



Chapter 4000

Planning

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Planning

4100 Planning Section Organization

The following is an organizational chart of the Planning Section and its subordinate units. It serves as an example and is not meant to be all-inclusive. The functions of the Planning Section must be accomplished during an incident; however, they can be performed by one individual or can be expanded, as needed, into additional organizational units with appropriate delegation of authority.

Planning Section organization information regarding the Planning Section and staff positions within the command can be found in the National Incident Management System (NIMS) Guidance and the National Response Framework. The pattern for response will follow the NIMS Incident Command System (ICS) processes and position descriptions. Where NIMS ICS does not describe a process or organizational requirement the incident specific need will be addressed.

4200 Roles and Responsibilities

The Planning Section is responsible for the collection and evaluation of incident situation information, preparing situation status reports, displaying situation information, maintaining status of resources, developing an Incident Action Plan, and preparing required incident related documentation. This is done under the direction of the Planning Section Chief. All functions not assigned by the Section Chief remain the responsibility of the Section Chief.

4210 Planning Section Chief Responsibilities

The Planning Section Chief, a member of the General Staff, is responsible for the collection, evaluation, dissemination and use of information about the development of the incident and status of resources. Information is needed to 1) understand the current situation, 2) predict probable course of incident events, 3) prepare alternative strategies for the incident, and 4) Submit required incident status reports.

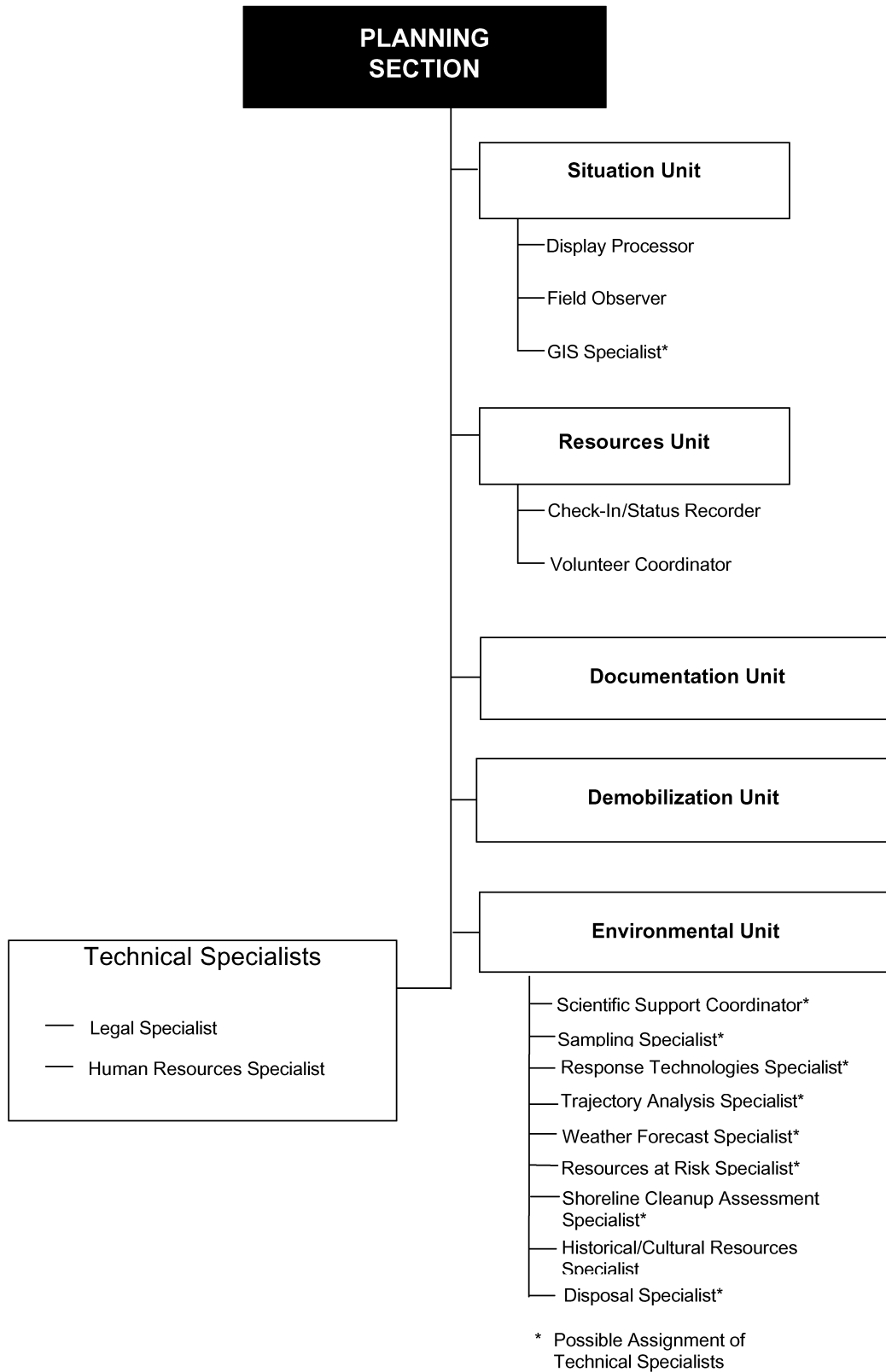


Figure 4000-1 Planning Section

4220 Situation Unit

The Situation Unit is responsible for collecting, maintaining and evaluating information about the current/possible future status of the spill or release and the spill response operations as well as the maintenance of the command post displays. This responsibility includes the compilation of information regarding the type and amount of oil or hazardous substance discharged or released, the amount of oil or hazardous substance recovered, the oil or hazardous substance's current location and anticipated trajectory, and impacts on natural resources. This responsibility includes providing information to the GIS Specialist(s) for the creation of maps to depict the current and possible future situation and the preparation of reports for the Planning Section Chief.

4230 Resource Unit

The Resource Unit (RU) is responsible for maintaining the status of all resources (primary and support) at an incident. RU achieves this through development and maintenance of a master list of all resources, including check-in, status, current location, etc. This unit is also responsible for preparing parts of the Incident Action Plan (ICS forms 203, 204 & 207) and compiling the entire plan in conjunction with other members of the ICS, (e.g., Situation Unit, Operations, Logistics) and determines the availability of resources.

4240 Documentation Unit

The Documentation Unit is responsible for the maintenance of accurate, up-to-date incident files. Examples of incident documentation include: Incident Action Plans, incident reports, communication logs, injury claims, situation status reports, etc. Thorough documentation is critical to post-incident analysis. Some of these documents may originate in other sections. This unit shall ensure each section is maintaining and providing appropriate documents. Incident files will be stored for legal, analytical, and historical purposes. The Documentation Unit also provides duplication and copying services.

4250 Demobilization Unit

The Demobilization Unit is responsible for developing the Incident Demobilization Plan, and assisting Sections/Units in ensuring that an orderly, safe, and cost effective demobilization of personnel and equipment is accomplished from the incident.

4260 Environmental Unit

Other than protecting human life and safety, reducing impacts to public, natural and cultural resources represents the key motive in responding to an oil or hazardous substance spill or release. The Environmental Unit is the central point within the Planning Section for determining how to best protect those resources. Specifically, the Environmental Unit is responsible for:

- Identifying all natural, economic resources, and historic properties likely to be affected by the spill or release, and making recommendation for priorities to protect these resources;

- Providing guidance for the implementation of Geographic Response Plans (GRPs);
- Working with Operations Section to establish any additional environmental protection strategies not identified in GRPs;
- Working with Operations Section to coordinate wildlife rescue/rehabilitation activities;
- Establishing Shoreline Cleanup Assessment Teams (SCAT);
- Using SCAT information to recommend shoreline cleanup recommendations, priorities, and restrictions;
- Providing guidance regarding “how clean is clean” decisions;
- Providing technical review and recommendations regarding use of alternative technologies;
- Developing a disposal plan (note: Washington State Disposal Guidelines found in Chapter 9000);
- Providing information to JIC and IC/UC regarding natural resource concerns/impacts;
- Coordinating with NRDA activities; and
- Coordinating with the Wildlife Branch and Air Operations Branch on issues involving wildlife hazing.

The Northwest Area Committee and Region X Regional Response Team recognize that there is a shared responsibility between the Unified Command representatives. Plus it is broadly recognized that the critical phase of any response, regardless of size, is the initial hours after the spill or release. Given the importance of the Environmental Unit's duties, and because the responsibility and knowledge base for public resources lies with trustee agencies, it is in everyone's best interest to ensure that early critical response decisions are made by the most knowledgeable individuals quickly, efficiently and effectively. Therefore, it is the policy of the Northwest Area Committee that the Environmental Unit be led by a representative of a government natural resource trustee or environmental agency, if available. If no such agency representative is initially available or willing to lead the environmental unit, a responsible party representative may fill that role. Furthermore, as the response action matures, a transition to a responsible party designated Environmental Unit Leader may occur with the concurrence of the Unified Command. The Northwest Area Committee also encourages spill response plan holders and responsible parties to designate a Deputy Environmental Unit Leader, who will participate in all the meetings attended by and briefings made by the Environmental Unit Leader. These meetings and briefings include, but are not limited to, the following pre-identified ICS scheduled events:

- Initial ICS 201 Briefing;
- Tactics Meetings;
- Planning Meetings;
- Operations Meetings;
- Unified Command Briefings; and
- Press Conferences

All trustee resource agency staff with environmental information/expertise should initially report to the Environmental Unit. This includes technical specialists (e.g., Scientific Support Coordinator) identified elsewhere within the ICS organization. However, it is recognized that the SSC is an independent advisor to the FOSC.

The Resources at Risk (RAR) Summary provides information about locations in the incident area which are sensitive due to environmental, archaeo-cultural, or socio-economic resources at risk. Typically this process is conducted within the Environmental Unit. The ICS 232 form identifies and prioritizes incident-specific priorities and issues. This checklist is designed to aid in the process. There may be additional incident specific steps required. The steps in this process may vary by incident or operational period.

GETTING STARTED

Environmental Unit Leader (EUL) assigns the work group to complete the 232 form. RP should consider having representation on this work group.

Determine when the EUL needs the product (tied closely with timing of Tactics meeting).

Determine operational period for which you are planning. Note: on the first day of a response, may need to complete two 232 forms for the first day and the next operational period.

Locate map of incident area of suitable scale.

GAIN SITUATIONAL AWARENESS

Determine volume and properties of spilled oil: Is discharge controlled or on-going?

Review trajectory provided by NOAA

Review over flight maps or shoreline observations if available.

Check for tides, winds, current, season and weather

List agencies and organizations with information to contribute.
Coordinate with Liaison to contact.

COMPILE INFORMATION

Review information found in Area Plan Geographic Response Plans (GRPs) for affected and threatened areas. Note: GRPs are only the initial priorities and don't identify all resources or tactics you need for a response.

Participating agencies and organizations contribute expertise and data.

Are threatened and endangered species (ESA) present? If so, ESA consultation will be required.

PRIORITIZE RESOURCES AND FINALIZE 232

Review and apply the prioritization policy in the Northwest Area Plan. (Chapter 4000)

EUL or designee guides consensus on final prioritization of RARs.

PREPARING FOR TACTICS MEETINGS

EUL or designee, coordinating through the PSC, works with Operations to discuss 232 form and design appropriate tactics to protect or mitigate listed resources on the 232. Permits may be required for certain tactics or areas.

4270 Technical Specialists

Technical Specialists are advisors with special skills needed to support the incident. Technical Specialists may be assigned anywhere in the ICS organization. If necessary, Technical Specialists may be formed into a separate unit. The Planning Section will maintain a list of available specialists and will assign them where needed.

4280 Washington State Policy

As the response matures Washington State agrees that the Trustee Environmental Unit Leader will Co-Lead the Environmental Unit with an RP. The Co-Leader situation will continue until such time that the Trustee representative in the EU and the Unified Command agree to a RP lead only. For moderate to large incidents, the Co-Leaders will primarily attend meetings together so it may be important to designate a Assistant EU Leader. The Assistant EU Leaders' job is to stay in the EU and ensure that assignments made by the Co-Leaders are carried out, and complete other duties as assigned by the Co-Leaders.

4300 Compliance Guidance**4310 Statutory Guidance Federal****4311 Comprehensive Environmental Response, Compensation and Liability Act, 1980**

Enacted by congress in 1980, it is also known as the Hazardous Substance Superfund as defined by 42 U.S.C. 9601 et seq. Its purpose is to provide for liability, compensation, cleanup, and emergency response for hazardous substances or pollutants or contaminants (as defined by the statute) released into the environment and the cleanup of inactive hazardous waste disposal sites. Emergency and time critical actions for pollutants or contaminants may only be taken when these releases pose an *imminent and substantial threat to human health or the environment*. The National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 CFR 300.415 outlines factors which shall be considered in determining the appropriateness of an emergency or time-critical response action. These factors include:

- Actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances or pollutants or contaminants;
- Actual or potential contamination of drinking water supplies or sensitive ecosystems;
- Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release;
- High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may pose a threat of release;
- Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released;
- Threat of fire or explosion;
- The availability of other appropriate federal or state response mechanisms to response to the release; and
- Other situations or factors that may pose threats to public health or welfare of the United States or the environment.

4312 Federal Water Pollution Control Act as amended by Clean Water Act and Oil Pollution Act 1990

As listed in 33 U.S.C. 1251 et seq., the objective of the act is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters.

The goals of the Act include:

- The elimination of pollutants discharged into navigable waters;
- Attain water quality, which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and around those waters;
- Prohibits the discharge of toxic pollutants;
- Provides Federal financial assistance to construct publicly owned waste treatment works;
- Requires States to provide waste treatment management plans;
- Conducts research to develop technology in order to eliminate the discharge of pollutants into the navigable waters, waters of the contiguous zone, and the oceans; and
- Develop national policy for the control of non-point sources of pollution.

