Service;

The Agriculture Research Service (ARS);

The Animal and Plant Health Inspection Service (APHIS); and

The Food Safety and Inspection Service (FSIS).

Details on the capabilities and expertise for the above agencies are outlined in the NCP (40 CFR Part 300.175(b) (6)).

2470.50 U.S. Department of Commerce

The U.S. Department of Commerce (DOC), through the National Oceanic and Atmospheric Administration (NOAA) provides scientific support for response and contingency planning in coastal and marine areas, including assessments of the hazards that may be involved, predictions of movement and dispersion of oil and hazardous substances through trajectory modeling, and information on the sensitivity of coastal environments to oil and hazardous substances. In addition, NOAA provides expertise on living marine resources and their habitats, including endangered species, marine mammals, and National Marine Sanctuaries.

2470.60 U.S. Department of Defense

The U.S. Department of Defense (DOD) has responsibility to take all action necessary with respect to releases where either the release is on, or the sole source of the release is from, an facility or vessel under DOD jurisdiction, custody, or control. The DOD may also provide, consistent with its operational requirements and upon request of the OSC, locally deployed Navy oil spill equipment and assistance to other federal agencies.

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2470.61 U.S. Navy/ SUPSALV

The U.S. Navy (USN) provides expertise in ship salvage, shipboard damage control and diving. The USN has an array of specialized equipment and personnel that can be used for collection, containment, and removal of oil and hazardous substances. Mandated as one of the special teams under the NCP, the U.S. Navy Supervisor of Salvage (SUPSALV) provides and extensive salvage/search and recovery equipment inventory as well as specialized containment, collection, and removal equipment specifically designed for salvage related and open-sea pollution incidents, with the requisite knowledge and expertise to support such operations.

2470.62 U.S Army Corps of Engineers

The U.S. Army Corps of Engineers (USACE) provide expertise in specialized equipment and personnel for managing navigation channels, removing navigation obstructions, and maintaining hydroelectric facilities. USACE oversees the permitting of moorage sites for response vessels. USACE can also provide design services, perform construction, and provide contract writing and contract administration services for other federal agencies.

2470.70 U.S. Department of Energy

The U.S. Department of Energy (DOE) has responsibility to take all action necessary with respect to releases where either the release is on, or the sole source of the release is from any facility or vessel under DOE jurisdiction. DOE also provides advice and assistance to other OSCs for emergency actions essential for the control of immediate radiological hazards. Incidents that qualify for DOE radiological advice are those believed to involve source, by-products, or specialized nuclear material or other ionizing radiation sources, including radium, and other naturally occurring radionuclide's, as well as particle accelerators. Assistance is available through direct contact with the DOE Radiological Assistance Program regional office.

2470.80 U.S. Department of Homeland Security

2470.81 Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) provides advice and assistance to the OSC on coordinating civil emergency planning and mitigation efforts to other federal agencies, state, and local governments, and the private sector. FEMA's Mobile Emergency Response System (MERS) also provides extensive rapid deployment mobile communications capabilities for use in oil/ hazardous substance response on a no-to-interfere basis with other emergent situations. An MOU is being developed with FEMA's MERS to specify the level and type of support available in a response. In the event of a major disaster declaration or emergency determination by the President, FEMA will coordinate all federal disaster or emergency action with the FOSC.

2470.82 U.S. Coast Guard

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The U. S. Coast Guard (USCG) is a military, multi-mission, maritime services and one of the nation's five Armed Services. As such, the Coast Guard protects vital interests of the United States, the personal safety and security of our population; our natural and economic resources; and the territorial integrity of our nation from both internal and external threats, natural and man-made. The USCG protects these interests in America's ports and inland waterways, along the coasts, on international waters, or in any other maritime region where U.S. interests may be at risk.

In partnership with other federal agencies, state and local governments, marine industries, and individual mariners, the USCG preserves safety at sea through a focused program of prevention, preparedness, and response. The USCG actively protects sensitive marine habitats, marine mammals, and endangered marine species, and enforces laws protecting U.S. waters from the discharge of oil and other hazardous substances. It conducts a wide range of activities, education and preventions, enforcement, response and containment, and recovery in support of our primary environmental protection mission areas: maritime pollution enforcement, offshore lightering zone enforcement, domestic fisheries enforcement, and foreign vessel inspection. The USCG also provides mission critical command and control support and usually is the first responding forces to environmental disasters in the coastal maritime area. In addition the USCG is typically the lead agency for any maritime response effort. Under the NCP the USCG Captains of the Port (COTP) are the pre-designated Federal On-Scene Coordinator (FOSC) for the Coastal Zone. USCG Eight District Officer is the RRT Co-Chair for Regions IV and VI.

