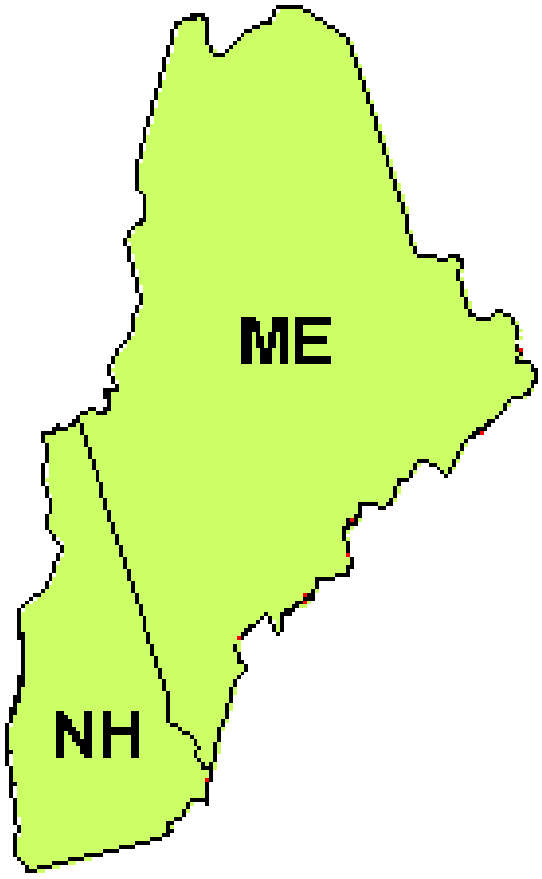
# Maine and New Hampshire Area Contingency Plan

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**JANUARY 2020**
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# MEMORANDUM

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From: Amy E. Florentino, CAPT
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To: Distribution

Subj: UPDATED MAINE AND NEW HAMPSHIRE AREA CONTINGENCY PLAN

Ref: (a) COMDT (CG-5RI) memo 16471 of 28 Nov 2017

1. This memorandum promulgates the 2023 annual updates to the Maine and New Hampshire Area Contingency Plan (ACP). The plan has been revised and updated to enable the best possible response to a marine spill in this area. It incorporates lessons learned and areas for improvement from recent standardized review checklists, tabletop discussions, full scale exercises and spill responses.

2. Annual updates to the ACP include information provided by the U.S. Department of Interior and the U.S. Fish and Wildlife Service regarding compliance with Fish and Wildlife Acts, lessons learned from recent exercises to ensure oil discharge amounts are reported in gallons and sufficient time is allotted to prepare for press conferences, additional media contacts, Natural Resource Damage Assessment protocols, Unmanned Aircraft System resources, guidance for use of Military Interdepartmental Purchase Requests, Planning and Response Tools available on the new Maine and New Hampshire Area Committee website, and updated contact information.

3. Response personnel should make themselves familiar with this plan. The revised ACP has been posted on Sector Northern New England's Homeport site at: https://homeportr.uscg.mil/port-directory/northern-new-england-(portland-maine).

4. This ACP highlights the national importance of the Maine and New Hampshire coastlines, both environmentally and economically, and is the culmination of excellent cooperation and partnership among the members of the Maine and New Hampshire Area Committee.

#

Dist: Maine and New Hampshire Area Committee

Copy: COMDT (CG-MER)
CG LANTAREA (LANT-01)
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CG NSFCC

## Record of Changes (v 2020)

| Date | Change Number | Entered By |
|---|---|---|
| 28MAY2020 | 2020-01 | Kyle Goetz |
| 15MAY2021 | 2021-01 | Wyman Briggs |
| 12JAN2022 | 2022-01 | Wyman Briggs |
| 13JAN2022 | 2022-02 | Wyman Briggs |
| 26JAN2022 | 2022-03 | Wyman Briggs |
| 24MAY2022 | 2022-04 | Wyman Briggs |
| 05MAY2023 | 2023-01 | Wyman Briggs |
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Change 2020-01: Updated signature page. Made updates based on input from Area Committee members to sections: 1411.2, 1609 (input from US DOI/USFWS), 3600, 4606, 4607.8, 6204, 9203.1, 9203.4, 9204.2. Added section 9705.

Change 2021-01: Updated Exercise Section to comply with 2016 revisions of National Preparedness for Response Exercise Program Guidelines (section 1414)

Change 2022-01: Incorporated Lessons Learned and Best Practices documented in the After Action Report for the ME/NH Area Committee hosted Penobscot Bay AREA PREP held on 22SEP2021. Changes included adding information on newly acquired PlumKit cellular WiFi (section 5401) clarifying policy for estimating spill volume and reporting amounts in "gallons" (section 2301), highlighting the resources available in the JIC Manual and PIO Job Aid (section 2303), emphasizing the value of holding a "Press Conference Pre-Huddle" (section 2302.2), recommending that OSCs consider assigning a Deputy OSC to direct current field operations for larger responses

(section 3102), clarifying responsibility of Situation Unit Leaders to develop daily Situation Status Summaries (ICS 209) for larger incidents (section 4201)

Change 2022-02: Incorporated changes submitted by the Region 1 NOAA SSC including: Minor revision to section 1411.2 to better reflect divisions within NOAA, section 2302 to address social media and the role of ERMA in sharing information with stakeholders, section 4607.5 to update Fisheries statistics,
Change 2022-03: Incorporated changes submitted by Region 1 DOI Regional Environmental Officer to POCs listed in Section 9204.2

Change 2022-04: Updated the following sections: Added description of the relationship between the ACP and the Federal Radiological Response Plan to Section 1417; Added Regional level response doctrine to Section 1602; Added outline of Best Response concept to Section 1604; Added cleanup completion determination to Section 1605; Added Area Specific Response Objectives to Section 2108; Added exercise lessons learned related to JIC operation to Section 2300; Added coordination of response and casualty investigations to Section 2401; Clarified role of Agency Representative in Section 2406; Added exercise Lesson Learned regarding adding deputy OSC to direct current field operations to Section 3102; Added procedures for identifying protection strategies to Section 3201.2; Added Shoreline Recovery Strategies to Section 3203; Added SCAT process overview to Section 3203; Added Coordination with NRDA Section overview to Section 3203; Added Sampling testing and classifying of recovered oil narrative to Section 3207.1 as well as segregation, temporary storage of recovered oil

Change 2023-01: Updated the follow sections: Added updates provided by US DOI and USFWS regarding compliance with current Fish and Wildlife Acts to Section 1609. Added exercise lesson learned to report oil discharge amounts in gallons as well as promoting sufficient preparation for press conferences and referencing example key messages. Added reference to Media contact list maintained by PIO to Section 2300. Added NRDA subheading to Section 2405.1. Added description of Unmanned Aircraft System (UAS) to Section 3400. Added brief comment on use of a Military Interdepartmental Purchase Request (MIPR) for fund response operations to a new Section 6205. Added new section on the Planning and Response Tools available on the Maine and New Hampshire Area Committee Website to the new Section 9707. Updated contacts, including reference to NOAA SSC in Section 9203. Updated DRAFT Dispersant Preapproval in Section 9508.

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## 1000 Introduction

The Maine and New Hampshire Area Committee is comprised of representatives from federal, state, and local agencies and natural resource trustees who coordinate response actions. The Area Committee, under the coordinated direction of the Federal On-Scene Coordinator (FOSC) and two State On-Scene Coordinators (SOSCs), is responsible for developing and updating an Area Contingency Plan (ACP). The ACP is based on the National Incident Management System (NIMS) Incident Command System, the nationally recognized standard for response planning.

The intent of the Maine and New Hampshire ACP is to:

(1) Provide for orderly and effective implementation of response actions to protect the people, natural resources, and property of the coastal zone of Maine and New Hampshire from the impacts of oil or hazardous substance spills.
(2) Promote the coordination of, and describe the strategy for, a unified and coordinated federal, state, tribal, local, potential Responsible Party, response contractor, response cooperative, and community response to a discharge or substantial threat of a discharge of oil or a release of a hazardous substance from inland and marine sources.
(3) Provide guidance to all facility response plan (FRP) and vessel response plan (VRP) reviewers and plan holders to ensure consistency with the ACP.
(4) Ensure consistency in responses to spill incidents by serving as a guidance manual for responders. Federal regulations require that a Responsible Party (RP), or spiller, must be able to manage a spill with a pre-designated response management organization that accommodates a unified command structure in recognition of federal, state, tribal, and local jurisdictions.

The NIMS Incident Command System is a consistent nationwide approach that enables federal, state, tribal and local governments to work more effectively and efficiently together to prepare for, prevent, respond to and recover from domestic incidents regardless of cause, size or complexity. NIMS was developed so responders from different jurisdictions and disciplines could work together more effectively to respond to natural disasters and emergencies. Benefits of the NIMS include a unified approach to incident management, standard command and management structures, and an emphasis on preparedness, mutual aid and common resource management.

### 1100 Authority

Section 4202 of the Oil Pollution Act of 1990 (OPA 90) amended Subsection (j) of Section 311 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C. 1321 (j)) to address the development of a National Planning and Response System. As part of this system, Area Committees have been established for each area designated by the President. These Area Committees are comprised of qualified personnel from Federal, State, and local agencies.