4313 National Historic Preservation Act

The National Historic Preservation Act of 1966 (Public Law 89-665) requires agencies using federal funds to identify, evaluate, and where significant, protect, historic, archaeological, and traditional cultural properties. This Act also authorized the National Register of Historic Places, expanding Federal recognition to historic properties of local and State significance. The National Park Service in the U.S. Department of the Interior administers both programs. Regulations for these programs are contained in 36 CFR Part 60, National Register of Historic Places, and 36 CFR Part 65, National Historic Landmarks Program. Oil can contaminate archaeological, historic, and culturally sensitive resources. Such contamination can prevent carbon dating, damage the fragile artifacts, and make restoration and preservation extremely difficult or impossible. In addition, oil spill response activities (e.g., mechanical cleanup and staging area construction) can physically disturb or destroy artifacts and sites.

Archaeological research and inventory in Oregon, Washington, and Idaho is incomplete and the data that does exist is not disclosed in order to prevent looting and vandalism. The primary contact for responders seeking information and expertise on local culturally sensitive areas is the State Archeologist in the State Historic Preservation Office (SHPO) for the state or the Tribal Historic Preservation Officer (THPO) for the affected tribal lands. It is important that responders be aware of the types of archaeological, cultural, or historic materials that they are likely to encounter while responding to an oil spill and that they immediately notify the FOSC/UC in the event that these types of materials are discovered.

The RRT/NWAC is will regularly review response strategies outlined in the Geographic Response Plans to identify and revise any strategies that may adversely impact archaeological, cultural, or historic resources. These resources are protected under Federal, Tribal, and State laws. In order to avoid any inadvertent impacts to cultural and historic resources, responders are required to utilize existing hardened access paths and paved areas when approaching shorelines and cleanup teams are to remain on beaches. If you have questions please ask.

4314 Endangered Species Act

Oil spill or hazardous substance release response actions may impact species listed as "endangered" or "threatened" under the Endangered Species Act (ESA), 50 CFR 402.02, and, in accordance with section 7 of the ESA, Federal agencies must consult with the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries) and/or the U.S. Fish and Wildlife Service (USFWS) on activities that may affect a listed species. The FOSC is responsible for initiating consultation.

In 2001, the U.S. Coast Guard (USCG), the U.S. Environmental Protection Agency (EPA), the Department of the Interior's (DOI) Office of Environmental Policy and Compliance and USFWS, and the NOAA Fisheries and National Ocean Service (NOS) signed an Interagency Memorandum of Agreement (MOA) (<http://www.nrt.org/Production/NRT/NRTWeb.nsf/PagesByLevelCat/Level2ESAMOU?OpenDocument>) regarding Oil Spill Planning and Response Activities under the Federal Water Pollution Control Act's National Oil and Hazardous Substances Pollution Contingency Plan and the Endangered Species Act. In the MOA, NOAA Fisheries and USFWS determined that oil spill response activities qualify as an emergency action as defined by regulations implementing the ESA in 50 CFR 402.02. NOAA Fisheries and USFWS have developed emergency consultation procedures to allow action agencies to incorporate endangered species concerns into emergency response activities. Emergency consultation is initiated with a telephone call to NOAA Fisheries or USFWS to describe the emergency response and seek recommendations on any measures that could be implemented during the response to reduce or avoid impacts to listed species. The paperwork associated with emergency consultation under the ESA is completed after the removal actions are finished. NOAA Fisheries and USFWS are ready to assist the FOSC comply with section 7 of the ESA, and the NOAA SSC and DOI Regional Environmental Officer can help identify appropriate ESA section 7 consultation contacts for their respective Departments.

For Endangered Species Act Consultation Contacts:

- U.S. U.S. Department of the Interior
Regional Environmental Officer
Office (503) 326-2489
24-Hour (503) 807-3829

- National Oceanic & Atmospheric Administration
Scientific Support Coordinator
24 Hour Emergency: (206) 526-4911

4315 Resource Conservation and Recovery Act

Also known as the Solid Waste Disposal Act, it was enacted by congress as 42 U.S.C. 6901 et seq. The Congress declared it to be the national policy of the United States that, whenever feasible, the generation of hazardous waste is to be reduced or eliminated as expeditiously as possible. Waste that is nevertheless generated should be treated, stored, or disposed of so as to minimize the present and future threat to human health and the environment.

4316 National Environmental Policy Act

As defined by 42 U.S.C. 4321 et seq., the purposes of this act are:

- To declare a national policy which will encourage productive and enjoyable harmony between man and his environment;
- To Promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man;
- To enrich the understanding of the ecological systems and natural resources important to the Nation; and
- To establish a Council on Environmental Quality.

4320 National Responsible Party Policy

Under the FWPCA as amended by OPA90, the responsible party has primary responsibility for cleanup of a discharge. Per FWPCA Section 311 and OPA 90 Section 4201, an owner or operator of a tank vessel or facility participating in removal efforts shall act in accordance with the National Contingency Plan and the applicable response plan. FWPCA Section 311(j)(5)(C) as implemented by OPA 90 Section 4202 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 Unified Command official and the persons providing personnel and equipment pursuant to this clause;
- 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 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; and
- Be resubmitted for approval of each significant change.

Each owner or operator of a tank vessel or facility required by OPA to submit a response plan shall do so in accordance with applicable regulations. Facility and tank vessel response plan regulations, including plan requirements for the coastal zone, are located in 33 CFR Parts 154 and 155, respectively. Facility response plan regulations for the inland zone are located in 40 CFR Part 112.

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, adjoining shorelines or the Exclusive Economic Zone of the United States, is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA. Any removal activity undertaken by a responsible party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the Northwest Area Contingency Plan, and the applicable response plan required by OPA. If directed by the Unified Command at any time during removal activities, the responsible party must act accordingly.

4330 State and Local Compliance Guidance

4331 Responsible Party

Specific responsibilities of the RP are as follows:

- Assessment of spill or release;
- Establishment of a command post, in concurrence with the other On-Scene Coordinator (OSC);
- Documentation/identification of type and quantity of oil or hazardous substance spilled or released;
- Containment of the oil or hazardous substance spilled or released and protection of the environment, with a particular emphasis on sensitive areas;
- Provision of input relative to clean-up priorities (i.e. waste minimization);
- Timely and effective clean up;
- Disposal of oil, oily waste, and Hazardous Substances;
- Restoration of damaged environment/natural resources;
- Communication with local, state, and national response agencies and organizations;
- Communication with media;

- Payment for damages;
- Steps to prevent reoccurrence of spills or releases; and
- Wildlife collection and care in conjunction with responsible state, local, and federal agencies.

The RP has the opportunity to conduct damage assessment when required by the state/federal agencies and/or when appropriate given the RP's available resources as determined by the Unified Command.

4332 Washington

Any person responsible for discharging oil or hazardous substances to the waters of the state must immediately notify the National Response Center (NRC) and the Washington State Emergency Management Division (EMD).

The owner or operator of a regulated vessel must notify the state of any vessel emergency that results in the discharge or substantial threat of discharge of oil to state waters or that may affect the natural resources of the state within one hour of the onset of that emergency. The purpose of this notification is to enable the department to coordinate with the vessel operator, contingency plan holder, and the United States coast guard to protect the public health, welfare, and natural resources of the state and to ensure all reasonable spill preparedness and response measures are in place prior to a spill occurring.

Waters of the state include lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington. For the notification requirements for spills or releases of dangerous waste or hazardous substances to other than waters of the state, [see Chapter 7000 of this plan](#).

Under the RCW 90.48.335, 90.48.336, and 90.48.142, Washington State has no limit on the liability of the responsible party for clean up of the spill or damages caused by the spill. In addition, any party owning oil or having control over oil that enters the waters of the state in violation of RCW 90.48.320 shall be strictly liable, without regard to fault, for the damages to persons or property, public or private, caused by such entry.

If the responsible party is unknown, fails to respond, or fails to respond in a manner deemed adequate by the State OSC (SOSC) or the Federal OSC (FOSC), the state or federal agency having jurisdiction may exercise the authority to take over the response and recover expenses from the spiller (RCW 90.48.335).

4333 Oregon

Under Oregon state law, the responsible party is required to immediately notify the Oregon Emergency Response System (OERS) and the National Response Center. ([See the plan preface for notification numbers.](#)) The responsible party is also encouraged to notify local response agencies through the 911 system.

Any person owning or having control over any oil or hazardous material spilled or released or threatening to spill or release is strictly liable without regard to fault. Any person, who fails to clean up oil or hazardous materials immediately, when under obligation to do so, is responsible for the expenses incurred by DEQ in carrying out the cleanup project. Any person who does not make a good faith effort to carry out a cleanup project is liable to the DEQ for damages not to exceed three times the amount of expenses incurred by DEQ.

If a spiller is unknown, fails to respond, or the response is considered inadequate, the DEQ may exercise the authority to take over the response or contract for the cleanup of the spill or release. The DEQ may recover the costs of the cleanup (ORS 466.645).

4334 Idaho

Idaho law requires that the responsible party immediately contact the Idaho Bureau of Hazardous Materials and Emergency Medical Services Center. (See the plan preface for notification numbers.)

The Idaho Hazardous Substance Control Act provides that the responsible party is strictly liable for emergency response to hazardous materials incidents.

4335 Prevention Laws

4335.1 Washington

4335.1.1 Washington Prevention Requirements

The Department of Ecology (Ecology) has an extensive spill prevention program for vessels and oil handling facilities. All types of large commercial vessels are required to comply with Washington's rules for safe bunkering (refueling). Ecology vessel inspectors conduct inspections to ensure safe bunkering operations. Cargo and passenger vessels 300 gross tons and larger are specifically screened for potential risk by Ecology vessel inspectors to determine risk and mitigate risks through a system of Accepted Industry Standards. Inspectors also assess whether vessels are able to make appropriate oil spill notifications in accordance with the vessels contingency plan.

Ecology has a Voluntary Best Achievable Protection (VBAP) Program for companies operating tank vessels that agree to voluntarily meet Washington's BAP standards including operational procedures, personnel policies, management practices, and safety technology.

The State Pilotage Act requires that local licensed marine pilots be on board all vessels over 1600 gross tons guiding them through Puget Sound waters. The Act also requires tug escorts for virtually all laden oil tankers over 40,000 deadweight tons.

All oil handling facilities must comply with operating and design standards and have approved operations manuals, spill prevention plans, and training and

certification programs. Additionally, all vessels delivering oil and the major land-based oil handling facilities are required to pre-boom all high rate oil transfers whenever it is safe and effective to do so. Many smaller transfer operations also pre-boom oil and fuel transfers and are required to have spill response and containment equipment on hand to ensure spills are quickly contained and cleaned-up. Ecology oil transfer inspectors conduct routine inspections of all these facilities to determine if operations are being conducted in compliance with oil transfer rules and required equipment is on-site and in operating condition.

4335.1.2 Vessel Traffic System in Puget Sound

East of Dungeness Spit, participation in the Puget Sound Vessel Traffic System is mandatory for the following vessels:

- Vessels of 300 Gross Tons (GT) or more propelled by machinery
- Vessels of 100 GT or more carrying 1 or more passengers for hire
- Commercial vessels of 26 ft or more engaged in towing
- Each dredge or floating plant (33 CFR 161.101)

West of Dungeness Spit, participation in the cooperative Vessel Traffic Management System, as described in 33CFR161 Subpart B, is mandatory for the following vessels:

- Each vessel of 30 meters or more in length

Each vessel towing alongside or astern or pushing ahead an object or objects where:

- The combined length of the vessel towing and object being towed (including towline) exceeds 45 meters;
- The vessel or object being towed is over 25 meters in length

4335.2 Oregon

In accordance with Oregon Revised Statute (ORS) 776.405: No person shall pilot any vessel upon any of the pilotage grounds established under ORS 776.025 or 776.115 without being a licensed pilot under this chapter or a pilot trainee under the on-board supervision of a pilot licensed under this chapter.

This does not apply to:

- The master of a vessel under fishery, recreation, or coastwise endorsement provided under 46 U.S.C. Chapter 121;
- A vessel registered with the State Marine Board or a similar licensing agency of another state; or
- The master of a foreign registered fishing or recreational vessel, exempted by the board, of not more than 100 feet in length or 250 gross tons international.

4335.2.1 Pilotage in Portland Area

Note: Proposed laws dealing with required escorts for tank vessels transiting the Columbia River will be addressed in a later release of this plan.

4336 Local Government Requirements**4336.1 Washington**

Under the Chapter 38.52 Revised Code of Washington (RCW) local government has the responsibility to prepare for emergencies including oil spills and hazardous materials releases. Some key responsibilities and authorities which relate to oil and hazardous substance spill planning and response are as follows:

Emergency Management means the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to mitigate, prepare for, respond to, and recover from emergencies and disasters, and to aid victims suffering from injury or damage, resulting from disasters caused by all hazards, whether natural, technological, or human caused, and to provide support for search and rescue operations for persons and property in distress. (RCW 38.52.010 [1])

Each political jurisdiction (county, city and town) is directed to establish a local organization for emergency management. Each local organization shall have a director appointed by the executive head of the political subdivision, subject to the direction and control of such executive officer or officers. (RCW 38.52.070 [1])

Each political subdivision shall have the power to enter into contacts and to incur obligations necessary to combat disaster. Each political subdivision can exercise the powers herein without regard to time consuming procedures and formalities prescribed by law (except constitutional requirements). (RCW 38.52.070 [2])

The director of each local organization for emergency management may, in collaboration with other public and private agencies within this state, develop or cause to be developed mutual aid arrangements for reciprocal emergency management aid and assistance in case of disaster too great to be dealt with unassisted. Such arrangements must be consistent with the state emergency management plan and program, and in time of emergency it is the duty of each local organization for emergency management to render assistance in accordance with the provisions of such mutual aid arrangements. (RCW 38.52.091)

The governor and the executive heads of political subdivisions are directed to utilize the services of all public agencies, and the officers and personnel of all public agencies are directed to cooperate with the emergency management organizations of the state upon request notwithstanding any other provision of law. The governor, the chief executive of counties, cities and towns and the emergency management directors of local political subdivisions appointed in accordance with this chapter, in the event of a disaster, after proclamation by the governor of the existence of such disaster, shall have the power to command the

service and equipment of as many citizens as considered necessary in the light of the disaster proclaimed (RCW 38.52.110)

4337 Disposal Guidelines

It is critical for the OSC in an immediate removal operation or the RPM in a remedial action to recognize that contaminated soils, dredge spoils, drums, tanks, refuse, water or other associated materials are to be considered hazardous wastes and must be disposed of as such in accordance with the Resource Conservation and Recovery Act (RCRA), as well as local and state regulations managing the disposal of hazardous wastes. Many of the removal actions employed by the OSC will in fact create a situation in which the OSC has assumed the responsibility as a generator of hazardous wastes. These wastes then become subject to the “cradle to the grave” manifesting procedures currently in effect under the governing RCRA regulations. The OSC must ensure that the hazardous waste generated from his/her removal actions be transported by an approved hazardous waste hauler to an approved hazardous waste facility. The OSC should consider the possibility of employing on-site treatment (e.g. incineration, biological treatments, chemical treatments, waste stream treatment methods, etc.). Approved and effective on-site treatment will often eliminate the dilemma affiliated with hauling hazardous waste to a hazardous waste facility - the dilemma of simply relocating your problem to some other geographic area where it may eventually develop into somebody else's problem.