2470.83 USCG National Strike Force

The National Strike Force's (NSF) mission is to provide highly trained, experienced personnel and specialized equipment to Coast Guard and other federal agencies to facilitate preparedness and response to oil and hazardous substance pollution incidents in order to protect public health and the environment. The NSF's area of responsibility covers all Coast Guard Districts and Federal Response Regions.

The National Strike Force totals over 200 active duty, civilian, reserve and auxiliary personnel and included the Nation Strike Force Coordination Center (NSFCC); the Atlantic Strike Team, Fort Dix, NJ; the Gulf Strike Team, Mobile, AL; the Pacific Strike Team, Novato, Ca; and the Public Information Assist Team (PIAT) located at the NSFCC. The NSF is one of the available Special Teams mandated under the NCP to provide assistance to OCSs.

2470.84 USCG Incident Management Assist Teams

The Incident Management Assist Teams (IMAT) were developed by the USCG to supply a ready-made team of Incident Command System, highly trained individuals to assist the local Incident Commander in dealing with a major incident. There are four IMATs, two on the east coast and two on the west coast accessed through the two USCG Areas. They are trained for initial quick response to a regional or nationally significant event. The team consists of ICS

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process experts that can quickly set up and develop the incident from the initial response to the ICS proactive operational planning process. Each IMAT has a limited amount of equipment that they can bring with them to set up the initial ICS process at the Incident Command Post (ICP).

2470.90 U.S. Department of Interior

The U.S. Department of Interior (DOI) has jurisdiction over the National Park System, National Wildlife Refuges, fish hatcheries, and public lands. The Regional Environmental Officer (REO) manages the department's response programs for oil and hazardous materials spills and oversees the department's responsibilities as a trustee for natural resources. Trustee responsibilities include devising and carrying a plan for restoration, rehabilitation, or acquisition of equivalent natural resources and to carry out damage assessments. The DOI may become involved in spill response once contacted through the REOs who are designated members of the RRT. In addition, bureaus and offices of the DOI that possess relevant capabilities and/or expertise are:

- United States Fish and Wildlife Service (USFWS)
- National Biological Survey
- United States Geological Survey (USGS)
- Bureau of Land Management (BLM)
- BSSE
- Bureau of Mines
- National Park Service
- Bureau of Reclamation
- Bureau of Indian Affairs
- Details on the capabilities and expertise for the above agencies are outlined in the NCP (40 CFR Part 300.175).

2470.100 U.S. Department of Justice

The U.S. Department of Justice (DOJ) can provide expert legal advice on complicated legal questions arising from discharges or releases and federal agency responses. The DOJ represents the federal government, including its agencies, in litigation relating to discharges.

2470.110 U.S. Department of Labor

The U.S. Department of Labor, through the Occupational Safety and Health Administration (OSHA) provides advice and assistance to National Response Team (NRT)/RRT agencies as well as to the OSC regarding hazards to person engaged in response activities. Technical assistance may include review of safety plans and work practices, and help with other compliance questions. OSHA may also take any other action necessary to ensure that employees are properly protected at response activities. Questions about occupational safety and health at these sites should be referred to the appropriate OSHA regional office.

2470.120 U.S. Department of Transportation

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The U.S. Department of Transportation (DOT) provides response expertise pertaining to transportation of oil of hazardous substances by all modes of transport.

2480 Texas Resources/Agencies

The following information regarding the resources/agencies of the state of Louisiana has been taken from the Louisiana Oil Spill Contingency Plan. The responsibilities of the listed agencies are as stated in that plan.

2480.10 Texas General Land Office

The Texas General Land Office (TGLO) is the state's lead agency for response to oil spills that enter or threaten to enter coastal waters. State discharge response and cleanup operations resulting from unauthorized discharges of oil that enter or threaten to enter coastal waters are administered and directed by the TGLO pursuant to the Oil Spill Prevention and Response Act of 1991 (OSPRA), Texas Natural Resources Code §40.001 et seq. OSPRA defines coastal waters as "the waters and bed of the Gulf of Mexico within the jurisdiction of the state of Texas, including the arms of the Gulf of Mexico subject to tidal influence, and any other waters contiguous thereto that are navigable by vessels with a capacity to carry 10,000 gallons or more of oil as fuel or cargo." Thus, the jurisdiction of the TGLO extends beyond simply waters that are subject to tidal influence.