**1101 Purpose of Area Contingency Plan**

Each Area Committee, under the direction of the Federal On-Scene Coordinator (FOSC) for the area, is responsible for developing an Area Contingency Plan (ACP) which, when implemented in conjunction with the National Contingency Plan (NCP), shall be adequate to remove a worst case discharge of oil or a hazardous substance, and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility operating in or near the geographic area. Each Area Committee is also responsible for working with state and local officials to pre-plan for joint response efforts, including appropriate procedures for mechanical recovery, dispersal, shoreline cleanup, protection of sensitive environmental areas, and protection, rescue, and rehabilitation of fisheries and wildlife. The Area Committee is also required to work with the Regional Response Team (RRT) concurrence network to expedite decisions for the use of dispersants and other mitigating substances and devices. The functions of designating areas, appointing Area Committee members, determining the information to be included in Area Contingency Plans, and reviewing and approving Area Contingency Plans have been delegated by Executive Order 12777 of 18 October 1991, to the Commandant of the U.S. Coast Guard (through the Secretary of the Department of Homeland Security) for the coastal zone, and to the Administrator of the U.S. Environmental Protection Agency for the inland zone. The term "coastal zone" is defined in the current NCP (40 CFR 300.5) to mean all United States waters subject to the tide, United States waters of the Great Lakes, specified ports and harbors on inland rivers, and the waters of the Exclusive Economic Zone (EEZ). Coastal zone is further defined through local agreements with the EPA in Section 1200. The Coast Guard has designated as areas, those portions of the Captain of the Port (COTP) zones which are within the coastal zone, for which Area Committees will prepare Area Contingency Plans. The COTP zones are described in Coast Guard regulations (33 CFR Part 3). The ACP provides a broad range of information and contingency response guidance but does not serve as an Incident Action Plan (IAP) or specific response plan for an incident. Emergency consultations with Federal and State agencies on the IAP are completed following an incident, which is based on a specific response scenario, location and date/time.

**1102 Federal Responsibilities**

Designating areas, appointing Area Committee members, determining information to be included in, and review of ACPs, has been delegated by Executive Order 12777 of 18 October 1991, to the Commandant of the U.S. Coast Guard (USCG) (through the Secretary of Department of Homeland Security) for the coastal zone, and to the Administrator of the Environmental Protection Agency (EPA) for the inland zone. The coastal zone and inland zone are defined in the NCP 40 CFR 300.5. The EPA has responsibility for response in all areas inland of the coastal zone. The Coast Guard has responsibility for response for those areas within the coastal zone. An area is designated by the Coast Guard as that portion of a Captain of the Port (COTP) zone within the coastal zone. The Area Committee for such a zone will prepare appropriate contingency plans.

**1103 Maine State Responsibilities**

As required by 38 M.R.S.A. Section 546-A, the State of Maine has prepared a Marine Oil Spill Contingency Plan. This plan is intended to coordinate the state's response to marine oil spills by establishing requirements and procedures for notification, assessment of and response to release and threats of oil releases.

The Maine Department of Environmental Protection (DEP) is the lead state agency for responding to releases of oil or hazardous materials within Maine state waters. The State Oil Spill Coordinator (SOSC) from Maine DEP will directly represent the Governor and direct abatement, clean-up, and resource protection activities in coordination with federal, industry, and other state response teams.

***1103.1 Maine State Law***

Any unexplained discharge of oil, petroleum products or their by-products within state jurisdiction or discharge of oil, petroleum products or their by-products occurring in waters beyond state jurisdiction that for any reason penetrates within state jurisdiction shall be removed by or under the direction of the Commissioner of the DEP.

The Maine laws which pertain to this plan include, but are not limited to, the following:

Removal of Prohibited Discharge of Oil 38 M.R.S.A. Section 548

Any person discharging oil, petroleum products or their by-products, in the manner prohibited by 38 M.R.S.A. Section 543 shall immediately undertake to remove such discharge to the Commissioner's satisfaction. Notwithstanding the above requirement, the Commissioner of the DEP may retain agents and contracts for such purposes that shall operate under the direction of the Commissioner of the DEP.

Discharge of Hazardous Matter Prohibited 38 M.R.S.A. Section 1317-A

The discharge of hazardous matter into or upon any waters of the State, or into or upon any land within Maine's territorial boundaries or into the ambient air is prohibited unless licensed or authorized under state or federal law.

Procedures for Removal of Discharges of Hazardous Matter

- **Reporting**: The RP or the person causing the discharge shall report a discharge immediately to the Department of Public Safety, which shall immediately notify the DEP.
- **DEP to direct removal**: The DEP shall have authority and responsibility to plan, implement and, with the cooperation of the appropriate public safety agency, direct that part of the response to a discharge of hazardous matter which involves removal.
    - The RP or the person causing the discharge shall immediately undertake removal of the discharge.

- The DEP may undertake the removal of the discharge and may retain agents and make contracts for this purpose.
- Any unexplained discharge of hazardous matter occurring within state jurisdiction, or on land or in water or air beyond jurisdiction that for any reason penetrates within state jurisdiction, shall be removed by or under the direction of the DEP.

**1104 New Hampshire State Responsibilities**

The New Hampshire Department of Environmental Services (DES) is the lead state agency for responding to releases of oil or hazardous materials. The State On-Scene Coordinator from DES will directly represent the Governor in all abatement, clean-up, and resource protection activities in coordination with federal, industry, and other state response teams.

The New Hampshire laws that pertain to the ACP include, but are not limited to the following:

RSA Chapter 146-A:4 NHDES: Oil Discharge or Spillage in Surface Water or Groundwater.

Whenever an oil discharge or spillage occurs which will, or has polluted the public waters of this state, the NHDES shall be notified forthwith and shall assume primary jurisdiction of the cleanup operation (RSA 164-A:4). In the interim period before the NHDES has had an opportunity to assume jurisdiction, the person or persons causing the discharge or spillage shall undertake immediate measures, in accordance with the regulation and policies which the NHDES is authorized to promulgate, so as to minimize the extent of pollution and damage which said discharge or spillage would otherwise cause. Any person discharging oil, petroleum products or their by-products in the manner prohibited by RSA 146-A:3 shall immediately undertake to remove such discharge to the NHDES's satisfaction. Notwithstanding the above requirement, the NHDES may undertake the removal of such discharge and may retain agents and contractors for such purposes that shall operate under the direction of the NHDES. Any unexplained discharge of oil, petroleum products or their by-products shall be removed by or under the direction of the NHDES.

RSA Chapter 147-A:13 Imminent Hazard. – Notwithstanding any other provision of this chapter, the department [Department of Environmental Services], upon receipt of information that the generation, storage, treatment, transportation, or disposal of any waste may present an imminent and substantial hazard to human health or to the environment, may take action as it determines to be necessary to protect human health or the environment. The action the department may take includes, but is not limited to:

I. Issuing an order directing the owner or operator of a hazardous waste facility or the custodian of waste constituting a hazard to take necessary steps to eliminate the hazard. The department may order the permanent or temporary cessation of operations at a facility. Orders of the department issued under this section shall be effective immediately. Any person to whom an order is directed shall immediately comply, but may appeal the order to the waste management council in accordance with the provisions of this chapter.

II. Contracting for and supervising the cleanup of a hazardous waste spill which the department determines is an imminent hazard, except as provided in RSA 154:7. The department

may take action as necessary to prevent damage to human health or the environment; or
III. Requesting the attorney general to bring an action for injunctive relief, including a mandatory injunction

RSA Chapter 149-M, NHDES Solid Waste Management.

**149-M:5 Administration and Enforcement. –** The department [Department of Environmental Services] is the state agency for planning and regulating solid waste management.

**1200 Geographic Boundaries**

The geographic boundary covered by the Maine and New Hampshire Area Contingency Plan is the coastal area of Sector Northern New England's Marine Inspection Zone and Captain of the Port Zone running from the US northeastern border with Canada in Calais, Maine to the New Hampshire border with Massachusetts in Seabrook, New Hampshire as described in 33 C.F.R. Section 3.05-15 and outlined below:

Sector Northern New England's office is located in South Portland, ME. The boundaries of Sector Northern New England's Marine Inspection Zone and Captain of the Port Zone start at the boundary of the Massachusetts-New Hampshire coast at latitude 42°52′20″ N, longitude 70°49′02″ W; thence proceeding east to the outermost extent of the EEZ at a point latitude 42°52′18″ N, longitude 67°43′53″ W; thence proceeding north along the outermost extent of the EEZ to the United States-Canadian boundary; thence west along the United States-Canadian boundary and along the outermost extent of the EEZ to a point at latitude 44°59′58″ N, longitude 74°39′00″ W; thence south to latitude 43°36′00″ N, longitude 74°39′00″ W; thence east through Whitehall, NY, to the New York-Vermont border at latitude 43°33′2.8″ N, longitude 73°15′01″ W; thence south along the Vermont boundary to the Massachusetts boundary at latitude 42°44′45″ N, longitude 73°15′54″ W; thence east along the entire extent of the northern Massachusetts boundary to the point of origin.

The Maine and New Hampshire coastal area includes four distinct port regions, each of which handle major oceangoing shipping and related marine commerce. The four port regions are Portsmouth, NH; Casco Bay, ME; Penobscot Bay/River, ME; and Eastport, ME as outlined in the linked chart.

For ease of reference, certain information in this plan, such as sensitive areas and spill scenarios has been incorporated by port region.