Specific disposal information will be added to this section as it is developed. Also, for local disposal options, consult the GRP for the specific area being considered.

4337.1 Washington

Disposal practices shall be in accordance with state disposal guidelines. Guidelines are available from Washington State Department of Ecology and can be [seen in Section 9620](#).

4337.2 Oregon

The general policy of the Department of Environmental Quality is that, whenever possible, recovered oil and oily debris be recycled and reused, thereby reducing the amount of oily debris to be burned on-site or disposed of at a solid waste landfill. Spilled oils and oil contaminated materials resulting from control, treatment, and clean up shall be handled and disposed of in a manner approved by the Department. General guidelines for the handling, storage, and recycling/reuse or disposal of wastes can be seen in Section 9620.

4337.3 Idaho

4338 Use of Volunteers to Assist in Oil Spill Responses

The use of volunteers to assist in oil spill responses is recognized in 40 CFR 300 (the National Oil and Hazardous Substances Pollution Contingency Plan) Part 185 (c). The definitions section of the NCP includes “volunteer” as follows:

Volunteer means any individual accepted to perform services by the lead agency which has authority to accept volunteer services (examples: See 16 U.S.C. 742f(c)). A volunteer is subject to the provisions of the authorizing statute and the NCP.

During an initial response before volunteer interest has been expressed, the ICS structure may not contain positions specifically dedicated to volunteer management. As the UC becomes aware of individuals or organizations interested in providing volunteer services, the UC should make assignments for volunteer coordination within the ICS.

Volunteers fall into two general categories:

- Affiliated volunteers are those individuals associated with an Affiliated Volunteer Organization prior to an incident. They usually have received sufficient training to allow them to contribute to their host organization, although individuals may not be trained in oil spill response.
- Non-affiliated volunteers are individuals not affiliated with an existing Affiliated Volunteer Organization. After a spill has occurred, convergent volunteers may express a spontaneous desire to participate in a response effort, but may have little or no oil spill response training.

Human health and safety is the first priority in a decision regarding use of volunteers. The benefit of volunteer efforts must be weighed against concerns for volunteer safety. Based on the conditions specific to an incident, the UC will determine the suitability of integrating volunteers, whether affiliated or convergent, into an oil spill response.

See Chapter 9980 Northwest Area Volunteer Plan for more details.

4338.1 Affiliated Volunteer Organizations

Affiliated Volunteer Organizations generally hold a non-profit status and provide some form of training, maintain an affiliated volunteer database and have volunteer functions to facilitate current volunteer experience and communication. These groups also accept donations of money or materials.

4338.2 Non-Affiliated Volunteers

Oil spills typically receive significant press coverage and engender strong public concern for public health and injury to wildlife and the environment. This visibility and concern motivates citizens to assist where they can in the oil spill response. The ability to give the public an opportunity to volunteer during an oil spill can be helpful for their emotional experience and can assist in altering public perception in a positive manner.

Once a decision has been made to call for convergent volunteers the Volunteer Coordinator within ICS may work with local emergency managers or an

Affiliated Volunteer Organization to organize a volunteer intake and registration process.

4338.3 Volunteer Policy of the RRT/NWACP

The general policy accepted by the RRT/NWACP is that volunteers will normally be used in low risk activities and only after receiving safety training appropriate for their designated activities. If volunteers are used for higher risk activities such as wildlife rehabilitation or pre-cleaning beaches specialized training and in some cases licensing may be required.

- Volunteers associated with an Affiliated Volunteer Organization and with documented specialized training will be given higher priority.
- Non-affiliated volunteers must participate through either local government or an Affiliated Volunteer Organization.
- Use of unpaid, convergent volunteers will supplement, not replace, the work of professional responders hired by the RP.
- For safety, liability, and management reasons, volunteers will not be used during hazardous material or WMD incidents.

4338.4 Decision to Use Volunteers

The UC will decide whether volunteers will be used in a specific incident as well as in what roles/capacities they may serve, for what duration and how they will be processed and managed. The decision to use volunteers will be made by the UC after discussion of the advantages and disadvantages associated with the particular incident, with advice from legal representatives because volunteer coordination in an oil spill offers complications not normally encountered in response. The Unified Command should consider the following issues when deciding whether or not to utilize volunteers.

- Non-Wildlife unaffiliated volunteers do not usually participate in the physical removal or remedial activities during oil spill response. The Planning, Operations and Logistics Sections will need to incorporate volunteer efforts into many aspects of their duties. This paradigm shift will require time and effort during an Incident Command Post's (ICP) daily routine.
- The timing of the Incident Action Planning (IAP) process could be more immediate than the lead time volunteer training and deployment might require. The cycles could be mismatched and difficult to manage.
- Unaffiliated volunteers are 'just in time' trained. This creates a higher risk of injury and liability than other oil spill responders who are trained and exercised on a regular basis.
- More risk and cost may occur in order to train volunteers at a minimum level, which could achieve a lower performance result at a higher threat to safety.
- Using volunteers at the ICP may create an information security risk.

- There are many agencies involved in oil spill response. UC should be aware of any litigious issues between agencies and subsequent access to sensitive information.
- If there is no Responsible Party (RP) in a spill, the responsibility of volunteer liability will need to be determined.

4338.4 Federal Agency Volunteer Management Policy

The three primary federal regulations governing oil spill response, 40 CFR 300 (National Contingency Plan), 29 CFR 1910.120 (Occupational Safety and Health Standards / Hazardous Waste Operations and Emergency Response) and 40 CFR 311 (Worker Protection) do not exclude the use of volunteer organizations. However, all spill response operations must comply with these regulations. 29 CFR 1910.120 outlines various health and safety requirements for different on-site activities. In addition, various federal property owners (e.g. Department of Defense and Department of Energy) may have specific regulations, policies or national security concerns regarding the use of volunteers. The Coast Guard requires a “hold harmless” clause to be signed by each volunteer. The legal representatives of these organizations must be consulted prior to employing volunteers.

The US Coast Guard and EPA have signed a Memorandum of Understanding with the Corporation for National and Community Services for the management of non-affiliated volunteers. This agreement is preliminary in nature and more work must be done at the federal level in order to implement it locally.

The Coast Guard Auxiliary is chartered to assist the Coast Guard as authorized by the Commandant and the U.S. Congress. In the states of Washington, Oregon, Idaho and Montana (known as the 13th CG District) there are approximately 1,781 Auxiliarists -- citizen volunteers. Their functions include all missions authorized by law except military operations and law enforcement. They are involved with: marine safety, environmental protection, search and rescue, aircraft operations, seamanship training, weather training, radio and computer operations, public education instruction, aids to navigation, vessel safety checks, support during disasters, recruiting assistance and safety patrols. As the roles and responsibilities of the Coast Guard expand under the Department of Homeland Security, the Auxiliary is taking on more non-traditional roles. In their post 9/11 role, Auxiliarists may be established and organized to tackle myriad duties with specific training.

4338.5 Washington Volunteer Management Policy

Washington State Department of Ecology has been directed by the state Legislature to establish a volunteer coordination system that is included as a part of the state's overall oil spill response strategy, and may be implemented by local emergency management organizations, in coordination with any analogous federal efforts, to supplement the state's timely and effective response to spills.

4338.5.2 Washington Volunteer Wildlife Rescue Operations

Oiled wildlife response programs throughout the world regularly incorporate the use of volunteers as a part of their overall rescue strategy. In Washington State, volunteers are used in combination with paid staff and consultants.

Wildlife Volunteers

- The WDFW is recognized as the “affiliated organization” for the purpose of recruiting and training, volunteers for oiled wildlife rescue;

See the Wildlife Rescue Plan (Chapter 9970) for a description of the Wildlife Branch duties and responsibilities.

4338.5.3 Washington Volunteer Emergency Worker Program

Washington State's Emergency Worker Program is designed for use during emergencies, disasters, and related incidents. Local governments, with the Emergency Management Division, Washington Military Department providing assistance, implement the Emergency Worker Program. While this program has generally been used for search and rescue missions, local officials may elect to implement the program for volunteers in oil spills for specific tasks. However, if local emergency management agencies elect to implement this program for oil spill response, the agency will need to be integrated into the incident command structure established by the state and federal on-scene coordinators for the spill. The following are some of the job classes of emergency workers that have been established in the Emergency Worker Program:

- Administrative assistance such as recruiting, coordinating, and directing oil spill support activities;
- Communication assistance that is carried out in accordance with approved state or local emergency operations and communication plans;
- Fire service assistance including fighting fires, rescuing persons, or protecting property. This job class does not include volunteer fire fighters while operating under Chapter 41.24 RCW;
- Mass Care assistance including the provision of food, clothing, and lodging for persons who may be temporarily displaced or for oil spill response workers; and
- Public Education assistance involving public education and informational activities necessary to keep the public informed during an oil spill.

The above listing is just a summary of the potential activities for volunteers under the Emergency Worker Program that may be appropriate during an oil spill. Emergency workers will be assigned to an emergency worker class in accordance with their skills, abilities, licenses, and qualifications. Emergency workers must register in their jurisdiction of residence or in the jurisdiction where their volunteer organization is headquartered. Please refer to Chapter 118-04 of the

Washington Administrative Code or contact local emergency management agencies.

4338.6 Oregon Volunteer Management Policy

Where appropriate, Oregon supports the use of volunteer organizations subject to the policy of Section 4338.

4338.6.1 General Policy

State agencies may provide limited training, but have no resources to manage volunteer organizations.

Human health and safety is the first priority in decisions regarding use of volunteers. Volunteers will normally only be used in very low risk activities and only after receiving appropriate safety training. Volunteers with documented specialized training will be given higher priority for use.

4338.7 Idaho Volunteer Management Policy

The State of Idaho has several statutes that allow for use of volunteers and there are limited immunities. Idaho's plans and policies would require training consistent with 29 CFR 1910.120.

4338.8 Makah Tribe Volunteer Management Policy

The Makah Office of marine Affairs has created an Ordinance to address the rapid training of tribal members to participate in a response. The following table shows the training requirements:

Public Interest Volunteers	
Wildlife rescue and recovery	
On the beach	4 hrs
In the water wading	4 hrs
In small boats	4 hrs
Wildlife cleaning at staging areas outside the "hot zone"	4 hrs
Beach Cleanup (especially the cleaning of oil-affected stones, etc)	4 hrs
Visitors to the "Hot Zone"	
Personnel who maybe required to perform on-site duties during the response mode of operation	24 hrs
Full time employees of contractors and those giving the 4-hour HAZWOPER	40 hrs
Conducting Overflights – Helicopter Emergency Egress Device System (HEEDS) training	8 hrs

4400 Geographic Response Plans

Geographic Response Plans (GRPs) are an annex to the NW Area Contingency Plan and a key element of both facility and vessel contingency plans. GRPs have two main functions:

1. From a planning perspective, the GRPs provide a description of sensitive biological, cultural, and economic resources that must be addressed to be in compliance with:
 - The National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300.210(3)(i).), Area Contingency Plans are required to describe areas of special economic or environmental importance that could be impacted during an oil spill.
 - The National Historic Preservation Act of 1966 contains applicable, relevant and appropriate requirements, the GRPs also address sensitive historic and prehistoric resources
2. From an operational perspective, the GRPs guide responders in the first 12-24 hours of an oil spill by:
 - Providing prioritized lists of tactical response strategies to be implemented during the early hours of an oil spill (usually before the formation of Unified Command);
 - Providing detailed information for booming strategies that could be utilized to minimize impacts to predetermined sensitive resources.

Once the Unified Command is formed, additional operational strategies and tactics will be relayed to the field in the form of the ICS-204 work assignment sheets.

Because the GRPs are the primary tool used during an initial phase of the response, and fairly broad in their scope, they are not intended to minimize impacts to all possible sensitive areas that could be affected by an oil spill. Likewise, the GRPs are not intended to be an exhaustive list all of the tactical strategies that could, or should, be implemented during a spill.

Guiding Principles for GRPs

1. Safety and health of the responders always takes precedence over the protection of sensitive environmental resources;
2. Source control and containment are always a HIGHER priority over GRP strategy deployments;
3. The protection strategies in the GRPs have been designed for use with persistent oils and may not be suitable for other petroleum or hazardous substances. (See Section 4660 for Gasoline Policy);
4. Environmental conditions (wind, currents, and tides), together with the physical limitations of existing spill response technology, may preclude the effective protection of some areas;

5. Once a coordinated response has been established during an oil spill incident, booming strategy selection and prioritization are refined and supplemented based on real-time assessments. Unified Command has the authority to supersede the strategies proposed in the GRPs;
6. Response personnel may find it necessary to deviate from the exact details provided for deploying a particular strategy. An onsite evaluation of actual conditions are often needed to determine whether a strategy is safe to deploy, whether it will be effective under existing environmental conditions, or effective for the particular type of oil involved. Therefore, field personnel should use their best judgment to modify existing strategies based on real-time conditions and notify command accordingly. Field personnel are also encouraged to notify the command post regarding any opportunities for deploying additional strategies that might be used to take advantage of incident-specific conditions.