OSPRA defines unauthorized discharge of oil as "any discharge of oil, or any discharge of oil emanating from a vessel into waters adjoining and accessible from coastal waters, that is not authorized by a federal or state permit." OSPRA defines discharge of oil as "an intentional or unintentional act or omission by which harmful quantities of oil are leaked, spilled, pumped, poured, emitted, or dumped into or on coastal waters or at a place adjacent to coastal waters where, unless controlled or removed, an imminent threat of pollution to coastal waters exists."

The TGLO has been designated by the governor of Texas as a natural resource trustee under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C.A. §§ 9601 et seq., and the Oil Pollution Act of 1990, 33 U.S.C.A.

The natural resources for which the TGLO is responsible are those related to state-owned lands. The TGLO, as a natural resource trustee, has the obligation to protect and preserve all trust resources of the state of Texas. Sections 51.121 and 51.291 of the Texas Natural Resources Code also give the **TGLO permitting authority over pipelines and platforms located on state lands**, and antipollution requirements are built into TGLO contracts and rules.

2480.20 Texas Commission of Environmental Quality

The Texas Commission on Environmental Quality (TCEQ) is the state's lead agency in spill response to certain inland oil spills (crude oil spills emanating from oil or gas exploration, development, or production facilities are Railroad Commission jurisdiction), all hazardous substance spills (except those from exploration and production facilities), and spills of other

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substances which may cause pollution or adversely impact air quality in Texas. The TCEQ and the Texas Department of Transportation (TXDOT), as provided in 25.264 (f) of the Texas Water Code, have developed a contractual agreement whereby TXDOT personnel, equipment, and materials may be used in state-funded cleanup actions. All expenses and costs resulting from cleanup activities are subject to reimbursement from the Texas Spill Response Fund.

The TCEQ implements a broad range of state and federal regulatory and cooperative activities. Many of the TCEQ's air, water, and waste regulatory and compliance activities are administered pursuant to state and federal law.

2480.30 Texas Natural Resources Conservation Commission

Section 26.127 of the Texas Water Code establishes the Texas Natural Resource Conservation Commission (TNRCC) as the principal authority in the state on matters relating to the quality of water in the state. In addition, the Hazardous Substances Spill Prevention and Control Act (Chapter 26, Subchapter G, §26.262, Texas Water Code) stipulates that it is the policy of this state to prevent the spill or discharge of hazardous substances into the waters in the state and to cause the removal of any spills and discharges without undue delay. This subchapter shall conform with Chapter 40 of the Natural Resources Code.

The TNRCC is the state's lead agency in spill response to certain inland oil spills, all hazardous substance spills, spills of other substances which may cause pollution, as well as any releases of substances which may adversely impact air quality. The TNRCC shall conduct spill response for the state, and shall otherwise administer the provisions of the Act. The Act also authorizes the executive director of the TNRCC (hereinafter referred to as the executive director) to act independently if no federal on-scene coordinator is present or no action is being taken by an agency of the federal government in response to a spill or discharge of oil, hazardous substances, or other substances. The executive director's response may include actions to abate and remove the spill. Under the authority of certain provisions of Chapter 361 of the Texas Health and Safety Code, the TNRCC has additional removal authorities with respect to cleanup of a release or threatened release of hazardous substances.

The TNRCC has been designated by the governor of Texas, in accordance with the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), (42 U.S.C. §9601, et seq.); the Superfund Amendments and Reauthorization Act of 1986 (SARA), (Public Law 99-499); the Clean Water Act, as amended (33 U.S.C. §1251, et seq.); and the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300), as the state's lead agency for "Superfund" activities and as one of the state's representatives to the federal Regional Response Team (RRT). In accordance with 40 CFR Part 300.32(b), the RRT serves as the regional body for planning and preparedness before a response action is taken and for coordination and advice during such actions.

Further, the governor of Texas has designated the TNRCC as one of the three state trustees for damage assessment and restoration of the state's natural resources that may be affected by a spill,

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discharge, or release. The TNRCC is the designated trustee for air, surface water including sediments, groundwater, and drinking water resources. The TNRCC as a natural resource trustee has the obligation to protect and preserve all trust resources of the state of Texas.