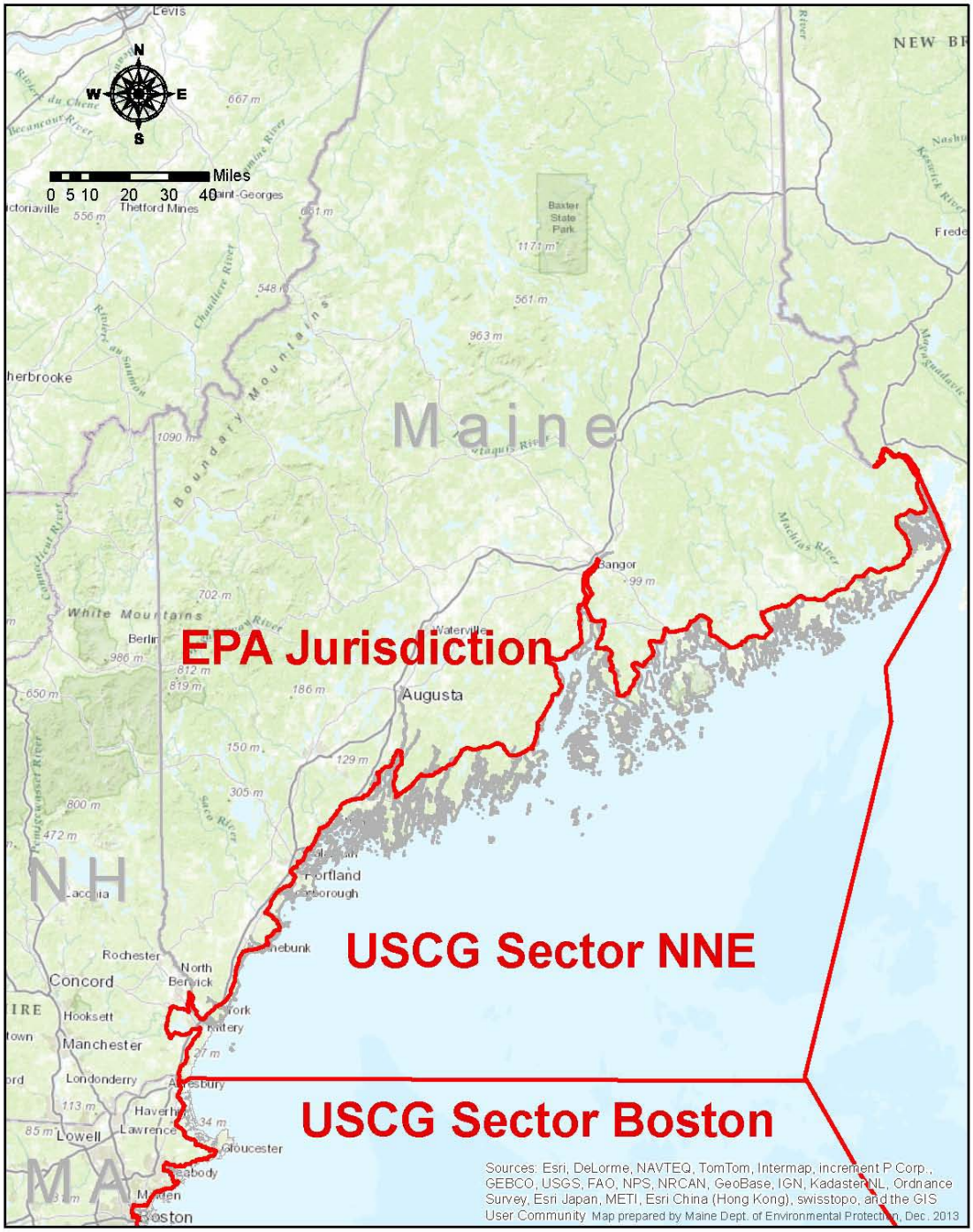
**1201 Coast Guard-EPA OSC Boundary**

A continual boundary for the states of Maine and New Hampshire delineating inland and coastal zone has been agreed upon by the U.S. Coast Guard and EPA Region I and is described in the EPA/USCG Memorandum of Agreement dated June 1979, as amended on July 26, 2006 in the Regional Contingency Plan. The U.S. Coast Guard shall be responsible for providing the On-Scene Coordinator for spills on, and seaward of, the boundary, and in all cases of spills on offshore islands and ocean waters within the boundaries of the coastal zone, including the

Fishery Conservation Zone. The coastal zone is generally described as all U.S. waters subject to tides. The response jurisdiction boundary line by street for Maine and New Hampshire as well as procedures for transferring OSC responsibility is described in this 2006 Amendment to the Regional Contingency Plan. A graphic outlining the demarcation of the inland and coastal response zone in Maine and New Hampshire is outlined in Figure 1-1 below.

Figure 1-1

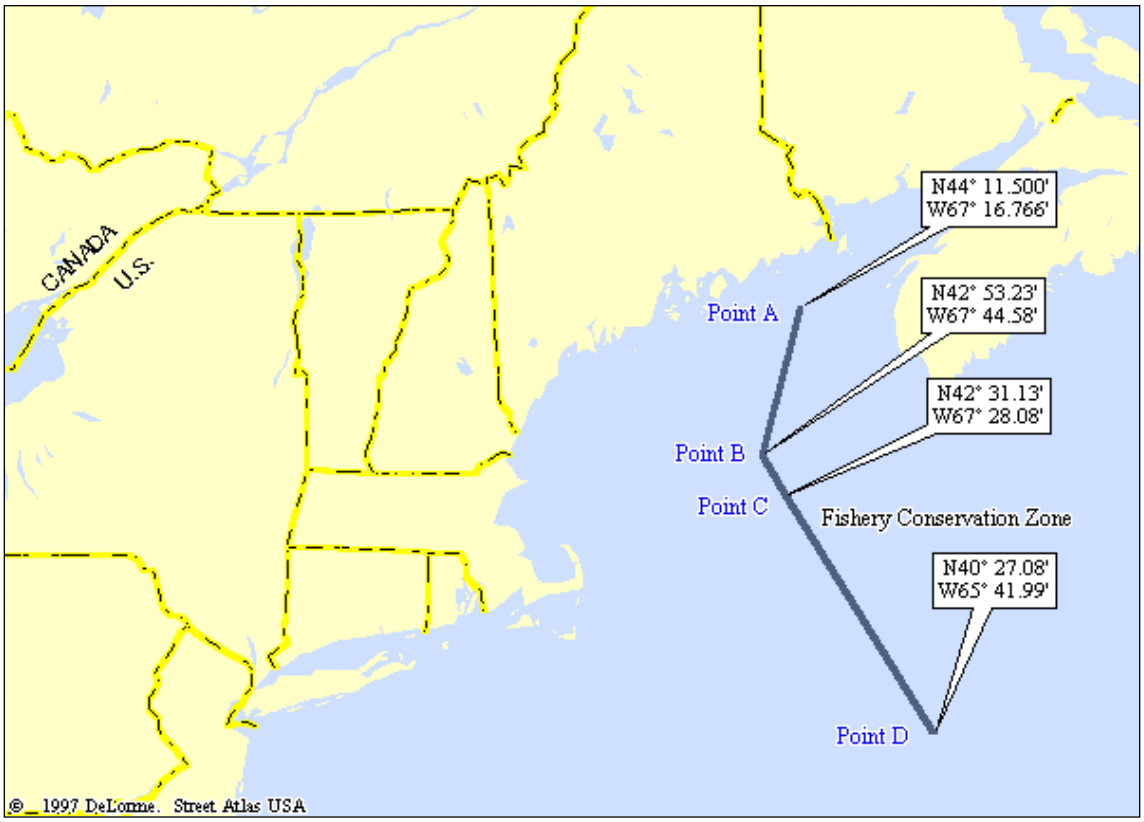
**Jurisdictional Boundaries for USCG & EPA in Maine & NH**



**1202 US – Canada Boundary Line**

The boundary between United State and Canadian waters in the Gulf of Maine were generally established on 26 October 1984 when the U.S.-Canada Fishery Conservation Zone boundary in the Gulf of Maine was amended by a decision of the International Court of Justice. The boundary is outlined in Figure 1-2. A plan for response to harmful substances incidents along the Atlantic border between Canada and the United States and points of contact for issues related to response in the international border region is contained in the Joint Marine Pollution Contingency Plan Atlantic Geographic Annex: CANUSLANT.

Figure 1-2 US- Canada Boundary Line




**1300 Area Committee Purpose and Objective**

According to OPA-90, the primary role of the Area Committee is to act as the preparedness and planning body. Area Committees are made up of experienced environmental/response representatives from Federal, State and local government agencies with definitive responsibilities for the area's environmental integrity. Each member is empowered by their own agency to make decisions on behalf of the agency and to commit the agency to carrying out roles and responsibilities as described in this plan. The pre-designated Federal On-Scene Coordinator for the area will serve as chairman of the Committee. He/she will designate the co-chairmen, select the Committee members, and provide general direction and guidance for the Committee. The State On-Scene Coordinators (SOSC) for Maine and New Hampshire will serve as co-chairs for the Maine and New Hampshire Area Committee. The FOSC should solicit the advice of the

RRT to determine appropriate representatives from federal and state agencies. The Area Committee is encouraged to solicit advice, guidance, or expertise from all appropriate sources and establish subcommittees as necessary to accomplish the preparedness and planning tasks. Subcommittee participants may include facility owners/operators, shipping company representatives, cleanup contractors, emergency response officials, marine pilots associations, academia, environmental groups, consultants, response organizations and concerned citizens. The FOSC will appoint subcommittee members. The FOSC in coordination with the SOSCs directs the Area Committee's development and maintenance of the Area Contingency Plan. The Maine and New Hampshire Area Committee holds at least two formal meetings annually (one in Maine and one in New Hampshire) and typically also holds two Executive Steering Committee meetings annually. The FOSC drafts and submits an FOSC report and reviews and updates the ACP annually as required.

**1301 Membership**

The Maine and New Hampshire Area Committee is comprised of representatives from numerous federal, state and local agencies as well as local port stakeholders. The Sector Northern New England Emergency Management and Force Readiness Staff maintain a complete list of the individual Area Committee members in the shared Planning Folder which is regularly updated. An up-to-date copy of this membership list can be obtained from the SNNE Emergency Management and Force Readiness staff upon request.

**1302 Portsmouth Oil Spill Response Workgroup**

The Portsmouth Oil Spill Response Workgroup (POSRW) was formed in 2012 to continue the strong collaboration and working relationships between federal, state, and local agencies and industries, previously fostered by the efforts of the Piscataqua River Cooperative. The mission of the Portsmouth Oil Spill Response Workgroup is to improve response capabilities, maximize preparedness and emphasize safe work practices for oil spill response in the New Hampshire and Southern Maine coastal areas by establishing committees to research and resolve spill response issues and organize spill response exercises and training. The standing committees of the POSRW are: Equipment, Geographic Response Strategy, Outreach and Education, Exercise, Incident Command Post and Communications. The POSRW exists under the auspices of the Maine/NH Area Committee.

**1303 Penobscot River Oil Pollution Abatement Committee**

The Penobscot River Oil Pollution Abatement Committee (PROPAC) is located in mid-coast Maine. Its purpose is to promote and foster abatement of pollution in the Penobscot River and Penobscot Bay caused by the discharge of petroleum products into these water bodies. Its members include oil terminal operators on the Penobscot River and Penobscot Bay.

## 1400 National and Area Response System

### 1401 Overview of National Response System

The National Response System (NRS) (see Figure 1-1) was developed to coordinate all government agencies with responsibility for environmental protection, in a focused response strategy for the immediate and effective cleanup of an oil or hazardous substance discharge. The purpose of the National Response Policy is to ensure effective and immediate removal of a discharge, and mitigation or prevention of a substantial threat of a discharge, of oil or hazardous substances. In accordance with the United States Coast Guard National Incident Management System (NIMS) and National Response Framework (NRF), January 2008, the NIMS based Incident Command System (ICS) shall be adopted for response to oil and hazardous substance incidents in order to standardize response management.