In general, GRPs include the following types of response strategies

- No action: Appropriate when weather, sea, or other conditions make deployments unsafe and/or infeasible and when response actions or site access will cause further environmental damage (e.g., wetlands);
- Collection booming with on-water recovery: Deploying various types of boom to collect oil for mechanical removal using sorbent materials, vacuum trucks, or near shore skimming devices;
- Exclusion Booming: Deploying various types of boom to reduce oiling in sensitive areas;
- Deflection Booming: Deploying various types of boom to divert oil away from a sensitive area and/or divert oil toward a collection point.

GRPs do not include

- In-situ Burning: Burning oil on the water; usually requires containment by fire-resistant boom. See Section 4640 for more NWAC policy on in-situ burning use;
- Dispersants: Applying chemical agents, usually by aircraft, to aid in breaking up surface slicks and dispersing oil within water column. See Section 4610 for more NWAC policy on dispersant use;
- Shoreline Cleanup: Physical removal or chemical treatment of beached oil. See Section 9640 [NW Area Shoreline Countermeasures Manual and Matrices] for guidance on shoreline cleanup;
- Open-water Mechanical Recovery: Physical removal of oil using boats and/or vessels specifically outfitted with collection and separation equipment.

Sensitive Resources Addressed by GRPs

The National Contingency Plan (40CFR300.120 (3) (i) requires that Area Committees identify and prioritize sensitive areas requiring protection. In the

NW Area Contingency Plan, sensitive areas are broken into three main categories described below.

Environmentally Sensitive Resources

Key natural resource areas are identified using a wide range data provided by resource trustees, tribes, plan holders, spill response organizations, contingency plan holders and other interested stakeholders during the process of GRP development and review. The Environmental Sensitivity Index (ESI) maps developed by NOAA are one example of the type of natural resource information available (<http://response.restoration.noaa.gov>). When appropriate, tactical response strategies are designed for implementation during the early hours of an oil spill to reduce impacts to those areas and trajectory models or other assessment techniques are used to establish initial response priorities.

Historically or Culturally Sensitive Resources

Information on sensitive historic and cultural sites is coordinated through contact with the various tribal governments, state archaeologists, and the United States Department of the Interior. Due to the sensitive nature of this information, the specifics regarding the location and nature of such sites are not included in the GRP documents. However, in order to ensure that tactical response strategies do not inadvertently harm historical and culturally sensitive sites, historic preservation specialists are consulted to review the GRP documents prior to finalization.

Socio-Economically Sensitive Resources

Economically sensitive areas are facilities or locations that rely on a body of water to be economically viable and that could be severely impacted by an oil spill. Economically sensitive areas are broken down into three separate categories: critical infrastructure, water dependent commercial and recreational areas. Section 3510 of this plan lists examples of such resources that may qualify as “special” economic resources”, i.e. those resources which are important to the economic well-being of the surrounding community. Information on economic resources will be gathered for inclusion as an appendix to the GRPs as they are being updated.

Geographic Scope of the GRPs

GRPs exist for all marine waters of Washington and Oregon and for many of the inland waterways, including the Columbia River from the mouth to the confluence with the Snake River (WA/OR), Lower Snake River (WA), Spokane River (WA), Nisqually River (WA), Clark-Cowlitz Rivers (WA), Lower Deschutes River (OR), Clearwater and Lochsa Rivers (ID), and the Pend Orielle River (ID). For a complete list of GRPs, with links to those available in electronic format, go to <http://www.rtt10nwac.com/GRP/Default.aspx>.

For More Information

A fact sheet describing the development, maintenance, and testing of the GRPs is available on the RRT/NWAC website at

<http://www.rrt1onwac.com/FactSheets.aspx>.

4410 Evaluation Criteria for Geographic Response Plans

Specific strategies for response to spills in sensitive areas are detailed in the Geographic Response Plans (GRP). Below is a list of some of the biological, cultural and booming criteria used to determine whether it is appropriate to develop and maintain GRP strategies at specific locations. These criteria are not intended to be exhaustive, or ranked in order of priority, they are meant to help frame the evaluation of GRP strategies.

Key Criteria for Biological Sites, Species, and Habitats of Concern

- 1) **Temporal considerations** –
 - a) What is the expected recovery time for habitats or fish and wildlife resources?
 - b) What is the residence time of the oil?
- 2) **Substrate** –
 - a) What is the exposure risk? What is the likelihood that a habitat or species will be exposed to direct contact with surface oil or to dispersed/dissolved oil in the water column?
 - b) Given the substrate is clean-up feasible?
- 3) **Habitat quantity, quality and pattern** –
 - a) Is the impacted habitat considered scarce at local, regional, or statewide scales?
 - b) Is the size of the impacted habitat significant compared to other sites in the region?
 - c) Is species diversity or endemism high? Is this true year-round or is it seasonal?
 - d) Is abundance of fish and/or wildlife high? Is this true year-round or is it seasonal?
 - e) What life stages of organisms are present?
 - f) Is the habitat important to threatened or endangered species?
 - g) What is the status of the habitat's integrity (i.e., is the area undeveloped or highly altered)?
 - h) Does the habitat have a special designation or status (i.e., Marine Protected Area, biological research area, restoration site, etc.)?
 - i) Is the habitat and/or its associated fish and wildlife resources especially susceptible to injury by oil?

Key Criteria for Archeological and Cultural Sites of Concern

- 1) **Deployment** – Does the act of deploying the GRP strategy threaten the archeological site (anchoring the boom, parking vehicles, etc.)
- 2) **Purpose** – Will implementing the GRP strategy type (collection, diversion, deflection) negatively impact the site?

- 3) **Review** – If either of the above is possible, then a review of the site records is necessary to determine the exact location and sensitivity of the site. If the site records are old or insufficient, then a field visit is necessary.
- 4) **Significant developments** – Are there significant developments that may make any concern about the impacts irrelevant (housing developments etc.)?
- 5) **Additional criteria for archaeological sites without existing GRP strategies** –
 - a) **Impacts.** Does the site extend below the high tide line?
 - b) **Vulnerability.** Will it be damaged or destroyed if oil were to hit the area (or by the placement of response equipment in the area, e.g., vacuum trucks, etc.)?
 - c) **Integrity.** Has the site been disturbed yet, or is it still intact?
 - d) **Historic Importance.** Is the site nominated for, or already on, the National Register of Historic Places or the State equivalent?
 - e) **Tribal Importance.** Does the site hold special tribal importance?
 - f) **County Importance.** Does the site hold special county importance?
 - g) **Feasibility.** Is booming the site feasible?

Key Criteria for Socio-Economic Sites of Concern

Criteria for identifying Socio-Economic sites of concern to be developed by Geographic Response Plan Workgroup.

Key Criteria for the Use of Boom

- 1) **Effectiveness** – Is booming the most effective strategy for reducing oil spill impacts? Would other alternatives such as a phone call to an operator, shutting off a water intake, or closing a tidal gate be as effective?
- 2) **Safety** – Determine if safety of human responders will be put at risk for limited likelihood of strategy success.
- 3) **Determine** – What type of booming strategy would be the most effective at reducing oil impacts to the resource under prevailing conditions — collection, deflection, or exclusion.
- 4) **Evaluation** – Evaluate the site for advantageous characteristics based on:
 - a) **Anchoring substrate.** Does the substrate allow responders to easily anchor the boom?
 - b) **Accessibility.** Can the site be easily accessed by vessels or vehicles?
 - c) **Time to arrive on scene.** How long will it take to get to the site?
 - d) **Potential for oiling.** Is the site located near shipping activity or fueling operations?
 - e) **Beach substrate.** Use Environmental Sensitivity Index (ESI) or ShoreZone classification to determine vulnerability to oiling and likely oil longevity based on the shoreline type.
 - f) **Type and quantity of boom.** How many sections of boom and what size anchors will be required for deployment? What is the anchoring depth? What type of boom tending will be required? Will this tending be complicated by the amount of time it takes to arrive at the site or the difficulty of access? Is the amount of boom required reasonable (<1000 ft.)

- g) **Prevailing weather – especially wind and waves.** Is a booming strategy realistic for prevailing conditions?
- h) **Tidal influence.** At extreme lows will there be nothing but mud flats (very difficult to tend boom when it is stuck in the mud) or at extreme highs will the entire face of a coastal marsh be underwater (thus exposing the entire perimeter to oil)?
- i) **Influence of currents.** What velocities can be expected?
- j) **Feasibility.** Depends on: boom size, boom length, the number and size of anchors, the capability of the recruited workboats (to tow boom, set and recover anchors, shelter boat crews, carry boom and associated equipment), the experience of the boat crew, and the effectiveness of the anchoring system (both on shore and in water).

4500 General Hierarchy of Response Priorities

Specific strategies for response to spills in sensitive areas are detailed in the Geographic Response Plans (GRP). The general hierarchy of response priorities are:

- Ensure the safety of citizens and response personnel;
- Control the source of the spill;
- Maximize protection of environmentally sensitive areas;
- Contain and recover spilled product;
- Recover and rehabilitate injured wildlife;
- Manage a coordinated response effort;
- Remove oil from impacted areas;
- Minimize damage to economically sensitive areas; and
- Keep the public and stakeholders informed.

4600 Response Technologies for Oil Spills

Though mechanical cleanup and recovery is always the initial and primary response tool, other response technologies are considered by the Region X RRT and Northwest Area Committee to be integral components of effective spill response that should be available for use, as appropriate, in a timely and efficient manner. The use of response technologies such as *in-situ* burning, dispersants, and other oil spill cleanup agents should be considered when the environmental benefit of their use is expected to outweigh adverse effects.

It is imperative that all response technologies are employed as soon as practicable following an oil spill. However, it is particularly important that materials are strategically stockpiled and decisions regarding the use of dispersants and *in-situ* burning be made as quickly as possible to increase their effectiveness on marine oil spills. Accordingly, the Region X RRT and Northwest Area Committee have established pre-approval zones, case-by-case approval zones, and no use zones for the use of dispersants. A policy has also been established to define the conditions under which *in-situ* burning may be conducted on a pre-approved or case-by-case basis and conditions under which burning will not be allowed. The FOSC, with

the assistance of the Unified Command, will determine if use of these response technologies meet the pre-approval criteria established for the Region X RRT and Northwest Area Committee area of responsibility.

Our understanding of dispersant and in-situ burning efficacy and toxicity is evolving and the appropriateness of their application is subject to change based on field and laboratory testing. As new information becomes available, these policies will be revisited, modified, and enhanced as appropriate.

The National Contingency Plan (NCP), Section 300.910 (Subpart J) outlines the circumstances under which chemical agents or other additives may be used to remove or control oil discharges. Section 300.910(a) allows Regional Response Teams and Area Committees, as part of their planning process, to address procedures, including preauthorization plans, to be followed in making decisions on the use of these agents. This gives the EPA representative to the RRT and, as appropriate, the State representative to the RRT with jurisdiction over navigable waters threatened by a release or discharge of oil, and the DOC and DOI natural resource trustees the ability to approve, disapprove, or approve with modifications any *preauthorization plans* developed by RRTs and Area Committees. Section 300.910(b) authorizes the FOSC, with the concurrence of the EPA representative to the RRT and, as appropriate, the concurrence of the State representative to the RRT with jurisdiction over navigable waters threatened by a release or discharge of oil and in consultation with the DOC and DOI natural resource trustees, when practicable, to authorize the use of dispersing, surface-washing, surface-collecting, bioremediation, or burning agents on a *case-by-case basis*. It is the policy of RRT X to also consult with appropriate tribal governments with off reservation treaty rights in navigable waters threatened by a release or discharge of oil, when practicable. Section 300.910(d) further authorizes the FOSC to use any agent listed above without requesting permission if its use is necessary to prevent or substantially reduce a hazard to human life.

The Commandant of the USCG has pre-designated the USCG Captains of the Port under his/her jurisdiction as FOSC for oil spills, and has delegated authority and responsibility for compliance with Section 311 of the Federal Water Pollution Control Act (Clean Water Act) to them. The Administrator of EPA has designated EPA On-Scene Coordinators as FOSCs for the inland zone and has delegated authority and responsibility for compliance with Section 311 of the Federal Water Pollution Control Act (Clean Water Act) to them. Decisions on use of any dispersing, surface-collecting, bioremediation, or burning agent on the International border with Canada will include consultation with the Joint Coastal Pollution Response Team (Coastal JRT).

As required by Section 300.905 of the NCP, in order for a FOSC to authorize the use of a dispersing, surface-washing, surface-collecting or bioremediation agent, it must be listed on the NCP Product Schedule. Burning agents are not listed on the NCP Product Schedule. The U.S. EPA maintains the NCP Product Schedule and it can be found at <http://www.epa.gov/OEM/content/ncp>. The Product

Schedule does not authorize or pre-approve use of any of the listed products. However, the FOSC may not authorize use of a product that is not listed on the Product Schedule unless its use, in the judgment of the FOSC, is necessary to prevent or substantially reduce a hazard to human life.

4610 Dispersant Use Policy

Areas within the Region X RRT and Northwest Area Committee area of responsibility fall into three different zones with respect to dispersant use: a pre-approval zone, case-by-case approval zones, or no dispersant use zones (See Section 4610.4 “Region X RRT Dispersant Use Zones Summary Table”).

4611 Dispersant Pre-Approval Zone

Within a designated pre-approval zone, the FOSC may authorize the use of dispersants without further concurrence or consultation with the RRT. The FOSC will determine whether to authorize the use of dispersants through the information gathering and decision-making process outlined in the “FOSC Dispersant Authorization Checklist” and the Supplemental Documentation (Section 4621). It is expected that the FOSC Checklist and Supplemental Documentation will be completed by the Technical Specialists within the Environmental Unit, with input from appropriate members of the Operations Section and other Natural Resource Trustee agencies, as needed.