The state's municipal hazardous waste and industrial solid waste program is implemented by Title 30 Texas Administrative Code (30 TAC) Chapter 335, adopted under the authority of the State Solid Waste Disposal Act (Texas Health and Safety Code Ann., Chapter 361, Vernon Supp. 1990). Chapter 335 includes the requirement that any person who conveys or transports hazardous waste by truck, ship, pipeline or other means, shall clean up any hazardous waste discharge or release or take such action as may be required or approved by the TNRCC so that the hazardous waste discharge or release no longer presents a hazard to human health or the environment (see 30 TAC §335.93). These Rules also require that owners and operators of hazardous industrial solid waste storage, processing, or disposal facilities must maintain and operate such facilities so as to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or water which could threaten human health or the environment. Additionally, each owner or operator of a hazardous industrial solid waste facility must have a contingency plan for the facility designed to minimize the above possibilities (see 30 TAC §335.152, incorporating by reference Title 40 Code of Federal Regulations Part 264).

The state's regulation of underground and aboveground storage tanks, as administered by the Petroleum Storage Tank Program, is authorized by 30 TAC Chapter 334, promulgated under the Texas Water Code §§26.341–26.363. This program establishes minimum standards and procedures to protect and maintain the quality of the state's groundwater and surface water resources from environmental contamination that could result from any releases of harmful substances stored in such tanks. Authority was granted to assess and collect fees for deposit into a fund which could then be used for remediation purposes. In addition to ongoing preventive and remedial actions, emergency orders may be issued to the owner and/or operator of an underground or aboveground storage tank if there is an actual or threatened release of a regulated substance (Texas Water Code §26.354). Emergency orders may also be issued if it is determined that more expeditious corrective action than is otherwise provided for is necessary to protect the public health and safety or the environment from harm. Orders issued under this provision may prohibit a person from allowing or continuing the release (or threatened release) and require the person to take the actions necessary to eliminate it. Additionally, the TNRCC is authorized to undertake corrective action measures under any circumstances in which the commission considers it necessary to protect the public health and safety or the environment (Texas Water Code §26.3511).

Under the authority of the Texas Clean Air Act (Texas Health and Safety Code, Chapter 382, Vernon Supp. 1990), the TNRCC is charged with safeguarding the state's air resources from pollution by controlling or abating air pollution and emissions of air contaminants, consistent with the protection of public health, general welfare, and physical property, including the aesthetic enjoyment of air resources by the public and the maintenance of adequate visibility.

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Under 30 TAC §101.6, the TNRCC also requires facilities to report to the regional office and all local air pollution control agencies all upsets that cause unauthorized air emissions that exceed a reportable quantity and make a record of all upsets that cause unauthorized air emissions. Any spill or discharge required to be reported under the Spill Prevention and Control Rules (30 TAC §§327.1–327.5) is not required to be reported under §101.6—only the record is required.

2480.40 Railroad Commission of Texas

The Railroad Commission of Texas (RRC) has spill response authority for spills or discharges from all activities associated with the exploration, development, or production, including storage or transportation, of oil, gas, and geothermal resources (Texas Natural Resources Code §§85.042, 91.101, and 91.601). Spills or discharges from brine mining or surface mining are also under the jurisdiction of the RRC (Texas Revised Civil Statutes Ann. Art. 5920-11 (Vernon) and Chapter 131 of the Texas Natural Resources Code). Any spill or discharge, whether hazardous or nonhazardous, that emanates from an oil, gas, or geothermal resource exploration or production facility or brine mine or surface mine is under the jurisdiction of the RRC.

Activities associated with the exploration, development, and production of oil or gas do not include refining or manufacturing processes; however, the processing of natural gas or natural gas liquids at gasoline plants or at natural gas or natural gas liquids processing plants is subject to the jurisdiction of the RRC with one narrow exception concerning waste from gas processing activities. Until the RRC receives delegation of RCRA authority, waste from gasoline plants, natural gas or natural gas liquids processing plants, pressure maintenance plants, or depressurizing plants and that is a hazardous waste under RCRA is under the authority of the Texas Natural Resource Conservation Commission.

If the waste from these gas processing plants is not hazardous under RCRA, then the waste is under the jurisdiction of the RRC (Texas Natural Resources Code §91.101). Prevention of pollution from spills or discharges of hazardous or nonhazardous materials from crude oil and natural gas pipelines is under the jurisdiction of the RRC. The RRC does not have pollution prevention authority over pipelines carrying refined petroleum products such as gasoline, diesel, and other fuel oil.