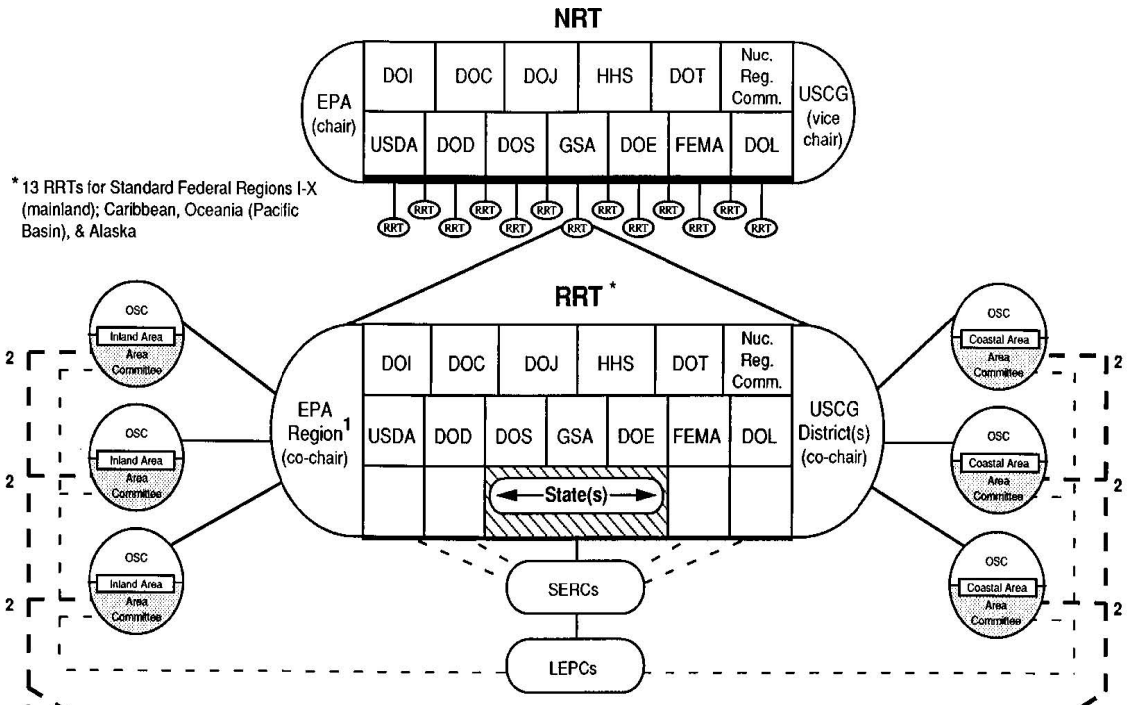
When a discharge of oil or release of hazardous substance occurs, the responsible party (RP), its response contractors, the local fire and police departments, and the state and local emergency response personnel provide the first line of defense. The FOSC determines the status of the local response and monitors the situation to determine whether, or how much, federal involvement is necessary. The FOSC coordinates the response if it is determined that the discharge/release is beyond the capacity of the company, local, or state responders to manage; or if the incident is determined to present a substantial threat to public health or welfare due to the size or character of the discharge/release. Figure 1-3 depicts the notification and decision making requirements during a response.

### 1402 National Response Team

The National Response Team (NRT) consists of 15 federal departments and agencies with responsibilities, interests, and expertise in various aspects of emergency response to pollution incidents as outlined in Figure 1-3 and 1-4. The EPA serves as chair and the Coast Guard as vice-chair of the NRT. The only exception to this is when there is a specific incident and the lead response agency representative serves as chair. The NRT is primarily a national planning, policy and coordination body and does not respond directly to incidents. The NRT provides policy guidance prior to an incident and assistance as requested by a FOSC via an RRT during an incident. NRT assistance usually takes the form of technical advice, access to additional resources/equipment, or coordination with other RRTs.

Figure 1-3

## National Response System Concepts: Planning



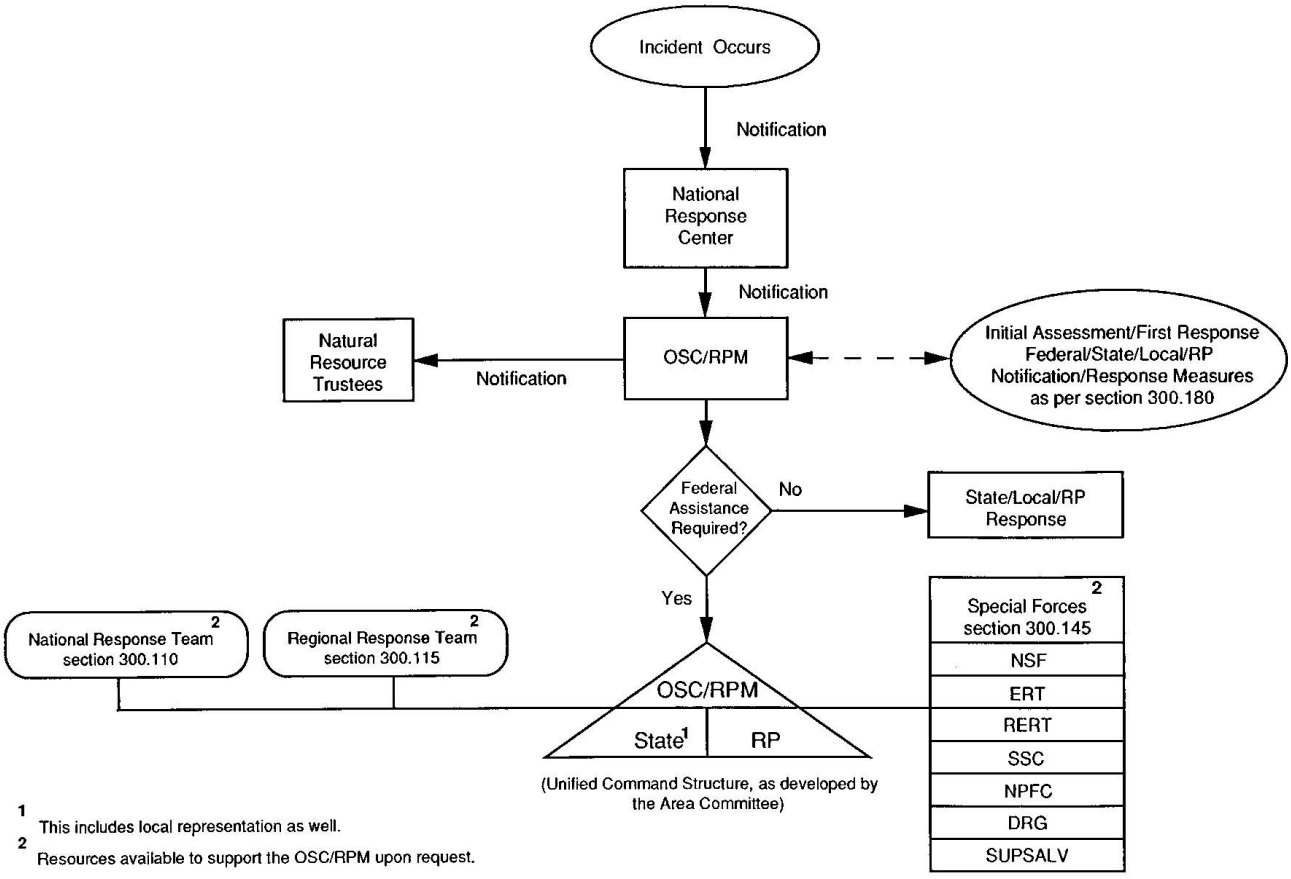

| Sources of Input and Guidance to Area Committees | |
|---|---|
| **Government** (sec. 300.145) | **Non-Government** (57 FR 15198) |
| Strike Teams | Facility and vessel owners/operators[2] |
| NPFC | Shipping company representatives |
| ERT | Cleanup contractors |
| RERT | Emergency planning and response officials |
| DRG | Marine pilot associations |
| DRAT | Members of academia |
| SSC | Environmental advocacy groups |
| PIAT | Response organizations/officers. |
| SUPSALV | Citizens |

[1] RRT serves as the Area Committee for inland areas not covered by a separate Area Committee, unless a separate Area Committee is designated by the Regional Administrator (57 FR 15198).

[2] Federal laws (e.g., CWA Sec. 311(j)(5), Clean Air Act Sec. 112(r), OSHA (Process safety regulations) require facility owner/operators to prepare a response plan. Additional description is found in Section 300.211.