The Dispersant Pre-Approval Zone is as follows:

- Marine waters 3 to 200 nautical miles from the coastline or an island shoreline *except* for waters designated as a part of a National Marine Sanctuary and the Makah Tribe Usual and Accustomed marine area or waters within three miles of the border of the Country of Canada or the Makah Tribe Usual and Accustomed marine area (See Map Figure 4.1).

4612 Dispersant Case-by-Case Approval Zones

According to Section 300.910(b) of the National Contingency Plan, in all areas outside the pre-approved zone, FOSC authorization to use dispersants requires the concurrence of the EPA and State representatives to the RRT with jurisdiction over the waters threatened by the release or discharge, and consultation with the DOI and DOC representatives to the RRT. It is the policy of RRT X to also consult with appropriate tribal governments with off reservation treaty rights in the navigable waters threatened by a release or discharge of oil, when practicable. Upon activation of the Region X RRT, the FOSC should forward the completed “FOSC Dispersant Authorization Checklist” and the Supplemental Documentation (Section 4621) and all additional supporting information to the RRT for consideration in their concurrence and consultation process. Oil trajectory, potential impact areas, and the respective sensitivities of the resources at risk in those areas should be considered. A decision from the RRT on dispersant use is expected within 2 hours of activation.

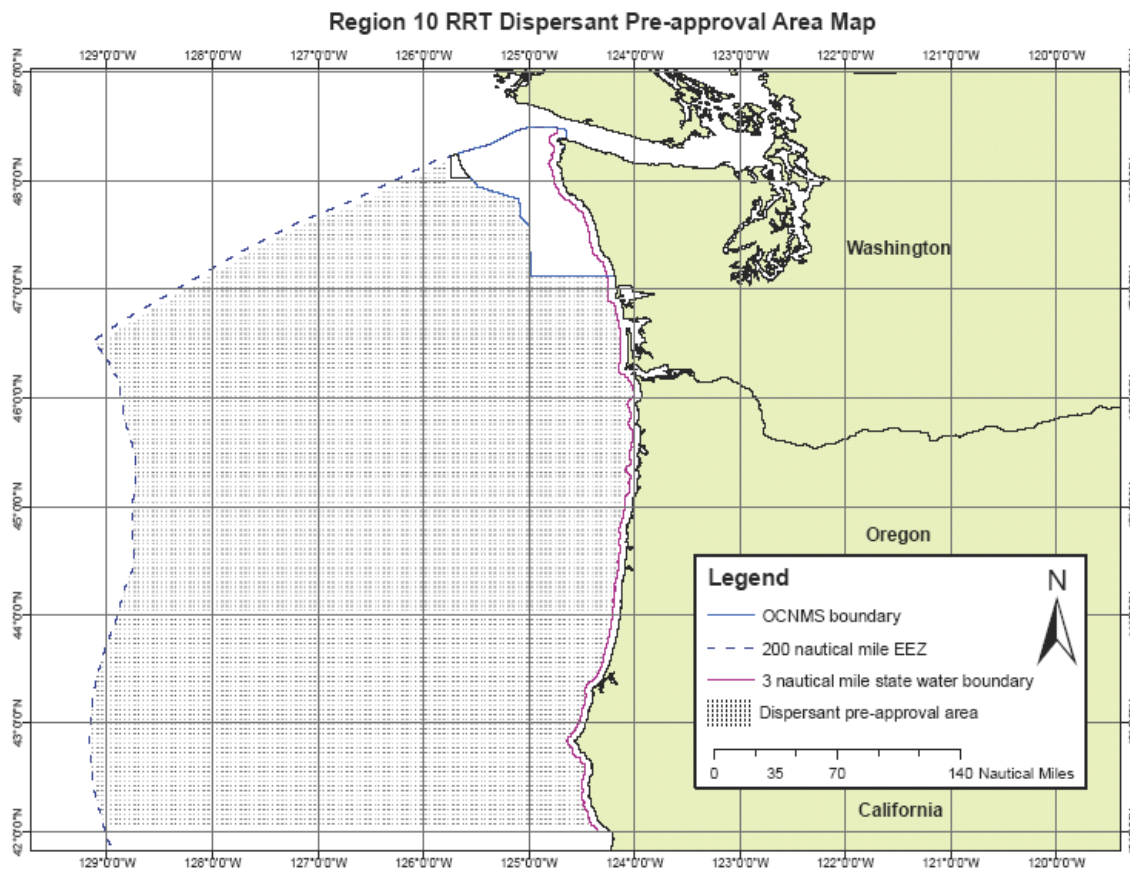


Figure 4.1 Dispersant Pre-Approval Area

The Dispersant Case-by-Case Approval Zones are as follows:

- All marine waters that are both within 3 nautical miles from the coastline or an island shoreline and greater than 10 fathoms (60 feet) in depth.
- Waters designated as a part of a National Marine Sanctuary and waters that are part of the Makah Tribe Usual and Accustomed marine area which are also greater than 10 fathoms (60 feet) in depth.
- Waters of the Strait of Juan de Fuca and North Puget Sound from Point Wilson to Admiralty Head and north, and greater than 10 fathoms (60 feet) in depth.
- Marine waters within 3 miles of the borders of the Makah Tribe Usual and Accustomed marine area and the country of Canada. In consideration of the use of dispersants within 3 miles of the Makah Tribe Usual and Accustomed marine area, the Region X RRT will consult with the Makah Tribal government. In considering the use of dispersants within 3 miles of the International border with Canada, the Region X RRT will consult with the Joint Coastal Pollution Response Team (Coastal JRT) comprised of representatives of the U.S. and Canadian governments. (See section 9941 for further information about the Coastal JRT).

4613 No Dispersant Use Zones

There are some areas in the Region X RRT and Northwest Area Committee area of responsibility where the RRT and Northwest Area Committee have determined it is not appropriate to use dispersants. In these areas, dispersants may be used only if, in the judgment of the FOSC, they are required to prevent or substantially reduce a hazard to human life.

The No Dispersant Use Zones are as follows:

- Marine waters that are both less than three nautical miles from the coastline and less than or equal to 10 fathoms (60 feet) in depth.
- Marine waters south of a line drawn between Point Wilson (48° 08' 41" N, 122°45' 19" W) and Admiralty Head (48° 09' 20" N, 122° 40' 42" W).
- Freshwater environments.

4614 Dispersant Use Zones Summary Table

RRT X/NWAC Dispersant Use Zone Summary Table

Dispersant Pre-Approval Zone	Marine waters 3 to 200 nautical miles from the coastline or an island shoreline except for waters designated as a part of a National Marine Sanctuary and the Makah Tribe Usual and Accustomed marine area or waters within three miles of the border of the Country of Canada or the Makah Tribe Usual and Accustomed marine area
Dispersant Case-by-Case Approval Zone	<ul style="list-style-type: none"> ■ All Marine waters that are both within 3 nautical miles from the coastline or an island shoreline and greater than 10 fathoms (60 feet) in depth ■ Waters designated as a part of a National Marine Sanctuary and waters that are part of the Makah Tribe Usual and Accustomed marine area which are also greater than 10 fathoms (60 feet) in depth. ■ The Strait of Juan de Fuca and North Puget Sound from Point Wilson to Admiralty Head and north, and greater than 10 fathoms (60 feet) in depth. ■ Marine waters within 3 miles of the borders of the Makah Tribe Usual and Accustomed marine area and the country of Canada.
No Dispersant Use Zones	<ul style="list-style-type: none"> ■ Marine waters that are both less than three nautical miles from the coastline and less than or equal to 10 fathoms (60 feet) in depth. ■ Marine waters south of a line drawn between Point Wilson (48° 08' 41" N, 122°45' 19" W) and Admiralty Head (48° 09' 20" N, 122 40' 70" W). ■ Freshwater environments.

4615 Role of RRT

The RRT X and member agencies have various roles related to the use of dispersants within Federal waters in the Region X RRT area of responsibility. General roles of Natural Resource Trustee agencies include providing input, as requested by the Environmental Unit Technical Specialists, to the FOSC

Checklist and the Supplemental Documentation. The following provides more specific guidance on the role of RRT X in each designated zone:

- a. **Dispersant Pre-approval Zone:** The U.S. Coast Guard RRT co-chair will be notified by the FOSC as soon as practicable following a dispersant use decision. The U.S. Coast Guard RRT Co-chair will then communicate this information in a timely manner to the U.S. EPA Co-chair and to the DOC and DOI representatives to the RRT. The State with jurisdiction and/or the tribe(s) with off-reservation treaty rights in waters potentially impacted by a discharge of oil will also be apprised by the Unified Command of the decision. An Incident After-Action Report with relevant information on the spill incident and the dispersant application will be provided to all interested RRT member agencies after the emergency response is over. An outline of suggested information to include in an Incident After-Action Report is provided in Section 4623.
- b. **Case-by-Case Dispersant Approval Zone:** For areas in a Case-by-Case Approval Zone, in order to authorize the use of dispersants the FOSC will immediately request an activation of the Region X RRT. The purpose of the activation is for the FOSC to outline the basis for the request to authorize dispersant use and pursuant to 300.910(b) of the NCP, seek concurrence from the EPA representative to the RRT and, as appropriate, the RRT representatives from the states with jurisdiction over the navigable waters threatened by the release or discharge. This activation will also serve as consultation with the DOC and DOI natural resource trustees. It is the policy of RRT X to also consult with appropriate tribal governments with off reservation treaty rights in navigable waters threatened by a release or discharge of oil, when practicable. Oil trajectory, potential impact areas, and the respective sensitivities of the resources at risk in those areas should be considered. If concurrence for dispersant use is granted, the U. S. Coast Guard RRT Co-chair will keep the appropriate members of the RRT apprised of dispersant use activities. An Incident After-Action Report will be provided to all interested RRT member agencies after the emergency response is over. An outline of suggested information to include in an Incident After-Action Report is provided in Section 4623.
- c. **No Approval Zone:** It has been determined that some areas within the Region X RRT area of responsibility are not appropriate for dispersant use. If, however, a FOSC determines that dispersant use is necessary to substantially reduce a hazard to human life, the FOSC will notify the RRT Co-Chairs as soon as practicable following a decision to use dispersants and provide an Incident After-Action Report to all interested RRT member

agencies. An outline of suggested information to include in an Incident After-Action Report is provided in Section 4623.

4620 FOSC Dispersant Authorization Checklist, Supplemental Documentation, and Suggested Incident After-Action Report Outline

4621 FOSC Dispersant Authorization Checklist

	Y	N	N/A	
1.				Dispersability: Available technical information or experience suggests that the spilled product is dispersible and will still be dispersible in the time frame of anticipated application of dispersants.
2.				National Contingency Plan (NCP) Listed Dispersant: The dispersant to be used is listed on the current NCP Product Schedule and is considered appropriate for the oil type and conditions.
3.				Inadequacy of other options: Mechanical response equipment alone is not deemed adequate (due to the magnitude of the spill, availability, or timeliness) to protect potential resources at risk. Environmental trade-offs of dispersant use have been considered.
4.				Weather Conditions: Weather and sea conditions are conducive to dispersant application by the chosen system or platform. (Generally, for aerial application: wind ≤ 25 knots, visibility ≥ 3 statute miles, and ceiling ≥ 1000 feet. Generally for boat application, a sea state that will allow the vessel to be used to conduct an effective and safe spray operation.)
5.				General Adequacy of Dispersant Spray System and Personnel Competency: In addition to any other requirements of the Region X RRT and Northwest Area Committee, the general criteria for evaluating the suitability for use of any dispersant system should be the ability of the party or parties requesting approval to demonstrate to the satisfaction of the FOSC, the following:
5a.				<p>a) That the application system has been</p> <ul style="list-style-type: none"> i. Specifically designed for its intended purpose, or ii. If not specifically designed for dispersant use, has been tested and deemed to be effective and appropriate, or iii. By some other specific means of documentation or experience, reasonably deemed to be effective and appropriate under the circumstances.
5b.				b) That the design and operation of the application system can reasonably be expected to apply the chemical dispersant in a manner consistent with the dispersant manufacturer's recommendations, especially with regard to dosage rates and concentrations.

	Y	N	N/A	
5c.				c) That the operation will be supervised or coordinated by personnel who have experience, knowledge, specific training, and/or recognized competence with chemical dispersants and the type of system to be used.
6.				Aerial Application Operational and Technical Issues: In the case of Aerial Application of dispersants:
6a.				a) The FOSC must ensure that the Responsible Party's dispersant operation provides for a dispersant controller over the spray zone able to effectively direct the dispersant aircraft in carrying out the dispersant operation, including avoiding the spraying of birds and marine mammals that may be in the area.
6b.				b) Aircraft spray systems must be capable of producing dispersant droplet sizes that provide for optimal dispersant effectiveness as described in ASTM guidelines or as supported by peer-reviewed research.
7.				Boat Application Operational Technical Issues: If the system involves spray arms or booms that extend out over the edge of a boat and have fan type nozzles that spray a fixed pattern of dispersant, the dispersant operator has confirmed that application will comply with the following ASTM standards as appropriate: a) ASTM F 1413-92 Standard Guide for Oil Spill Dispersant Application Equipment: Boom and Nozzle Systems b) ASTM F 1460-93 Standard Practice for Calibrating Oil Spill Dispersant Application Equipment Boom and Nozzle Systems c) ASTM F 1737-96 Standard Guide for Use of Oil Spill Dispersant Application Equipment during Spill Response: Boom and Nozzle Systems.
8.				Fire Monitor Operational and Technical Issues: If the system involves the use of a fire monitor and or fire nozzle to apply the dispersants from a boat, the dispersant operator has confirmed that application will comply with ASTM Standard F 2465-05 for fire monitors and has provided the information in paragraph 7 of the Standard titled "Information to be provided by the user" to ensure that the fire monitor meets the standard and is acceptable for use. The specific fire monitor system(s) intended for use must have been specifically designed for dispersant application and/or must have been specifically calibrated via field trial for dispersant use.
9.				SMART Deployment: The FOSC has activated Special Monitoring of Applied Response Technologies (SMART), including a SMART observer, at a minimum, to fly over the response zone to visually assess effectiveness of the dispersant applications (Tier I). See Section 4612 and 9670.
10.				Wildlife Observation: A specialist in aerial surveillance of wildlife or oil, preferably from a Trustee agency, is available to observe wildlife that should be avoided in the potential dispersant application area. If possible, wildlife observations should be conducted immediately prior to dispersant application.