A spill of crude oil into coastal waters may involve both the RRC and the GLO. Although the GLO is the lead agency for spills of oil, including crude oil, into coastal waters or that pose an imminent threat to coastal waters if not abated, the RRC is on-scene coordinator for coastal spills of 240 barrels or less (Texas Natural Resources Code §40.008).

The RRC also has pipeline safety jurisdiction over pipelines carrying carbon dioxide, natural gas, and hazardous liquids. The Pipeline Safety Division of the RRC is charged with ensuring the safe operation of such pipelines (Texas Revised Civil Statutes, Article 6053-1 Texas Natural Resources Code, and Chapter 117). Therefore, personnel from the RRC's Pipeline Safety Division may be present at the scene of a spill to investigate concerns related to the safe operation of the pipeline and to determine a probable cause of the spill.

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2480.50 Texas Parks and Wildlife Department

The Texas Parks and Wildlife Department (TPWD) is the state agency with the primary responsibility for protecting the state's fish and wildlife resources (Chapter 12, Texas Parks and Wildlife Code). In addition to TPWD authority granted under Chapter 26 of the Texas Water Code, §12.0011 of the Texas Parks and Wildlife Code states that TPWD's resource protection activities include investigating fish kills and any type of pollution that may cause loss of fish and wildlife resources, taking necessary action to identify the cause and party responsible for the fish kill or pollution, estimating the monetary value of lost resources, and seeking restoration through presentation of evidence to the agency responsible for permitting or through county or district court.

By designation of the Governor of Texas, the TPWD is also a state natural resource trustee. The natural resources for which the TPWD is responsible are the biota, i.e., aquatic life, wildlife, birds, vegetation, etc. The TPWD, as a natural resource trustee, has the obligation to protect and preserve all trust resources of the state of Texas.

Section 11.071 of the Texas Parks and Wildlife Code gives the TPWD the authority to regulate the use of Department lands for oil, gas, and other mineral recovery and associated activities as the TPWD considers reasonable and necessary to protect the surface estate of Department lands or to protect human health or property. Department lands include state parks, wildlife management areas, and natural areas.

Chapter 86 of the Texas Parks and Wildlife Code authorizes the TPWD to regulate, control, and protect marl and sand of commercial value and all gravel, sand, and mud shell located within the tidewater limits of the state and on islands within those limits, and within the freshwater areas of the state not embraced by a survey of private land and on islands within those areas.

2480.60 The Governor of Texas and the Governor's Division of Emergency Management

If a spill presents or threatens to become a disaster, the Governor of Texas may utilize the authority granted under the Texas Disaster Act of 1975 (Texas Government Code Ann., Chapter 418, Vernon Supp. 1990) to make available and bring to bear all resources of the state to prevent or lessen the impact of such a disaster. As defined in the Texas Disaster Act of 1975, disaster means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause or other public calamity requiring emergency action. A disaster is declared by executive order or proclamation if the governor finds that a disaster has occurred or that the occurrence or the threat of a disaster is imminent. Such an executive order activates the recovery and rehabilitation phase of the State of Texas Emergency Management Plan.

The Texas Disaster Act of 1975 authorizes the governor to establish an Emergency Management Council to advise and assist the governor in all matters relating to disaster preparedness, emergency services, energy emergencies, and disaster recovery. The Emergency Management Council is composed of the heads of all the state's agencies, boards, and commissions and

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representatives of organized volunteer groups whose legal functions relate to important phases of emergency management (Texas Government Code Ann., §418.013, Vernon Supp. 1990). The director of the DPS also serves as the director of the Governor's Division of Emergency Management (DEM) and chairs the Emergency Management Council.

Under the State of Texas Emergency Management Plan, the Emergency Management Council is responsible for the coordination and utilization of all state resources during a disaster. Operations of the Council are coordinated by the Governor's Division of Emergency Management (DEM).

Under the State of Texas Emergency Management Plan, emergencies concerning spills or discharges of hazardous substances, or the release or threatened release of hazardous substances, radiological emergencies, and release which may adversely impact the state's air quality, are addressed under "Oil and Hazardous Materials Support Function." The Texas Natural Resource Conservation Commission serves as the lead agency for the oil and hazardous materials support function with support being provided by the General Land Office and the Railroad Commission of Texas.

2490 Louisiana Resources/Agencies

2490.10 The Louisiana Oil Spill Coordinator

The Louisiana Oil Spill Coordinator's Office (LOSCO) of the Governor, in consultation with the Louisiana Department of Environmental Quality (LDEQ), is authorized to administer the Louisiana Oil Spill Prevention and Response Act and direct all state discharge response and cleanup operations resulting from unauthorized or threatened discharges of oil, affecting or potentially affecting the land, coastal waters, or any other waters of Louisiana, as directed by the Governor or upon a declaration of emergency as declared by the Governor.