Figure 1-4

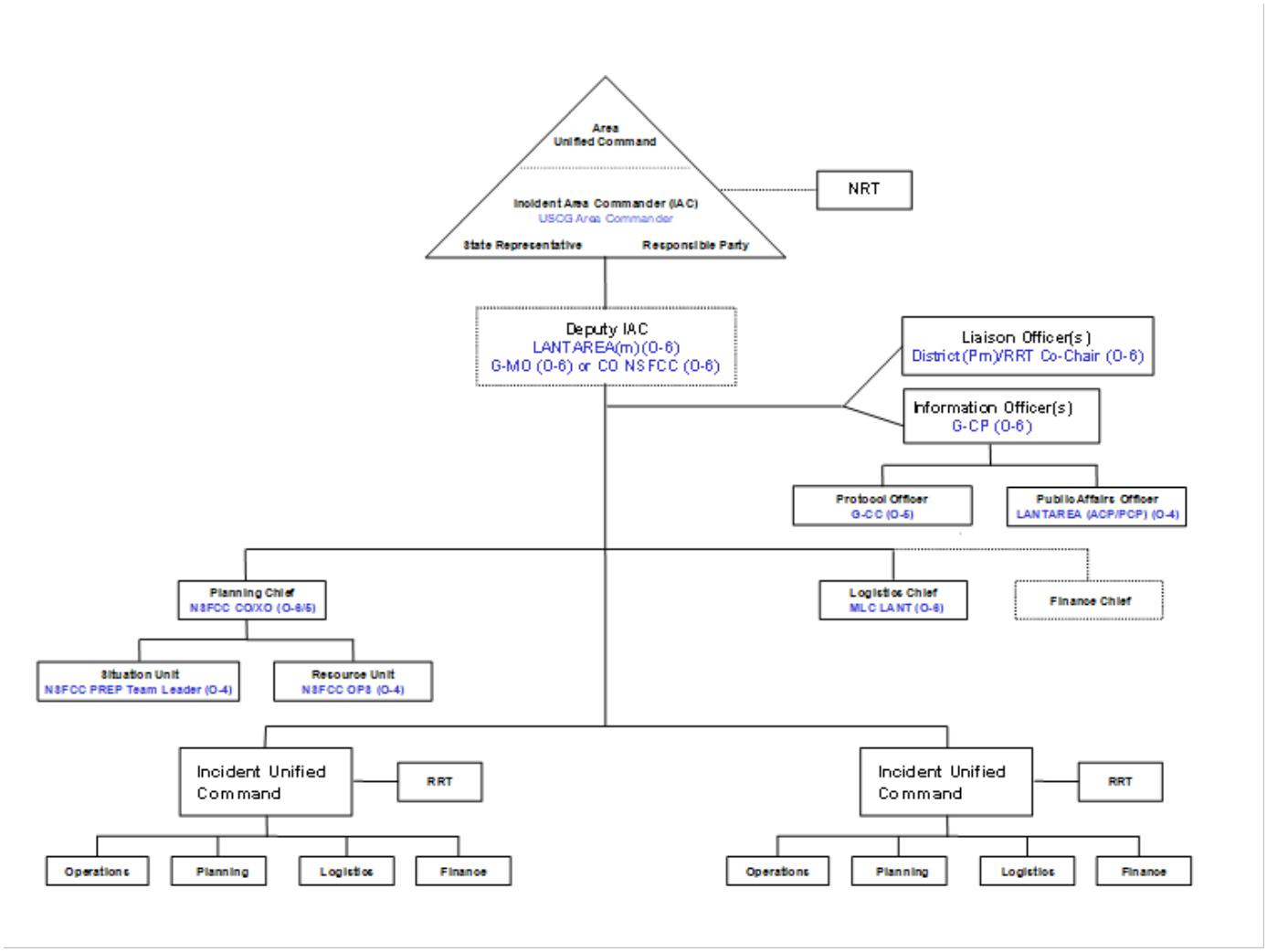
**National Response System Concepts: Response**




**1403 Spill of National Significance**

A Spill of National Significance (SONS) is a rare, catastrophic spill event which captures the nation's attention due to its actual or significant potential for adverse environmental impact. A SONS is defined as a spill which greatly exceeds the response capability at the local and regional levels and which, due to its size, location, and actual or potential for adverse impact on the environment is so complex, it requires extraordinary coordination of Federal, State, local and private resources to contain and clean up. The response to a SONS event must be a coordinated response that integrates the FOSC's response organization with the SONS response organization. As outlined in (Figure 1-5), and exercised in Maine and New Hampshire during the SONS 2010 exercise, a SONS will likely require multiple Incident Unified Commands reporting to one or more Area Unified Commands who may report to a National Incident Command.

Figure 1-5 SONS Response Organization




**1404 Regional Response Team**

There are 13 Regional Response Teams (RRTs), one for each of the ten federal regions and Alaska, the Caribbean, and the Pacific Basin. Each RRT has both federal and state representation. The EPA and the Coast Guard co-chair the RRTs. RRTs are planning, policy, and coordinating bodies, and may be activated during a major incident to assist the FOSC with resources. RRTs provide guidance support and approval for pursuing certain response strategies. The RRT associated with the Maine and NH Area Committee's jurisdiction is the Region 1 RRT which covers New England.

The RRT may be activated for specific incidents when requested by the FOSC. If the assistance requested by a FOSC exceeds an RRT's capability, the RRT may request assistance from the NRT. During an incident the RRT may either be activated by telephone or convened in person.

The RRT will also be consulted by the FOSC on the approval/disapproval of the use of alternative response technologies (i.e. dispersants, bio-remediation, and other chemical counter-measures) when that decision has not been pre-approved. The RRT may also be consulted on the use of in-situ burning.

RRT 1 serves as the regional body for planning and preparedness activities and for coordination of support and advice during such response actions. The Region I RRT has developed a Regional Contingency Plan, which provides information on the following:

- RRT ACTIVATION PROCEDURES
- COMMITTEES AND WORKGROUPS
- MEETINGS
- SEMI-ANNUAL REPORTS
- RRT REQUESTS FOR OSC REPORTS
- OPERATIONS MANUAL REVISIONS
- RRT CALLDOWN EXERCISES

Additional information about the Region I RRT can be found at Region I RRT

***1404.1 Incident Specific RRT***

An incident specific RRT may be activated as an inter-governmental coordination team when an actual or potential discharge or release occurs which:

1) Exceeds the response capability available to the federal On-Scene Coordinator (OSC) in the place where it occurs;
2) Transects tribal lands;
3) Transects state boundaries;
4) Poses, or potentially poses, a substantial threat to the public health, welfare, environment, or to regionally significant amounts of property; or
5) Meets the definition of a major discharge as defined in the National Contingency Plan (NCP).

The incident OSC or any RRT representative may request the activation of an incident specific RRT during any discharge or release. The request should be made to the USCG Co-Chair for coastal incidents, and to the EPA Co-Chair for inland incidents. The request may be transmitted verbally, by fax, electronic mail, or in writing.

Once a Co-Chair determines it is appropriate to activate the incident specific RRT, the other Co-

Chair will be notified of the decision and notification of the appropriate RRT members will commence. The incident specific RRT will be chaired by either US EPA or USCG depending on the origin of the spill. When activated, the incident specific RRT may meet in person or convene by teleconference and may:

1) Monitor and evaluate reports from the OSC, advise the OSC on the duration and extent of the federal response, and may recommend to the OSC specific actions in responding to the discharge or release;
2) Provide either federal, tribal, state, or local government resources under their existing authorities to assist the OSC's response efforts;
3) Help the OSC prepare information releases for the public and key stakeholders and for communications with the National Response Team (NRT);
4) Submit reports to the National Response Team (NRT) as significant developments occur.

**1405 Area Response Principals**

The Maine and New Hampshire Area Committee member agencies have adopted and will manage spill incidents according to the following principles:

- Incident Command System (ICS) - The signatory agencies will use the National Incident Management System (NIMS) model ICS.
- Unified Command - When more than one of the signatory agencies arrive on scene to participate in managing a response action, the agencies will utilize a unified command structure to jointly manage the spill incident. In the Unified Command (UC), whenever possible, decisions with regard to the response will be made by consensus and documented through a single Incident Action Plan (IAP). When a consensus cannot be reached, the FOSC has the ultimate decision-making authority.
- Tribal, State and Local Government On-Scene Coordinators - The unified command may incorporate additional tribal, state or local government on-scene coordinators into the command structure as appropriate.
- Responsible Party Command Structure - The person or persons responsible for a spill incident shall utilize an incident command system which is capable of rapidly and readily integrating into the NIMS based ICS/UCS organization utilized by the ACP signatory agencies.
- Response Plan Approval - The National Oil and Hazardous Substance Contingency Plan (NCP), 40 C.F.R. Part 300 requires vessel and facility response plans comply with the applicable ACP.

The unified command structure allows for a coordinated response which takes into account the federal, state, tribal, local and responsible party concerns and interests when implementing the response strategy. The FOSC has the ultimate authority in a response operation and will exert

this authority only if the other members of the unified command are not present or are unable to reach consensus within a reasonable time frame.

During responses to oil and hazardous substance spills, local agencies may be involved as part of the UC and may provide agency representatives who interface with the command structure through the Liaison Officer or the SOSC. When a UC is used, an Incident Command Post (ICP) and Joint Information Center (JIC) may be established.

**1406 Multi-Area Spill**

Some major spill incidents may be large enough to affect more than one area or more than one region. If a discharge or release migrates, or there is a substantial threat of its migrating, from the area covered by the Maine and New Hampshire ACP or the Region 1 Regional Contingency Plan (RCP) into a second area or region covered by another, the response will be carried out in accordance with the NCP, 40 CFR 300.140. That is, only one FOSC will have authority to direct the response. In determining which FOSC will direct the response, prime consideration shall be given to the area vulnerable to the greatest threat. Under ordinary conditions, the two involved FOSCs will confer with the First District/RRT Co-chair, and one another, and resolve the issue amicably, with the First District/RRT Co-chair "designating" the one FOSC for the incident. If there is doubt and the need arises to involve affected trustees and stakeholders, the matter will be referred and resolved by the RRT at large; or, if two regions are involved, by the NRT. The integration with other response plans for spills that could potentially cross boundary areas into another Federal On-Scene Coordinator's zone is outlined in Section 4.C. (Multi-Area Responses) of the Region 1 Regional Contingency Plan (RCP): Region 1 RCP

In order to ensure that the FOSC designated to respond to the incident takes into account the planning and response needs of the lesser impacted area/region, the following guidance applies:

The occurrence of a significant discharge/release in the contiguous waters of interest between two FOSCs will be promptly responded to and initially assessed by the FOSC in whose jurisdiction the spill occurs. The responding FOSC, in assessing the potential impact of the incident, will determine, to the extent practical; the area vulnerable to the greatest threat and the potential for the trans-zone migration of pollutants.

For those incidents where trans-zone impacts are probable, the responding FOSC will promptly notify the First District (r)/RRT co-chair, who will designate a single FOSC, as indicated above. The First District (r)/RRT co-chair will also ensure appropriate notifications are made, especially to representatives from those states whose waters may be adversely impacted by that discharge/release, so as to activate all affected area and regional plans for locations threatened to be adversely affected by the spill. The First District (r)/RRT co-chair will make appropriate notifications to the RRT.

Coast Guard COTPs in adjoining areas will be directed to assist the designated FOSC by making initial notifications to states, trustees, and other stakeholders in their zones whose waters/resources have the potential of being adversely impacted by the discharge/release.