	Y	N	N/A	
11.				Endangered Species Act (ESA) and Essential Fish Habitat (EFH) Consultations: Endangered Species Act (ESA) consultation has been initiated in accordance with implementation of the 2001 “Interagency Memorandum of Agreement Regarding Oil Spill Planning and Response Activities under the Federal Water Pollution Control National Oil and Hazardous Substances Pollution Contingency Plan and the Endangered Species Act.”

*If the answer to any item on the checklist is “N,” explanation and justification for authorization of dispersant use must be included in After-Action Report.

4622 Supplemental Documentation for Dispersants

The Technical Specialists within the Environmental Unit preparing the FOSC Dispersant Authorization Checklist will produce an itemized list of the rationale behind the Y or N decision for each of the Checklist items:

Item #	Supplemental Checklist	Rational Behind Y or N Decision
1.	Dispersability	
2.	National Contingency Plan (NCP) Listed Dispersant	
3.	Inadequacy of other options	
4.	Weather Conditions	
5.	General Adequacy of Dispersant Spray System and Personnel Competency	
5a.	a) Application system designed for intended purpose	
5b.	b) Dosage rates and concentrations.	
5c.	c) Experienced supervision, coordination	
6.	Aerial Application Operational and Technical Issues	
6a.	a) Dispersant controller over the spray zone	
6b.	b) Aircraft spray system dispersant droplet sizes	
7.	Boat Application Operational Technical Issues	
8.	Fire Monitor Operational and Technical Issues	
9.	SMART Deployment	
10.	Wildlife Observation	
11.	Endangered Species Act (ESA) and Essential Fish Habitat (EFH) Consultations	

In addition to the FOSC Dispersant Authorization Checklist and the Supplemental Document, the appropriate Technical Specialists within the Environmental Unit will prepare a map outlining the area proposed for dispersant application, including any pertinent information.

For Case-by-Case dispersant decisions, once the RRT has made a decision on the use of dispersants, Technical Specialists within the Environmental Unit will also prepare a Decision Memo to capture the specific details, conditions, constraints and any other pertinent information from the RRT linked to the used of

dispersants. This memo, addressed to the FOSC from the key RRT members (EPA Co-Chair, affected State representative and the representatives from the DOC and DOI), will then be signed by each key member of the RRT involved in the decision and sent to the FOSC.

4623 Suggested Incident After-Action Report Outline

Incident Overview

- Description of initial report (date, time, source, etc.)
- Spill source
- Spill location
- Estimated quantity & potential quantity of release
- Environmental conditions

Oil Chemistry, Fate, and Movement

- Oil chemistry
- Expected movement of oil slick
- Expected weathering and behavior of product
- Observations of oil fate and movement

Completed FOSC Dispersant Authorization Checklist and Justification for Dispersant Use

- Potential impact areas and their respective sensitivities to impact
- Potential for use of other recovery methods (e.g., mechanical recovery, in-situ burning)
- Weather and sea state
- Authorization checklist with explanation and justification when all items are not checked “Y”

Overview of Dispersant Operations

- Type of product used
- Methods and rates of application
- Area of application
- Chronology of dispersant-related events
- Amounts and times of dispersant applications
- Estimates and observations of efficacy
- Sightings of marine birds and marine mammals
- Extenuating circumstances affecting deployment of any element (spotters, dispersant, SMART, etc.)
- Results from all SMART monitoring
- Post-application fate of the dispersed plume and surface slick

4630 Special Monitoring Of Applied Response Technologies (SMART) Protocols for Dispersants

Special Monitoring of Applied Response Technologies is a cooperatively designed monitoring program for *in-situ* burning and dispersants. SMART relies on small, highly mobile teams that collect real-time data using portable, rugged, and easy-to-use instruments during dispersant and *in-situ* burning operations. Data are channeled to the Unified Command to address critical questions about effectiveness and effects. Monitoring data can assist the Unified Command with decision-making for dispersant and *in-situ* burning operations.

It is the policy of the Northwest Area Committee and RRT X that the SMART protocols will be used, to the extent possible, for monitoring after the application of dispersants. Additional detail on the SMART protocols may be found in section 9670. To monitor the efficacy of dispersant application, SMART recommends three options, or tiers.

Tier I

A trained observer flying over the oil slick assesses dispersant efficacy and reports back to the Unified Command. Tier I monitoring, at a minimum, must be conducted during any dispersant application.

Tier II

Tier II provides real-time data from the treated slick. A sampling team on a boat uses a fluorometer to continuously monitor for dispersed oil one meter under the dispersant treated slick. The team records and conveys fluorometer data, with recommendations, to the Unified Command. Water samples will be taken for later chemical analysis at a laboratory.

Tier III

By expanding the monitoring efforts in several ways, Tier III provides information on the dispersed oil movement and fate. (1) Two fluorometers are used on the same vessel to monitor at two water depths; (2) Monitoring is conducted in the center of the treated slick at several water depths, from one to ten meters; and (3) A portable water laboratory provides data on water temperature, pH, conductivity, dissolved oxygen, and turbidity.

4640 In-Situ Burning

In-situ is the Latin term for “in place”. In-situ burning as it relates to oil spills is the controlled burning of oil on water at the spill site. While the focus of the policy is on open-water areas in the marine environment, it also applies to in-situ burning in inland areas.

4641 In-Situ Burning Policy

The purpose of the policy is to define the conditions under which burning may occur on a pre-approved or case-by-case basis and define conditions under which burning will not be allowed. The complete policy defines the procedure for

arriving at the decision to burn or not to burn, describes the regulatory and statutory framework, and provides background information on logistics, environmental impacts, health and safety, and monitoring. The policy applies to all marine waters as well as inland areas covered by the Northwest Area Plan. This section summarizes key sections of the policy.

It is the policy of the Northwest Area Committee to use, and in certain cases, encourage in-situ burning, provided that requirements specified herein have been met. A primary consideration in the decision to burn is the protection and safety of human life. The authority to approve a burn rests with the Unified Command, who must determine that an application to burn conforms to these guidelines. The decision to burn or not burn must be made expeditiously.

Pre-approval areas are defined as those areas which are more than three miles from significant population centers. All other areas will be considered on a case-by-case basis. Monitoring and sampling will be conducted where there is the potential for people to be exposed to the smoke. As general guidance, people should not be exposed to small particles (PM-10) in concentrations that exceed 150 micrograms per cubic meter of air averaged over one hour. The concentrations should never exceed 150 micrograms per cubic meter averaged over 24 hours.

4642 Authorization Procedures

These guidelines provide a common decision-making process to evaluate the appropriateness of using in-situ burning during a spill response. The process is based on the premise that a rapid decision is essential if in-situ burning is ever to be used since oil emulsifies (becomes mixed with water) and is more difficult to ignite as time goes on. Therefore, the fewest number of decision-makers as possible are involved in deciding whether or not to burn.

Under these guidelines, authorization to use in-situ burning rests with the Unified Command (UC). The UC consists of federal, state and responsible party on-scene coordinators as well as local and tribal on-scene coordinators, as appropriate. The UC, as part of the Incident Command System (ICS), is responsible for overseeing the entire response effort, which includes the decision to use in-situ burning. The decision process is greatly expedited by the use of the unified command structure, by the establishment of a single application (see attached checklist and worksheet located after the decision process flowchart), and mutually agreed upon operational controls. Figure 4.2 summarizes the In- situ burn decision process.

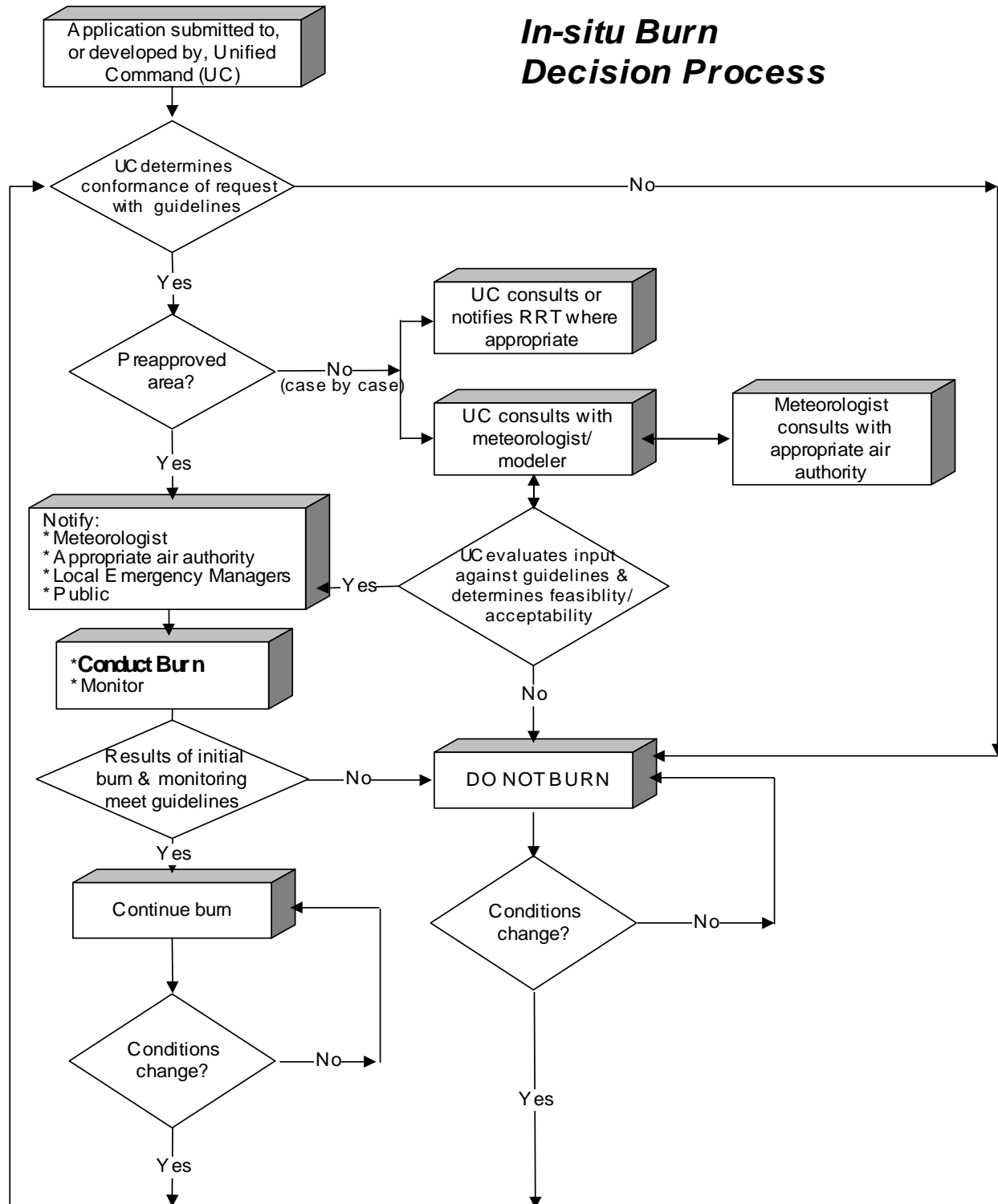


Figure 4.2 In-Situ Burn Decision Process

In-Situ Burning Application

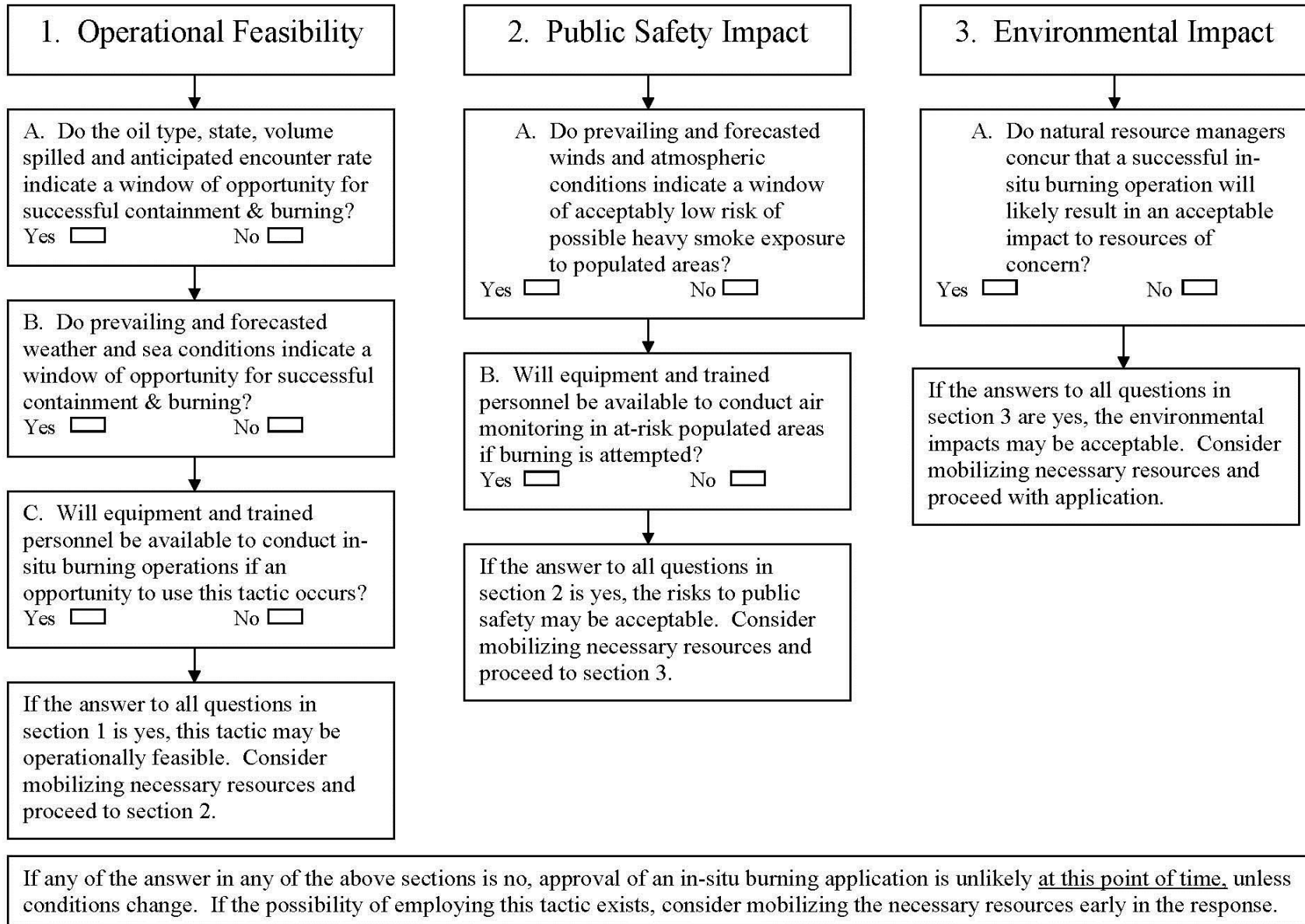
The following checklist and worksheet are provided as a summary of important information to be considered by the Unified Command in reviewing any request to conduct in-situ burning in response to an oil spill in Washington, Oregon, and

Idaho waters. The flowchart shown in Figure 4.2 summarizes the process for making a burn decision. The decision to burn involves three basic factors. If the oil has ignited due to collision or another means, allowing continued burning may be unavoidable or beneficial. Second, the decision to burn must consider whether this tool will offer a greater level of efficiency in removing oil on water and/or reducing oil impacts to sensitive resources. Third, the decision must evaluate whether it is practical, feasible, and safe to burn given the spill and conditions involved.