It is the responsibility of the LOSC to ensure that all Louisiana state agencies are carrying out their legislated mandates in a coordinated fashion without duplication. It is the LOSC's responsibility to see that all agencies, local, state, and parish as well as interested parties, e.g. the responsible parties have a single point of reference with respect to the state's response efforts. The LOSC may appoint a state designated on-scene coordinator to act in their absence.

2490.20 Louisiana Department of Environmental Quality

The LDEQ, under the direction of the LOSC, is the lead technical agency of the state of Louisiana for response to actual or threatened discharges of oil and for cleanup of pollution from unauthorized discharges of oil. The LDEQ is the primary state agency in regards to environmental policies and regulations. The LDEQ responds to all reported unauthorized discharges, emissions, or other releases to the water, air, and soil with the intent of providing protection of these natural resources to maintain a healthful environment for the citizens of the State.

Specific response activities of the LDEQ relative to the Louisiana OSPRA may vary according to the size, extent, and composition of a spill, and the degree of involvement of responsible party,

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local, state, and federal agencies. The LDEQ has trained all response personnel to the 40-hour Hazardous Waste Operations and Management level for activities relative to oil and hazardous substance releases. In addition to spill response duties, the LDEQ personnel review industry spill prevention and control plans, assist in oil and hazardous substance spill drills, and inspect permitted facilities for compliance with applicable rules and regulations pursuant to the Louisiana Environmental Quality Act.

The following are LDEQ duties relative to this plan:

- Maintain a notification system for receipt of information on anticipated and actual unauthorized discharges;
- Activate spill response procedures as necessary, including secondary notification;
- Act as the Louisiana State On-Scene Coordinator in lieu of the LOSC;
- Determine the nature, extent, and location of the spill;
- Seek to locate the source and cause of the spill and to identify the responsible party;
- Track and predict spill movement;
- Evaluate the environmental implications of the spill and identify priority areas for protection and cleanup in consultation with other State, Federal, and local agencies;
- Provide technical assistance to local emergency responders and advise on necessary protective actions;
- Provide logistical support to other State, Federal and local agencies to the extent that resources allow;
- Advise industry to ensure the cleanup is conducted appropriately;
- Collect and analyze air, water, soil, vegetation and/or tissue samples for assessing environmental damage and pursuing enforcement actions;
- Monitor adequacy of response;
- Document aspects of the incident and subsequent response activities of involved parties;
- Act as a State Natural Resource Trustee for the protection of the designated resources of surface waters, ground waters, air, and soil within the jurisdictional boundaries of Louisiana;
- Provide liaison with Federal, State, and local agencies, adjacent countries, the private sector, and the public as appropriate;

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- Participate in the formulation of contingency plans for the preparedness of given local, State, or Federal agencies or regulated entity to abate impacts due to a spill; and
- Participate in spill drills for the purpose of assisting in the evaluation of adequacy of a given contingency plan.

2490.30 Louisiana Department of Wildlife and Fisheries

The Louisiana Department of Wildlife and Fisheries (LDWF) is responsible for the control, supervision, management, protection, and conservation of wildlife of the state, including all aquatic life; control over the beds and bottoms of certain water bodies; and control, protection, management of certain land owned or managed by LDFW. The following are LDFW duties relative to this plan:

- Serve as joint public trustee, designated by the Governor, for natural resources under the Oil Pollution Act of 1990;
- Assess damages to natural resources under LDWF's trusteeship following an oil spill;
- Work with the SOSC in response to unauthorized or threatened discharge of oil affecting or potentially affecting the land, coastal waters, or any other waters of Louisiana;
- Serve on the interagency council chaired by the LOSC;
- Recommend provisions of the state oil spill contingency plan relative to the protection, rescue, and rehabilitation of aquatic life and wildlife and appropriate habitats on which they depend;
- Cooperate with the LOSC in establishing procedures for the oil spill contingency plan for the assessment of natural resource damages and plans for mitigation of damage to and restoration, protection, rehabilitation, or replacement of damaged natural resources;
- Prohibit, through commission action, the discharge of petroleum wastes into any waters off the coastline of Louisiana and extending there from three miles or more into the Gulf of Mexico to prevent damage to the aquatic life in the waters of the state;
- Maintain general, overall control, supervision, conservation, protection, and management authority over wildlife of the state, including all aquatic life;
- Participate in wetland conservation and coastal area management, restoration, and protection;