After initial notifications, the designated FOSC will more thoroughly assess the actual threat from the discharge/release and, in the meantime, will also respond or intervene, to the extent practical, to prevent the spread of the pollutant into the contiguous waters of adjoining COTPs zones. After determining the degree of impact likely, the designated FOSC will convey to adjoining COTPs and states, the level of response expected from them based on the criteria described below.

The designated FOSC, to ensure adjoining COTPs and threatened states are afforded every opportunity to efficiently and effectively communicate their planning and response priorities in mounting a proper response to the incident, will invite representatives from affected parties outside his/her zone to join his/her staff at the unified command post according to the following tiered structure:

- If "potentially affected," adjoining COTPs and threatened states will send Agency Representatives who will report directly to the designated FOSC's Liaison Officer.
- If "imminent threat" exists (projected impact to occur within 24 hours, based either on scientific data/trajectory or actual observation), adjoining COTPs and threatened states will send a full complement of staff members who will be integrated directly into all germane ICS functional cells, both at the command and general staff level. States will also send a SOSC who will become part of the Unified Command.

To facilitate information flow and sufficient communication to adjoining COTPs, states, and trustees with interest in spills due to potential adverse impacts that may result from the incident, the First District/RRT co-chair will convey the designated FOSC's daily information reports about the discharge/release to them, as well as to RRT members, using e-mail, telephonic conference calls or any other means available and acceptable to the parties involved.

As a fail-safe method for adjoining COTPs, threatened states or trustees who believe the communication from the spill site is less than adequate should refer their complaint directly to the First District/RRT co-chair for resolution.

**1407 Area Response Structure**

Significant discharges or releases may require shifting FOSC responsibilities and/or establishing a Unified Area Command (UAC) to support FOSCs, prioritize critical resources, assist with external affairs, and provide strategic objectives. Execution of tactical operations and coordination remains the responsibility of the FOSC/Unified Command (UC).

**1408 National Strike Force Coordination Center**

The National Strike Force Coordination Center (NSFCC) provides support and standardization guidance to the Atlantic Strike Team (AST), Gulf Strike Team (GST) and Pacific Strike Team (PST). The NSFCC also oversees the maintenance of the OPA-90 mandated Response Resources Inventory (RRI), Oil Spill Removal Organization (OSRO) Classification Program, and National Maintenance Contract (NMC). Members of the AST, the Coast Guard's full-time

Incident Management Assist Team (IMAT), the Public Information Assist Team (PIAT) or other support teams can be requested as subject matter experts to augment the incident management team for larger or more complex spill response operations in Maine and New Hampshire and are routinely included in exercises and training to maintain close coordination.

**1409 SERCs and LEPCs**

Under United States Code Title 42, State Emergency Response Commissions (SERC) and Local Emergency Planning Committees (LEPC) are responsible for planning for chemical emergencies, accidents and releases. In Maine, the SERC is coordinated by the Maine Emergency Management Agency (MEMA) and LEPCs are coordinated by county emergency management agencies. In New Hampshire, the functions of the SERC has been consolidated into the Advisory Council on Emergency Preparedness and Security (RSA 21-P:48) which is coordinated by New Hampshire Homeland Security and Emergency Management. LEPCs are primarily coordinated by municipal emergency management agencies. The Maine Emergency Management Agency, county emergency management agencies, New Hampshire Homeland Security and Emergency Management and municipal emergency management agencies are well represented on the Maine and New Hampshire Area Committee and activities and response actions are closely coordinated.

**1410 Bilateral/Multilateral Response Agreements**

Many of the primary bilateral and multilateral response agreements among the states in New England, between the coastal and inland zone and among agencies along the border with Canada are outlined in the Region 1 Regional Contingency Plan. Other applicable Memorandums of Understanding/Agreements are outlined in Section 9500.

**1411 Agency Role within the Response Management System**
***1411.1 Federal On-Scene Coordinator***

By statute the Coast Guard is the Federal On-Scene Coordinator for an oil spill or hazardous substance release in the coastal zone. Coast Guard Sector Northern New England maintains and manages an Incident Management Team and emergency response teams for response to discharges of oil and hazardous substances. These teams vary in size based on the nature of the incident. In all cases, they are assigned to assess the discharge to determine response measures, monitor and supervise pollution countermeasures, deploy pollution control equipment as available and necessary until a contractor arrives, document all phases of the response, conduct investigations, and perform other duties on behalf of the FOSC. In Sector Northern New England, these Coast Guard teams will typically be deployed from the primary sector offices in South Portland, Marine Safety Detachment Portsmouth or Marine Safety Detachment Belfast based on the location of the reported discharge at the direction of the FOSC or his/her representative.

The Environmental Protection Agency (EPA) is the Federal On-Scene Coordinator for spills in the inland zone. In New England, the EPA response team consists of emergency response OSCs located in the regional office in Boston. The OSCs are responsible for determining the source,

cause and responsible party, as well as initiating source control and enforcement actions as appropriate. Additional responsibilities include ensuring containment cleanup and disposal are carried out adequately, notification of all Natural Resources Trustees, and coordination of activities with federal, state, tribal, and local agencies to monitor their performance. The EPA also has access to technical assistance contractors who can provide technical oversight and other resources at spills. In some cases, the EPA's technical assistance contractor may arrive on scene prior to the EPA OSC. Prior to arrival of the EPA OSC, the EPA contractor will cooperate with on-site agencies, but will only take direction through the EPA OSC.

***1411.2 Other Federal Agencies Role***

Several other federal agencies that belong to the National Response Team and the Region 1 Regional Response Team are active in spill response planning, training, exercising and response activities in Maine and New Hampshire. These agencies include several divisions within the National Oceanographic and Atmospheric Administration (NOAA), Department of the Interior and its bureaus, Federal Emergency Management Agency, U.S. Public Health Service, Occupational Safety and Health Administration, and the U.S. Navy. Native American Tribes also participate in response, response planning, exercising and activities.

***1411.3 Maine Response System***

In the event of an oil spill in coastal waters, the State Oil Spill Coordinator (SOSC) will directly represent the Governor in all direct abatement, clean-up and resource protection activities in coordination with federal, industry, and other state's response teams. The SOSC will work with the FOSC and the RP following the NIMS unified command structure. Maine Department of Environmental Protection (DEP) staff will work with federal, state, and local representatives, as well as the responsible party, to ensure an adequate and timely response. In the event a responsible party does not respond to a spill, or is not responding to the satisfaction of the DEP, the DEP may, in consultation with federal authorities, initiate and direct all actions necessary to respond to the incident.

The Maine Emergency Management Agency (MEMA) is responsible for carrying out a program for emergency preparedness, including coordination of the activities of all organizations for emergency preparedness within the state. This includes a broad range of functions, such as firefighting, police, medical and health services, emergency welfare, rescue, engineering, evacuation and transportation. In the event of a marine oil spill, MEMA will provide assistance and support to the SOSC. Unlike other declared emergencies, marine oil spill cleanup activities are directed by the DEP and do not fall under MEMA authority.

The designated representative to the RRT for the State of Maine and the agency designated to supervise removal operations and request reimbursement from the Fund is:

| |
|---|
| Response Division Director<br>Division of Response Services<br>Bureau of Remediation & Waste Management<br>Department of Environmental Protection |

17 State House, Station
Augusta, Maine 04333-0017
(207) 287-7190

Other Maine state agencies that play a significant role in spill response planning, training, exercising and response activities include: Maine Department of Marine Resources, Maine Department of Inland Fisheries and Wildlife, Maine Marine Patrol, and the Maine Department of Labor.

***1411.4 New Hampshire Response System***

The New Hampshire Department of Environmental Services (DES) is the lead state agency responsible for regulation of oil terminal operations and emergency preparedness for a coastal oil spill and assumes primary jurisdiction of cleanup activities. The Spill Response and Complaint Investigation Section (SRCIS) responds to oil spills throughout the state. The Administrator of the SRCIS, or designee, acts as the State On Scene Coordinator (SOSC) for all oil spills. In the event of an oil spill in coastal waters, the New Hampshire SOSC will represent New Hampshire in all direct abatement, clean-up and resource protection activities in coordination with federal, industry, and other states' response teams. The SOSC will work with the FOSC and the RP following the NIMS unified command structure. New Hampshire Department of Environmental Services (DES) staff will work with federal, state, and local representatives, as well as the responsible party, to ensure an adequate and timely response. In the event a responsible party does not respond to a spill, or is not responding to the satisfaction of the DES, the DES may, in consultation with federal authorities, initiate and direct all actions necessary to respond to the incident.

In carrying out this responsibility, the DES coordinates with NH Department of Safety under which is Homeland Security and Emergency Management (NHHSEM). The NHHSEM has overall responsibility for state emergency preparedness and evacuation of personnel, if necessary. Also under the Department of Safety is the New Hampshire State Police which operates the emergency notification network.

Additionally, DES response staff may be assigned as the FOSC Representative for certain defined responsibilities per the NH DES/USCG Memorandum of Agreement Concerning Marine Oil Spill Prevention, Preparedness and Response.

The current liaison to the RRT for the State of New Hampshire and the agency designated to supervise removal operations and request reimbursement from the Fund is:

NH Department of Environmental Services
Waste Management Division, Oil Remediation & Compliance Bureau
Administrator
Spill Response & Complaint Investigation Section
P.O. Box 95

29 Hazen Drive
Concord, NH 03301
(603) 271-3899 (8am - 4pm, M-F)
(603) 271-3636 (non-working hours, spill reporting - NH State Police)

Other New Hampshire state agencies that play a significant role in spill response planning, training, exercising and response activities include: New Hampshire Fish and Game, New Hampshire Marine Patrol, the New Hampshire Port Authority and the New Hampshire Department of Cultural Resources.

***1411.5 Local Agencies***

Numerous local agencies also play a significant role in spill response planning, training, exercising and response activities in Maine and New Hampshire. These agencies include County Emergency Management Agencies, Municipal Emergency Management Agencies, Fire Departments, Harbor Masters, and Police Departments.

**1412 Responsible Party Policy**

The NCP requires that response plan holders, "prepare and submit a plan for responding, to the maximum extent practicable, to a worst case discharge, and to a substantial threat of such a discharge, of oil or a hazardous substance. These response plans are required to be consistent with applicable Area Contingency Plans."