The application process begins with a simple preliminary feasibility analysis. If that analysis concludes that in-situ burning may be feasible, the application checklist and window-of-opportunity worksheet should be completed. The checklist is divided into several sections of information about the spill, weather, proposed burning plan, and potential impacts. Most checklist questions reference items on the worksheet. When completed, the checklist and worksheet will identify the window-of-opportunity when in-situ burning would be allowed based on environmental, public health, and operational constraints. Note that the checklist must be updated for each new burn scenario proposed. It is important to note that even if the checklist and worksheet fail to show that in-situ burning is appropriate at one point in time (i.e., a “NO” answer), changes in environmental or other factors may make in-situ burning a feasible option at a later time.

Authorization procedures will differ depending upon whether the spill location is in a pre-approval area or is decided on a case-by-case basis. Regardless of location, the UC directs actions that will provide for maximum environmental protection while ensuring human safety.

Preliminary Feasibility Analysis for *In Situ Burn*



4000-41

Application Checklist**Spill Data**

Date of incident (month/date/year): _____ Time of incident: _____

Name of incident/responsible party :

Location of incident _____ Latitude: _____ N Longitude _____ W

Type(s) of oil spilled:

Estimated volume of oil spilled into water: _____

Estimated volume of oil at risk of spilling: _____

Release status: Stopped Intermittent Continuous Outflow Rate:

Forecasted surface area of spill at time of projected burn: _____

Continuous slick Large patches Ribbons/streamers Will oil concentration be sufficient to burn? Yes No

Anticipated oil trajectory (attach NOAA forecasts if available):

Forecasted oil distance/direction to nearest land at time of projected burn:

Expected areas and times of shoreline oil impact:

Estimated percentage of natural dispersion and evaporation during:

first 24 hours _____ second 24 hours _____

Oil emulsification at this time: Unknown None Light (0-20%) Moderate (21-50%) Heavy (over 50%)

Will emulsification likely be less than 50% at projected time of burn?

Yes No Unknown Distance (*in miles*) and direction to nearest population center

(> 100 people per sq. mile):

Name of nearest population center:

Weather/Environmental Conditions at time of projected burn

Temperature: Air = _____ F Water = _____ F

Weather: Clear ___ Partly cloudy ___ Overcast ___ Rain ___ Fog ___
Snow ___ Freezing ___

Surface visibility _____ Ceiling level _____

Is prevailing and forecasted visibility more than 500 ft. vertically and 0.5 mile horizontally? Yes ___ No ___

Surface current: Speed _____ Direction _____

Wind conditions: Speed _____ Direction (from) _____

Are prevailing and forecasted winds less than 25 knots? Yes ___ No ___

Tide state: Flood ___ Ebb ___ Slack Water ___

Sea State: Calm ___ Choppy ___ Swell (in feet) _____

Waves: Less than 1 ft ___ 1-3 ft ___ More than 3 ft ___ Direction (from) _____

Other weather/sea condition information:

Proposed Burning Plan

Location of the proposed burn relative to the spill site:

Location of the proposed burn relative to nearest ignitable slick(s):

Location and direction of the proposed burn relative to nearest land:

Can accidental fires be avoided? Yes ___ No ___

If yes, what actions are planned:

Can ignition/burn occur at a safe distance from other response operations and public, recreational, and commercial activities? Yes ___ No ___

Method(s) used to notify residents living within the potential smoke plume trajectory:

Method(s) used to notify mariners and aircraft pilots:

Method(s) used to avoid impacts to marine life in vicinity of burn:

Type of ignition system proposed for use:

When will ignition system, fire-resistant boom, and deployment equipment/vessels be on-scene and available for use?

How will ignition be carried out:

If a heli-torch ignition system is to be used, is the helicopter qualified for offshore flight and does it meet FAA certification requirements?

Yes ___ No ___

Method used to collect/concentrate oil, if any:

Amount of fire boom available for use at time of projected burn:
_____ feet

Number of boom-towing vessels and support vessels available:

Proposed location of oil containment relative to spill source:

Proposed burning strategy:

- ___ Immediate ignition at or near source
- ___ Ignition away from source after containment and movement to safe location
- ___ Controlled burning in boom or natural collection site at or near shore
- ___ Possible need for multiple ignition attempts.

Are floating debris and other safety hazards acceptable? Yes ___ No ___

Are sufficient numbers of trained personnel available on-scene to conduct safe and effective burn? Yes ___ No ___

Estimated amount of oil to be burned:

Estimated duration of burn:

Method of collecting burned oil residue:

Estimated amount of burned oil residue to be collected:

Proposed interim storage and disposal of burned oil residue:

Back-up plan for collecting contained oil if burn fails:

Burn Impacts

Is adequate air modeling support available? Yes ___ No ___

Do prevailing conditions and air modeling results indicate that PM-10 standards can be met? Yes ___ No ___

Will visibility remain safe at sensitive locations (e.g., airports, freeways)?
Yes ___ No ___

Are adequate air support and burn monitoring equipment on-scene and available?
Yes ___ No ___

How will operational impacts to wildlife in vicinity be monitored?

Name of Application Preparer:

Date/Time Submitted to Planning Section Chief: _____

Approval by Planning Chief: _____

Unified Command Decision:

___ Approval to implement burn plan

___ Approval to conduct small pilot burn

___ Burn plan disapproved at this time

Window of Opportunity Worksheet

Spill Name:**Spill Time and Date:**

This worksheet should be filled out in conjunction with the in-Situ Burning Application Checklist. Fill in top row based on time of Incident (e.g., if Incident is at 0300, fill that in for hour 1; 0400 for hour 2, etc.) For each worksheet item, mark in each time segment where the item applies. The likely window-of-opportunity equates to those time segments where all items are marked.

Window of Opportunity	Hr. 1	Hr. 2	Hr. 3	Hr. 4
Feasibility Factors	Time:	Time:	Time:	Time:
Operational Outlook				
1. Oil thickness \geq 2-3mm)				
2. Oil emulsion \leq 25-50%				
3. Wind speed \leq 25 knots				
4. Wave height \leq 3-5 feet				
5. Visibility \geq 500 feet vertically & \geq 0.5 mile horizontally				
6. Trained personnel on scene & ready				
7. Equipment on scene & ready				
Planning Concerns				
8. Operation poses acceptably low risk to populated areas				
9. Burn poses acceptable risks to resources likely impacted				
Public Safety Concerns				
10. Public notification and controls addressed				
11. Air monitoring equipment & support are set up & ready				

4642.1 Exposure Limits for Emissions

Since burning will almost always provide for the greatest degree of environmental protection, a key issue is for the UC to ensure that pollutants from in-situ burning emissions do not have a significant adverse impact to human health. The primary pollutant of concern is PM-10, the small particulate matter contained in the smoke plume. It is generally accepted that other pollutants dissipate, reaching background levels well before PM-10 does. An in-situ smoke plume usually stays well above ground level, hundreds to thousands of feet, but can reach the ground under certain atmospheric conditions. An exposure standard for PM-10 has been established for these guidelines. In-situ burning will not be approved if there is significant risk that the standard would be exceeded where people are located. Background levels will be taken into consideration when determining risk.

As general guidance, people should not be exposed to concentrations greater than 150 micrograms per cubic meter averaged over one hour. A meteorologist, responsible for evaluating weather data and information in the area proposed for an in-situ burn, will incorporate this standard in assessing health risks. However, some flexibility and professional judgment may be necessary. Therefore, the standard incorporates a cap for PM-10 exposure not to exceed 150 micrograms per cubic meter averaged over a 24-hour period. The UC should ensure that an approved burn is within this standard. The UC must also weigh the risk to people of the volatiles that evaporate from unburned oil. In some cases, it may be less harmful to people to burn the oil rather than let part of it evaporate.

4642.2 Pre-Approval

Once the UC determines that the application to burn conforms to the PM-10 standard, then the UC determines if the spill location is in a “pre-approval area.” Pre-approval areas include any area that is more than three miles from human population. Human population is defined as 100 people per square mile. If a potential burn site is in a pre-approval area, then the meteorologist, appropriate air pollution control authority, local emergency manager and the public are notified. Preparations will be made for monitoring the burn immediately following notification. (Note: Pre-approval refers to certain locations where burning is allowed with minimal steps to be taken to conduct the burn. Several prior procedures must still be undertaken, including application submittal and approval, and notifications.)

4642.3 Case-By-Case

If the UC determines that the application conforms to the guidelines but is not in a pre-approval area, then approval to burn is considered on a case-by-case basis. The UC notifies the Regional Response Team (RRT). In cases where the RRT’s expertise is needed, then the RRT will be consulted. At this stage, the UC consults with the meteorologist to obtain weather data and information on the potential concentrations of pollutants that may reach a populated area from both burned and unburned oil. The meteorologist consults with the appropriate air pollution control authority for more information. Data will also be obtained from a predictive smoke plume model whenever possible. Modeling information will

not be relied upon exclusively but considered as part of the information package. The UC then evaluates all available information and determines the feasibility and acceptability of in-situ burning based on these guidelines. If the decision is yes, then the same procedures apply as those for pre-approval areas. If the decision is no, then the burn will not be conducted. If conditions change, the application will be re-evaluated.

4642.4 Not Allowed

If the application to burn is not in conformance with these guidelines, in-situ burning will not be allowed. Conditions will be monitored in case there is a change which would make in-situ burning appropriate and feasible. While no geographic areas have been excluded from the consideration to use in-situ burning, it is very unlikely that it would be approved in a heavily populated area such as inner Puget Sound or on the Columbia River near Portland because of the increased potential for exposing people to high levels of particulates. However, even in highly populated areas, burning may still be approved in unique circumstances, especially when the volatiles from the unburned oil pose a serious threat to human health.

4642.5 Monitoring

Monitoring should always be incorporated as part of standard in-situ burning operations; however in some cases, especially in remote areas, it may be difficult or not possible to monitor. Information from monitoring, sampling, and computer modeling will be continuously evaluated to ensure the burn is conducted safely and to gather historical data to enhance our knowledge of in-situ burning. Weather and sea conditions will also be continuously monitored, and, if conditions become unfavorable, the burn may be extinguished.

4650 Decanting

When oil is spilled on the water, mechanical recovery of the oil is the principal approved method of responding. However, the mechanical recovery process and associated systems necessarily involve placing vessels and machinery in a floating oil environment. Incidental returns of oil into the response area, such as oil that falls back into the recovery area from vessels and machinery that are immersed and working in the oil, are an inevitable part of the mechanical recovery process. Similarly, separation or “decanting” of water from recovered oil and return of excess water into the response area can be vital to the efficient mechanical recovery of spilled oil because it allows maximum use of limited storage capacity, thereby increasing recovery operations.

This practice is currently recognized as a necessary and routine part of response operations that is appropriately addressed in Area Contingency Plans. (See National Contingency Plan Revisions, 59 F.R. 47401, Sept. 15, 1994.) In addition, some activities, such as those associated with oil recovery vessels, small boats and equipment cleaning operations may result in incidental discharges. These activities may be necessary to facilitate response operations on a continuing basis, and all of these activities are considered to be “incidental discharges.”

4651 Decanting Policy

This policy addresses “incidental discharges” associated with spill response activities. “Incidental discharge” means the release of oil and/or oily water within the response area in or proximate to the area in which oil recovery activities are taking place during and attendant to oil spill response activities. Incidental discharges include, but are not limited to, the decanting of oily water, oil and oily water returns associated with runoff from vessels and equipment operating in an oiled environment and the wash down of vessels, facilities and equipment used in the response. “Incidental discharges” as addressed by this policy, do not require additional permits and do not constitute a prohibited discharge. See 33 CFR 153.301, 40 CFR 300, RCW 90.56.320(1), WAC 173-201A-110, ORS 468b.305 (2)(b).

4651.1 Criteria

During spill response operations, mechanical recovery of oil is often restricted by a number of factors, including the recovery system’s oil/water recovery rate, the type of recovery system employed and the amount of tank space available on the recovery unit to hold recovered oil/water mixtures. In addition, the longer oil remains on or in the water, the more it mixes to form an emulsified mousse or highly mixed oil/water liquid, which sometimes contains as much as 70% water and 30% oil, thus consuming significantly more storage space. Decanting is the process of draining off recovered water from portable tanks, internal tanks, collections wells or other storage containers to increase the available storage capacity of recovered oil. When decanting is conducted properly most of the petroleum can be removed from the water.