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- Manage and protects public wildlife lands and natural areas and habitats, including water bottoms and river basins;
- Manage, regulate, and enforce the taking of wildlife resources;
- Conduct research and permit the conduct of research regarding fishery and wildlife resources;
- Advise/regulate water pollution and habitat destruction;
- Participate in the development of the State's natural resources, including operating fish hatcheries;
- Monitor collisions, accidents, or other casualties involving vessels;
- Conserve resident, threatened, and endangered species of wildlife, and prohibit the taking of any threatened or endangered species in the state; and
- Review and comment to the LDEQ regarding environmental impact statements relative to fish and wildlife resources or their habitat.

2490.40 Louisiana Department of Natural Resources, Office of Coastal Restoration and Management

The Louisiana Department of Natural Resources/Office of Coastal Restoration and Management (LDNR/OCR&M) is the agency responsible for the implementation of the Coastal Vegetated Wetlands Conservation and Restoration Plan for the State of Louisiana. The OCR&M is mandated to develop and implement policies, plans, and programs to encourage multiple uses of the Louisiana coastal area and to achieve a proper balance between development and conservation, restoration, creation, and nourishment of renewable coastal resources.

The LDNR/OCR&M has the primary authority over those activities occurring on and uses of lands and waters with the boundaries of the state of Louisiana. The LDNR/OCR&M also has the authority to review, for consistency with the Louisiana Coastal Resource Program, those direct and indirect federal actions, and those actions licensed and/or permitted by federal agencies, both outside and within the Coastal Zone, which may significantly affect coastal resources/waters within the Coastal Zone.

The Coastal Management Division of the OCR&M is mandated to protect, develop, and where feasible, restore or enhance the resources of the state's coastal area; to develop and implement a coastal resources management program which is based on considerations of resources, the environment, the needs of the residents of the state, the nation, and of state and local government; and to enhance opportunities for the use and enjoyment of the recreational values of the coastal area.

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The Coastal Restoration Division of the OCR&M is mandated to establish and monitor projects within the coastal area boundary that conserve, enhance, restore, and create coastal vegetated wetlands in accordance with the Coastal Vegetated Wetlands Conservation and Restoration Plan. The following are LDNR/OCR&M duties relative to this plan:

- Act, in cooperation with the LOSC, as the lead state agency within LDNR in recommending provisions of the State Oil Spill Contingency Plan providing for protection and rehabilitation of appropriate resources under its jurisdiction;
- Participate in the State's Interagency Council established by the OSPRA;
- Cooperate in the establishment of procedures for assessment of natural resource damages and plans for mitigation of damage to and restoration, protection, rehabilitation, or replacement of damaged natural resources;
- Assist other responding agencies by providing expertise, knowledge, and information about critical areas; resources, and best alternative cleanup methods;
- Provide logistical assistance of equipment and personnel to support the response, damage assessment, and restoration operation and ensure the protection of resources

Issue and enforce state permits in the coastal area in accordance with established guidelines in connection with:

- Levee construction,
- Linear facilities,
- Dredged spoil deposition,
- Shoreline modification,
- Surface alterations,
- Hydrological and sediment transport modifications,
- Disposal of waste,
- Alterations of waters draining into coastal waters,
- Oil, gas, and other mineral activities, and
- Avoiding adverse impacts to the coastal area for any activity.

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- Require effective environmental protection and emergency or contingency plans be developed and complied with for all mineral operations;
- Require that the use of dispersants, emulsifiers, and other similar chemical agents on oil spill be prohibited without prior approval of the FOOSC;
- Provide consistency reviews for any direct federal actions or permitted licensed, or funded federal actions carried out by other persons;
- Ensure that any governmental body undertaking, conducting, to supporting activities directly affecting the Louisiana coastal area shall make certain that such activities shall be consistent with the Louisiana Coastal Management Program and any affected approved local coastal management program having geographical jurisdiction over the action;
- Notify the appropriate representative of any parish that has an authorized local program in the event of an emergency brought about by natural or man-made causes that would result in hazard to life, loss of property, or damage to the environment if immediate actions were not taken;
- Issue emergency authorization for uses necessary to correct emergency situations brought about by natural or man-made causes that would result in hazard to life, loss of property, or damage to the environment if immediate actions were not taken;
- Receive all monies appropriated from the Wetlands Conservation and Restoration Fund and shall implement all programs and projects in the Coastal Vegetated Wetlands Conservation and Restoration Plan;
- Develop procedures to evaluate new and improved coastal restoration and preservation technologies; and
- Operate and maintain structural projects.