The following are the considerations used to determine if facility and vessel response plans are consistent with the Maine and New Hampshire ACP:

- Vessel and facility contingency plan: content, review and approval;
- The execution and evaluation of spill drills and exercises; and
- The management of spill response actions.

Failure to adequately conform to the Maine and New Hampshire ACP may result in: rejection of a spill contingency/response plan; non-credit for a drill; or federal and/or state agencies assuming direct control of a spill response action. However, it is also the policy of the Maine and New Hampshire Area Committee that the unified command will encourage the party responsible for a spill incident, to maintain the primary responsibility for managing the response action so long as they:

- Actively and cooperatively participate in the unified command structure;
- Provide an organization which is compatible with NIMS
- Provide regular communication and documentation that assures adequate response resources are being rapidly mobilized in proportion to the size of the incident as discussed in the following section.

- Follow their approved spill contingency/response plan (if applicable) unless otherwise directed, or a deviation is agreed to, by the unified command.

***1412.1 Requirement for a Full and Rapid Response***

It is the policy of the Maine and New Hampshire Area Committee that the response to a spill incident should be promptly "ramped-up" to provide adequate equipment and trained personnel to effectively respond to the highest quantity of product which will most likely be released. If it is determined that excessive response resources are ordered or mustered they may be canceled or demobilized to help control the cost of the response action to the responsible party and responding agencies.

If a RP fails to respond in a manner deemed reasonably consistent with this policy and Maine and New Hampshire ACP, the FOSC or SOSC may assume the lead for a portion of or the entire spill. The agency proposing to assume lead for the cleanup will closely coordinate with other members of the unified command prior to taking such action.

The following factors can impact the ability to mount a fully effective response:

- Off Shore Coastal Response: Effective response action for spills in the off shore island coastal environment can be challenging for myriad reasons. Challenges include long transit distance and inaccessibility from equipment stores to the spill scene. Once equipment arrives on-scene, sea state and meteorological conditions such as fog, wind, rain, and snow may dramatically limit or terminate effective oil booming and on-water oil recovery efforts.
- Response in Shallow Marine Embayments: Diversion and containment booming and intertidal shoreline clean-up is very difficult in many of the Maine and New Hampshire's environmentally sensitive shallow marine estuaries. Once oil enters these intertidal areas, extensive environmental damage is likely and recovery technology has minimal effectiveness. In these environments, conventional shoreline clean-up activities can cause extensive damage.
- Response to Catastrophic Oil Spills: Should a catastrophic oil spill occur, it is likely that there will not be adequate response resources in either Maine or New Hampshire to manage and clean-up the spill; therefore, both Maine and New Hampshire will likely rely in part on resources from other jurisdictions to provide assistance for catastrophic spill responses.

**1413 Use of Incident Command System**

As outlined in the Area Response Principles (Section 1405) the Maine and New Hampshire Area Committee has adopted and will manage spill incidents in accordance with the NIMS version of the Incident Command System (ICS). Person or persons responsible for a spill incident shall utilize an incident command system which is capable of rapidly and readily integrating into the NIMS based ICS/UCS organization utilized by the ACP signatory agencies. A description of the NIMS Incident Command System and its application for marine oil spill response is outlined in the Coast Guard Incident Management Handbook.

**1414 Pollution Response Exercise Guidelines**

The National Preparedness for Response Exercise Program (PREP) establishes a workable exercise program that is in compliance with the Federal Water Pollution Control Act as amended by the Oil Pollution Act of 1990. The Maine and New Hampshire Area Committee has adopted these PREP guidelines as a minimum exercise requirement for spill response exercise within the area. These requirements include:

- Quarterly notification drills
- Annual incident management team tabletop exercises
- Annual equipment deployment exercises
- Quadrennial full scale Area response community exercises
- Government Initiated Unannounced Exercises
- Other vessel and transfer facility exercises as required

**1415 Lessons Learned**

As outlined in the Homeland Security Exercise and Evaluation Program (HSEEP) and the Coast Guard's Contingency Preparedness System (CPS), all exercises will have clearly defined objectives based on a needs assessment, an appropriate scope, a realistic scenario, and a complete evaluation plan. At the end of each exercise, a hotwash will be conducted and feedback forms will be collected to capture key lessons learned. These lessons learned, based on accomplishments and areas for improvement will be used to develop an After Action Report and an improvement plan to enhance area spill response preparedness and capabilities. Any significant lesson learned identified during exercises or incident responses will be incorporated into the ACP as appropriate during the annual plan review and update process.

**1416 National Response Framework**

The National Response Framework (NRF) is a guide that details how the Nation conducts all-hazards responses from the smallest incident to the largest catastrophe. This document establishes a comprehensive, national, all-hazards approach to domestic incident response. The NRF identifies the key response principles, as well as the roles and structures that organize national responses. It describes how communities, states, the federal government and private-sector and nongovernmental partners apply these principles for a coordinated, effective national response. In addition, it describes special circumstances where the federal government exercises a larger role, including incidents where federal interests are involved and catastrophic incidents where a state would require significant support. It lays the groundwork for first responders, decision-makers and supporting entities to provide a unified national response.

In addition to the NRF base document, the Emergency Support Function (ESF) Annexes and Support Annexes are available on-line at FEMA's NRF website. ESF 10 focuses on the response to oil and hazardous material spills.

***1416.1 Stafford Act***

When it is clear that state and local capabilities will be exceeded, the governor may request federal assistance, including assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). The Stafford Act authorizes the President to provide financial and other assistance to state and local governments, certain private nonprofit organizations, and individuals to support response, recovery, and mitigation efforts following Presidential emergency or major disaster declarations.

The Stafford Act is triggered by a Presidential declaration of a major disaster or emergency, when an event causes damage of sufficient severity and magnitude to warrant Federal disaster assistance to supplement the efforts and available resources of States, local governments, and the disaster relief organizations in alleviating the damage, loss, hardship, or suffering. If a major disaster is declared, funding comes from the President's Disaster Relief Fund, which is managed by FEMA, and the disaster aid programs of other participating Federal departments and agencies.

***1416.2 Stafford Act versus the NCP***

The funding for pollution response activities under the National Contingency Plan (NCP) typically comes from the responsible party, the Oil Spill Liability Trust Fund (OSLTF), or the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) fund. If there is a Presidential disaster declaration, in rare cases the Stafford Act may be used to fund part, or all, of an oil spill or hazardous materials response and employ emergency support functions to coordinate the response under FEMA's leadership.

***1416.3 Emergency Support Functions***

Emergency Support Functions (ESFs) group federal resources and capabilities into functional areas that are most frequently needed during a national response (e.g. Transportation, Mass Care, Oil/Hazmat, and Communication). The 15 ESFs provide the structure for coordinating federal interagency support to states or other federal agencies. Each ESF Annex identifies the primary and support agencies for that function. More specifics on ESF 10: Oil and Hazardous Materials Response and its relationship to an NCP response is addressed in Appendix 9411.

**1417 Federal Radiological Response Plan**

The Federal Radiological Response Plan (FRERP) establishes an organized and integrated capability for timely, coordinated response by Federal agencies to peacetime radiological emergencies. For an emergency at a fixed nuclear facility or a facility not under the control of a Federal agency, State and local governments have primary responsibility for determining and implementing measures to protect life, property, and the environment in areas outside the facility boundaries. The owner or operator of a nuclear facility has primary responsibility for actions within the boundaries of that facility, for providing notification and advice to offsite officials, and for minimizing the radiological hazard to the public.

For emergencies involving an area under Federal control, the responsibility for onsite actions belongs to a Federal agency, while offsite actions are the responsibility of the State or local government.

For all other emergencies, the State or local government has the responsibility for taking emergency actions both onsite and offsite, with support provided, upon request, by Federal agencies. Potential Lead Federal Agencies include the Nuclear Regulatory Commission, DOD, DOE or EPA.

## 1500 Response Policy

### 1501 National Response Policy

The National Response Policy is to ensure that all applicable laws and regulations are carried out. Those laws and regulations are intended to ensure effective and immediate removal of a discharge and mitigation or prevention of a substantial threat of a discharge, of oil or a hazardous substance.

#### *1501.1 Coast Guard Policy*

The Coast Guard will respond, consistent with the policy outlined in the Maine and New Hampshire ACP. The Coast Guard may elect not to dispatch representatives to reported discharges where representatives of another government agency are responding. However, if federal removal is indicated within the Coastal Zone, the Coast Guard will respond. If the responsible party is conducting proper removal, the Coast Guard FOSC will use best judgment in determining the need for the presence of Coast Guard personnel on scene. General Coast Guard policy for pollution response is provided in Coast Guard Marine Safety Manual, Volume VI.

#### *1501.2 Environmental Protection Agency Policy*

By statute, the EPA is the OSC for inland spills. In many instances, the EPA is not the first responder on scene. An EPA contractor may arrive before the EPA OSC. The EPA works in cooperation with other responders, but has not delegated their responsibility as OSC. In all spill situations, it is the EPA's intent to contribute to the response by working with the local, state, tribal authorities, general public, and federal agencies to ensure the information needed to maximize the effectiveness of the response effort is easily accessible. During a response to a release, the Potential Responsible Parties (PRPs) are generally given the opportunity to adequately respond. The EPA works closely with the PRPs when they are known and willing to take action to ensure that the release reaches an adequate and rapid conclusion with a minimum impact on the environment. In the event of a spill where the PRP is not identified, does not respond to contain or clean up the spill, or does an inadequate job responding, federal responsibilities may include federalizing the response or assuming a co-lead role in a unified command with state and local responders.

**1502 State Response Policy**

***1502.1 Maine Policy***

The Maine DEP is the lead state agency for responding to releases of oil or hazardous materials. The State Oil Spill Coordinator from Maine DEP will directly represent the Governor in all direct abatement, clean-up, and resource protection activities in coordination with federal, industry, and other state response teams.

***1502.2 New Hampshire Policy***

The New Hampshire DES is the lead state agency for responding to releases of oil. The State On-Scene Coordinator will directly represent DES in all direct abatement, clean-up, and resource protection activities in coordination with federal, industry, and other state response teams.