The overriding goal of mechanical recovery is the expeditious recovery of oil from water. In many cases, the separation of oil and water and discharge of excess water is necessary for skimming operations to be effective in maximizing the amount of oil recovered and in minimizing overall environmental damages. Expeditious review and approval, as appropriate, of such requests is necessary to ensure a rapid and efficient recovery operation. In addition, such incidental discharges associated with mechanical recovery operations should not be considered prohibited discharges. Such actions should be considered and in appropriate circumstances pre-authorized by the FOSC and/or SOSC because the discharged water will be much less harmful to the environment than allowing the oil to remain in the water and be subject to spreading and weathering.

Therefore, the Area Committee adopts the following policy in order to provide for an expeditious decanting approval process and provide clear guidance to the Unified Command, response contractors and other members of the spill response community.

4651.2 Oils Pre-Approved for Decanting and Associated Conditions

Pre-approval for on water decanting is authorized when pumping recovered oil and water ashore is not practical during the first 24 hours after initial spill discovery. Decanting authorization is granted for the oil products listed below.

- All crude oils;
- Vacuum gas oils;
- Atmospheric gas oils;
- Recycle oils not containing distillates;
- Bunker fuels;
- No. 6 fuel oils;
- Cutter stocks; and
- Coker gas oils.

Decanting of the listed oils is pre-approved if the following conditions are met:

- Pre-Approval is for the first 24 hours after spill discovery. Decanting requests for all the remaining operational periods will need to be completed and submitted to Unified Command. The RP must fill out the NWACP decanting request and seek Unified Command approval prior to any additional decanting approvals from the second operational period on;
- The Incident Commander must be notified within one hour of decanting being initiated and must then immediately notify the Unified Command;
- The RP assures the Unified Command that they are quickly obtaining adequate oil storage and skimming capacity within the first 24 hours and the responding Primary Response Contractors (PRCs) are expeditiously getting sufficient storage and skimming capacity on site to alleviate the need for prolonged decanting.

The following criteria found in the current Decanting Authorization Form must be complied with:

- All decanting should be done in a designated “Response Area” within a collection area, vessel collection well, recovery belt, weir area, or directly in front of a recovery system;
- Vessels employing sweep booms with recovery pumps in the apex of the boom shall decant forward of the recovery pumps;
- Vessels not equipped with an oil/water separator should allow retention time for oil held in internal or portable tanks before decanting commences;
- Containment boom needs to be deployed around the collection area, where feasible, to prevent loss of decanted oil or entrainment;
- Visual monitoring of the decanting shall be maintained at all times so that discharge of oil in the decanted water is detected promptly;

- Where feasible decant ahead of an operating skimmer recovery system, so decanting could occur ahead of a skimming system instead of just inside an enclosed boomed area;
- Unified Command can revoke the pre-approval at any time if above conditions are not met.

Shore-side container decanting (i.e., vacuum truck, portable tanks, etc.) is not authorized for Pre-approval under this policy. Decanting in areas where vacuum trucks, portable tanks, or other collection systems are used for shore cleanup will be subject to filling out the decanting form in the NWACP prior to authorization and must comply with the same rules as vessels.

Oils Requiring Approval by Unified Command Prior to Decanting

During a response, when decanting has not been pre-approved for lighter oils, which are not listed above, it will be necessary for response contractors or the responsible party to request from the Unified Command written authority to decant while recovering oil so that response operations do not cease or become impaired. The Unified Command will consider each request for decanting of lighter oils on a case-by-case basis. Prior to approving decanting, the Unified Command should evaluate the potential effects of weather including the wind and wave conditions, the quantity of oil spilled and the type of oil as well as available storage. The Unified Command should also take into account that recovery operations as enhanced by decanting will actually reduce the overall quantity of pollutants in a more timely and effective manner to facilitate cleanup operations.

The following criteria should be considered by the FOSC and/or SOSC in determining whether to approve decanting unless circumstances dictate otherwise:

- All decanting should be done in a designated “Response Area” within a collection area, vessel collection well, recovery belt, weir area, or directly in front of a recovery system.
- Vessels employing sweep booms with recovery pumps in the apex of the boom should decant forward of the recovery pump.
- All vessels, motor vehicles and other equipment not equipped with an oil/water separator should allow retention time for oil held in internal or portable tanks before decanting commences.
- When deemed necessary by the FOSC and/or SOSC or the response contractor a containment boom will be deployed around the collection area to minimize loss of decanted oil or entrainment.
- Visual monitoring of the decanting area shall be maintained so that discharge of oil in the decanted water is detected promptly.

- Decanting in areas where vacuum trucks, portable tanks or other collection systems are used for shore cleanup will be subject to the same rules as vessels.

The response contractor or responsible party will seek approval from the FOSC and/or SOSC prior to decanting by presenting the Unified Command with a brief description of the area for which decanting approval is sought, the decanting process proposed, the prevailing conditions (wind, weather, etc.) and protective measures proposed to be implemented. The FOSC and/or SOSC will review such requests promptly and render a decision as quickly as possible. FOSC authorization is required in all cases and in addition SOSC authorization is required for decanting activities in state waters.

The FOSC and/or SOSC will review and provide directions and authorization as appropriate to requests to wash down vessels, facilities and equipment to facilitate response activities.

Other activities related to possible oil discharges associated with an oil spill event such as actions to save a vessel or protect human life which may include such actions as pumping bilges on a sinking vessel are not covered by this policy.

Table 7.3.2 Oil Spill Decanting Authorization Form

The federal and state OSCs, under authority of RCW 90.56.320(1) and WAC 173-201A-110 (In Washington), or ORS 468B.305 (in Oregon), hereby approve the use of decanting as a means of expediting the recovery of oil during the following spill cleanup operation:
Date(s) Approval Effective:
Name of spill Incident:
Federally Defined Response Area:
Name of Requester:
Location and Description of Proposed Decanting Operation: (continue on reverse, if necessary)

The decanting operation must meet the following conditions:

1. All decanting should be done in a designated “Response Area” within a collection area, vessel collection well, recovery belt, weir area, or directly in front of a recovery system.
2. Vessels employing sweep booms with recovery pumps in the apex of the boom shall decant forward of the recovery pumps.
3. Vessels not equipped with an oil/water separator should allow retention time form oil held in internal or portable tanks before decanting commences.
4. Containment boom must / need not (circle one) be deployed around the collection area to prevent loss of decanted oil or entrainment.
5. Visual monitoring of the decanting shall be maintained at all times so that discharge of oil in the decanted water is detected promptly
6. Decanting in areas where vacuum trucks, portable tanks, or other collection systems are used for shore cleanup will be subject to the same rules as vessels.
7. Additional conditions: (continue on reverse if necessary)

SIGNATURE:
Federal OSC

Date:

SIGNATURE:
State OSC

Date:

NOTE: When verbal authorization is given, a copy of this form must be immediately expedited to the requester (must be a person of authority in the cleanup organization) to ensure that the conditions and limitations are clearly understood by all parties.

[This form also available online here.](#)

Decision Memo

Decanting Approval Plan

Name of Spill Incident:

Federally Defined response Area:

Effective date(s) of approval:

Name of Requester:

Product Spilled:

Current Storage Capacity on site:

The Federal and State OSC's, under the authority of RCW 90.56.320(l) and WAC 173-201A-110 (in Washington) or ORS 468B.305 (in Oregon), hereby approve the use of decanting as a means of expediting the recovery of oil during the above mentioned spill clean-up operation. The following approval provides authority to conduct decanting of oil so that response operations do not cease or become impaired. FOSC authorization is required in all cases, and SOSC authorization is required for decanting within state waters. The OSC should acknowledge that recovery operations enhanced by decanting will actually reduce the overall quantity of pollutants in a more timely and effective manner to facilitate cleanup operations.

The following criteria should be followed in order for decanting to proceed in an efficient manner:

- 1) All decanting should be done in a designated "response area" within a collection area, vessel collection well, recovery belt, weir area, or directly in front of a recovery system.
- 2) Vessels employing sweep booms with recovery pumps in the apex of the boom should decant forward of the recovery pump.
- 3) All vessels, motor vehicles and other equipment not equipped with an oil/water separator would allow retention time for oil held in internal or portable tanks before decanting commences.
- 4) A containment boom must / need not (circle one) be deployed around the collection area to minimize loss of the decanted oil or entrainment.
- 5) Visual monitoring of the decanting area shall be maintained so that discharge of oil in the decanted water is detected promptly.
- 6) Tanks used for decanting will be tested prior to use to ensure there are no contaminants. from previous activities and that the water is safe to discharge back into the environment.
- 7) Settling times for oil water separation on board skimmers is estimated to be _____.
- 8) Additional conditions:

Approval: (check one) Yes _____ No _____

Environmental Unit (Planning) _____

FOSC _____

SOSC _____

Reason for disapproval:

4660 Gasoline and Other Flammable Liquids Response Policy

Spills of gasoline and other flammable liquids, including many crude oils, pose significant response challenges as well as serious health and safety concerns for responders and communities downstream and downwind from the release. Gasoline range products are finished gasolines and volatile hydrocarbon fractions used for blending into finished gasoline, including straight-run naphtha, alkylate, reformat, benzene, toluene, xylene, and other refined petroleum products with a flash point below 100 degrees F (37.8 deg. C). When these types of products are spilled into the environment, it is imperative to take immediate steps to control the source of the release (where safe), to eliminate all possible ignition sources, to quickly establish isolation distances, to notify regulatory and local response agencies, and to initiate a preliminary site safety plan prior to any response activities. However, it is essential that no personnel enter a potentially unsafe environment prior to an initial safety assessment, including vapor monitoring for flammable, reduced oxygen, and toxic levels.

In many cases, highly flammable liquids should not be contained for spill response. Containing gasoline and other highly flammable liquids increases the risk of fire by delaying dispersion of vapors into the atmosphere. The risks posed by response techniques such as booming and applying foam to spilled gasoline and other flammable liquids are warranted only under very limited circumstances. However, in some cases and as judged by the Federal On-Scene Coordinator, Incident Command, or Unified Command, containment and the use of foam may be appropriate and necessary in response to an imminent threat to public health and safety and the environment. Deflection and protection booming can be used to move flammable liquids away from sensitive areas but must be conducted in a safe manner, within safe atmospheric levels. In unaffected downstream or down current areas at risk, boom should be deployed prior to arrival of the product. Though mechanical recovery of flammable liquids on water can be an effective practice under some circumstances, often the more prudent response option is to allow flammable liquids to evaporate and dissipate.

Given the inherent danger of booming flammable liquids on water, as well as the products' rapid rates of evaporation and dissipation, the Area Committee adopts the following guidelines for responding to gasoline and other flammable liquid releases on water. **Note that these are only guidelines. Each release must be evaluated based on its particular circumstances. Safe work practices and professional judgment should always prevail:**

- Control the source of flammable liquids as quickly as possible, when safe to do so.
- Ensure that proper safety precautions are taken to prevent accidental ignition and risk to responding personnel and the general public. An evacuation may be warranted under some circumstances. In many cases, the best response option may be to allow the spilled product to spread and evaporate.

- Notify emergency and regulatory response agencies. Involve local fire jurisdictions immediately.
- Ensure proper site hazard analysis and risk assessment are conducted to determine the scope of the release and initiate the development of a Site Safety Plan.
- Establish control zones as soon as possible. Track and predict movements of both liquid and vapors and re-establish control zones as appropriate.
- Eliminate all potential ignition sources within appropriate control zones.
- Prevent entry of the spilled product into waterways, sewers, or confined areas.
- Conduct air monitoring throughout the response.
 - NOTE: Air monitoring must be conducted with the greatest of care. Air monitoring both increases the exposure danger to responders and introduces possible accidental ignition sources. Nearby population centers should be monitored, as should the leading edge of the vapor cloud. However, in open water areas it MAY make more sense for responders to stay away from the concentrated area around the spilled material. In any area that is being monitored, the monitoring should be conducted continuously, if possible. Also, only direct reading, intrinsically-safe, continuously monitoring instruments should be used. Lower explosive levels (LEL), oxygen, H₂S and benzene levels should all be monitored.
- Coordinate response efforts with all agencies – work within a Unified Command.
- Identify and prioritize environmental concerns. Conduct exclusion, deflection, and protective booming downstream or down current as appropriate, outside of hazardous atmospheres and prior to the arrival of the released product.
- Workers should avoid touching, walking, or boating through the spilled product.
- Avoid prolonged inhalation exposure to fumes. Consult appropriate reference guides for exposure limits.
- Allow the product to evaporate and dissipate unless there is an imminent threat to public health and safety.
- When appropriate, use fire monitors/water fog spray to move product out from under docks and other collection areas where the product concentrates.

- Stage firefighting foam (appropriate to the type of flammable liquid released) and application equipment, if appropriate.
- All equipment used when handling the product must be grounded.

4670 Bioremediation

The use of bioremediation in open water is an unproven technology that currently shows little or no promise of removing significant quantities of oil from the surface of the water prior to shoreline impact or natural dispersion.

Bioremediation by nutrient enhancement or seeding of biodegrading organisms is therefore not allowed on the surface of open water. This policy can be reviewed by the RRT if there is new and significant evidence that bioremediation can be a significant factor in oil removal on open water.

Bioremediation of Shorelines

Seeding of exotic organisms for pollution response is prohibited in Response Region Ten. This is due to unproven efficacy of such procedures and the unknown ecological effects resulting from the implementation of such.

Bioremediation is an effective technique for the encouragement of oil biodegradation on some contaminated shorelines. Nonetheless, this strategy is unlikely to lead to rapid decontamination of beaches. Consequently, bioremediation should be used as the primary treatment only when oil concentrations are low (less than 15 grams of oil for every kilogram of sediment) and conventional forms of cleanup (heavy equipment use or manual cleaning) are likely to do more damage than good. Bioremediation should be considered as a polishing technique after gross contamination is removed by conventional means.

The use of bioremediation for oil spill cleanup will be allowed only on a case-by-case basis.

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