2490.50 Louisiana Department of Health and Hospitals

The Department of Health and Hospitals (LDHH) directs and coordinates the state's emergency medical and health services. The authority of LDHH is found in the Sanitary Code of the state of Louisiana. The following are LDHH duties relative to this plan:

- Evaluate incident implication for public health;

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- Recommend public health protection methods;
- Determine status of medical services;
- Determine availability and condition of health facilities;
- Coordinate public health information;
- Issues public health news releases and advisories;
- Advise on response activities as they relate to public health;
- Collect and analyzes samples to identify human health problems in coordination with LDEQ, LDWF, LDAF, as well as other State and Federal agencies;
- Assess damages to human health;
- Respond to disease and sanitation problems caused by overcrowding and stress on facilities and systems; and
- Provide disaster mental health systems.

2490.60 Louisiana Department of Agriculture and Forestry

The Louisiana Department of Agriculture and Forestry is responsible for administering many of the programs and enforcing the regulations that impact every aspect of Louisiana's agriculture and forestry. At the farm and forest levels, these industries contribute \$10 Billion annually to the state's economy. When the many support industries are added in, agriculture and forestry touch the lives of everyone in Louisiana, making them critical to the economic growth and prosperity of the state.

2490.70 Louisiana Coastal Protection and Restoration Authority

Because of the devastation of hurricanes Katrina and Rita, the Louisiana Legislature restructured the State's Wetland Conservation and Restoration Authority to form the Louisiana Coastal Protection and Restoration Authority (CPRA).

The CPRA's mandate is to develop, implement, and enforce a comprehensive coastal protection and restoration master plan. Member agencies include Louisiana's Department of Natural Resources, Department of Transportation and Development, and other state agencies. Working with federal, state, and local subdivisions, including levee districts, the CPRA works to establish a safe and sustainable coast.

The Louisiana 2012 Coastal Master Plan can be accessed through the hyperlink below:
<http://www.coastalmasterplan.louisiana.gov/2012-master-plan/draft-2012-master-plan/>

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2490.80 Louisiana Governor's Office of Homeland Security and Emergency Preparedness

The Louisiana Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) operated the state's Emergency Operations Center. The GOHSEP coordinates and provides logistic support during disaster emergencies, including communications, air, ground, and water transportation support, equipment and supplies, facilities, fuel, food, and assists with these functions for smaller spills at the request of the SOSC. The following are GOHSEP duties relative to this plan:

- GOHSEP maintains and staffs emergency depots, including the establishment and training of a volunteer corps;
- Maintain the Louisiana Emergency Operations Plan;
- Participate and oversee the development of local and inter-jurisdictional disaster plans;
- Maintain a roster of trained personnel, skilled in disaster prevention, preparedness, response, and recovery;
- Provide direct emergency support to local communities in declared emergencies including spills; and
- Provide emergency notification and conference call capability with local Parish Emergency Operations Centers.

2490.90 LA State Military Department/ National Guard 62nd Civil Support Team

The 62nd Civil Support Team (CST) is a federally funded Louisiana National Guard unit established under Presidential Directive 39. This full time unit is comprised of active duty Army and Air Force personnel.

The CST organization was designed to augment local and regional terrorism response capabilities in events known or suspected to involve WMDs. WMD events are incidents involving hostile use of chemical, biological, or radiological agents. The team can be en-route within one to two hours to support civil authorities in the event of suspicion of a WMD attack. Specifically the CST is designed to deploy to an area of operations to:

- Assess a suspected nuclear, biological, chemical, or radiological event in support of an Incident Commander
- Advise responders regarding appropriate response actions; and

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- Facilitate requests for assistance to expedite arrival of additional state and federal assets to help save lives, prevent human suffering, and mitigate great property damage.
- The CST provides rapid confirmatory analysis of chemical or radiological hazards, and presumptive identification of biological agents at a WMD incident. The team uses special military and commercial detection and communications equipment and is trained for WMD response. The CST can also provide the Incident Command/Unified Command with advice on event mitigation, medical treatment, follow-on resources, and other response concerns.
- For more information about the National Guard 62nd CST visit their website at <http://www.la.ngb.army.mil/62nd/cst.htm>

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