**1503 Multinational Response Policy**

The United States and Canada share responsibilities in numerous locations covered by this plan. The northeast boundary of the State of Maine is the Canadian border. U.S. and Canadian OSCs will cooperate fully to respond to pollution incidents that affect or threaten to affect both parties. Toward this end, the Canada-United States Joint Marine Pollution Contingency Plan (JCP) for spills of oil and other harmful substances and the Canada-United States Joint Inland Pollution Contingency Plan provide guidance for a joint response.

If a spill or potential spill may impact or does impact Canadian waters or territory, the FOSC will contact the Canadian Federal Monitoring Officer (FMO) and discuss the appropriate level of action and coordinate the response. If a spill in Canadian waters threatens to impact U.S. waters, the Canadian OSC will contact COTP Sector Northern New England. In cases involving inland waters, the Canadian OSC will contact the EPA Region One. A JRT co-chair may activate the joint plan if the spill poses a threat to Canada or spreading has already occurred, or the magnitude of the spill makes a request for assistance necessary. Any pollution incident posing a substantial threat to the other country shall be reported immediately by the Canadian National Environmental Emergencies Center (NEEC) or the U.S. National Response Center (NRC), depending on the incident location. In addition, the EPA Region One duty officer in Boston shall notify the Environment Canada duty officer, or vice versa, in the event of an incident with cross-border impacts.

This ACP is compatible with the bilateral Joint Marine Pollution Joint Contingency Plan between the United States and Canada and the Atlantic Geographic Annex (CANUSLANT Annex) that covers the Atlantic Marine boundary between the United States and Canada.

**1504 County/Local Policies**

As outlined in Section 1411, county and local agencies will likely also play a role in oil spill responses and, in particular, hazardous materials release responses in both Maine and New Hampshire. At the local level, local engagement will likely be led by the chief of the fire department, who in many cases is also the local emergency manager. The fire chief will be

particularly focused on addressing immediate life/safety concerns. County government plays a significant role in Maine and coordination of county involvement will typically be led by the county emergency manager in each of Maine's 16 counties.

## 1600 National Policy and Doctrine

### 1601 National, Guiding Response Doctrine

Section 4201 of OPA 90 amended Subsection (c) of Section 311 of the FWPCA, to require the FOSC to "in accordance with the National Oil and Hazardous Substances Pollution Contingency Plan and any appropriate Area Contingency Plan, ensure effective and immediate removal of a discharge, and mitigation or prevention of a substantial threat of a discharge, of oil or a hazardous substance –

(i) into or on the navigable waters;

(ii) on the adjoining shorelines to the navigable waters;

(iii) into or on the waters of the exclusive economic zone; or

(iv) that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States."

"In carrying out these functions, the FOSC may:

(i) remove or arrange for the removal of a discharge, and mitigate or prevent a substantial threat of a discharge, at any time;

(ii) direct or monitor all Federal, State, and private actions to remove a discharge; and

(iii) recommend to the Commandant that a vessel discharging or threatening to discharge, be removed and, if necessary, destroyed."

If the discharge or substantial threat of discharge of oil or hazardous substance is of such size or character as to be a substantial threat to the public health or welfare of the United States (including but not limited to fish, shellfish, wildlife, other natural resources, and the public and private beaches and shorelines of the United States), the FOSC shall direct all Federal, State, and private actions to remove the discharge or to mitigate or prevent the threat of the discharge.

### 1602 Regional and Area Level Guiding Response Doctrine

As outlined in the Coast Guard "First District Response Management Guide, Winning the First 96 Hours" the Coast Guard's regional and area response philosophy is "forward leaning" and promotes "hitting cases hard and fast" noting that "scaling back is always easier than ramping up after initial incident momentum has been expended". Thus the emphasis is on making aggressive operational decisions and resource requests early during a response with the safety of responders and the public and sound operation risk management primary concerns.

**1603 Public vs. Private Resource Utilization**

While it is the policy of the Coast Guard Commandant to mount an aggressive, timely, and efficient response, the FOSC must be mindful that the use of government-owned equipment and resources is not to compete with the use of commercial resources.

Government resources should only be used under specific circumstances:

- For "first aid" spill response until contracted commercial resources arrive on-scene and are operating.
- When commercial resources are not available. This assumes that the RP, Qualified Individual, Incident Commander, or cleanup contractor has sought commercial resources but they are not available.
- Government resources can supplement commercial resources. Government resources are not to be used for the convenience of the responsible party.

**1604 Best Response**:

The term "Best Response" in relation to an oil spill responses means that a response organization will effectively, efficiently, and safely respond to oil spills, minimizing the consequences of pollution incidents and protect our national environmental and economic interests. "Best Response" equals a successful response based on achievement of certain key success factors (i.e. the things that a response must accomplish to be considered successful) as follows:

***Human Health***: No public injuries No worker injuries

***Public Communication***: Positive media coverage Positive public perception

***Natural Environment*****:** Source of discharge minimized Source contained, Sensitive areas protected, Resource damage minimized

***Stakeholders Support*****:** Minimize stakeholder impact Stakeholders well informed Positive meetings Prompt Handling of claims

***Economy*** Economic impact minimized

***Organization***: Standard Response Management System, Sufficient/Efficient resources

When conducting an oil spill response, ICs and their Command and General Staffs should always consider the "Best Response" concept while managing operational and support/coordination functions. IC's and their Command and General Staffs need to closely monitor how well the incident objectives, strategies, and tactics are addressing "Best Response" and key response functions, and make appropriate adjustments where necessary to ensure the

maximum potential for success. Additional information on the Best Response concept can be found in Chapter 4 of the USCG Incident Management Handbook.

**1605 Cleanup Assessment Protocol**

When spilled oil contaminates shoreline habitats, responders must survey the affected areas to determine the appropriate response. Although general approvals or decision tools for using shoreline cleanup methods can be developed during planning stages, responders' specific cleanup recommendations must utilize field data on shoreline habitats, type and degree of shoreline contamination, and spill-specific physical processes. Cleanup endpoints must be established early so that appropriate cleanup methods can be selected to meet the cleanup objectives. Shoreline surveys must be conducted systematically because they are crucial components of effective decisions. Also, repeated surveys are needed to monitor the effectiveness and effects of ongoing treatment methods (changes in shoreline oiling conditions, as well as natural recovery), so that the need for changes in methodology, additional treatment, or constraints can be evaluated.

Cleanup objectives include (1) Minimizing hazards to human health, (2) Speeding recovery of impacted areas to their previous state, and (3) Reducing the threat of additional or prolonged natural resource impacts.

In order to achieve these cleanup objectives potential cleanup end points include:

- No visible oil
- No more oil than background levels
- Shoreline substrate no longer releases sheen that will affect sensitive areas.
- Oil no longer rubs off
- Do no greater harm than benefit due to continued cleanup efforts.

The Shoreline Assessment Manual updated in August, 2013 by NOAA/HAZMAT, outlines methods for conducting shoreline assessments. Shoreline assessment is a function conducted under the Planning Section of the Incident Command System (ICS).

NOAA's Shoreline Assessment Manual outlines methods that can be used to plan and conduct shoreline assessment after an oil spill. The results of the assessment can be used to guide shoreline cleanup activities.

40 CFR 300.320 states: "Removal shall be considered complete when so determined by the OSC in consultation with the Governor or Governors of the affected states. When the OSC considers removal complete, OSLTF removal funding shall end. This determination shall not preclude additional removal actions under applicable state law." Due to the differences in incident type and complexity, the FOSC will take all issues and agency concerns into consideration prior to

making the "Removal Complete" determination. Any group(s), or individual(s) with issues or concerns regarding an incident clean up, should forward them via the Liaison Officer (LOFR) or their respective Governor's office.

***1605.1 Disposition of damaged vessel***

Policies for disposing of damaged vessels once oil has been removed are outlined in section 1613.

***1605.2 Policy when RP intends to continue cleanup***

If a Responsible Party wishes to continue cleanup actions after the FOSC has terminated the cleanup phase of the response, they will do so at their own discretion. However, federal and state resource trustees will continue to have oversight to ensure continued cleanup efforts are not causing greater harm than benefit or creating other unacceptable negative impacts.

**1606 Dispersant Pre-Approval/Monitoring/Decision Protocol**

For spill situations that are not addressed in the existing pre-authorization plan, the FOSC, with the concurrence of the EPA representative to the RRT and, as appropriate, the concurrence of the RRT representatives from Maine DEP, New Hampshire DES and other states with jurisdiction over the navigable waters threatened by the release or discharge, and in consultation with the Department of Commerce (DOC) and Department of Interior (DOI) natural resources trustees, when practicable, may authorize the use of dispersants, surface washing agents, surface collecting agents, bioremediation agents, or miscellaneous oil spill control agents on the oil discharge, provided that the products are listed on the NCP Product Schedule. The NCP Product Schedule Notebook contains a compilation of Product Bulletins summarizing technical information and test results for those products listed on EPA's NCP Product Schedule.

The FOSC may authorize the use of any dispersant, surface washing agent, surface collecting agent, other chemical agent, bioremediation agent, or miscellaneous oil spill control agent, including products not listed on the NCP Product Schedule, without obtaining the concurrence of 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, when, in the judgment of the FOSC, the use of the product is necessary to prevent or substantially reduce the hazard to human life; as outlined in the NCP.

Whenever the FOSC authorizes the use of a product pursuant to the above paragraph, the FOSC is to inform the EPA RRT representative and as appropriate, the RRT representatives from the affected states and, when practicable, the DOC/DOI natural resources trustees of the use of a product, including products not on the Schedule, as soon as possible. Once the threat to human life has subsided, the continued use of the product shall be in accordance with the concurrence method as described above and 40 CFR 330.910. Sinking agents shall not be authorized for application to oil discharges.

For additional information on Dispersant application options and the dispersant use approval

process see Section 3204 of this ACP and refer to the New England Region Oil Dispersant Authorization Guide. For further information regarding dispersant Pre-approval, please refer to the Dispersant Pre-Authorization Policy in Section 9508 of this ACP.

**1607 In-Situ Burn Approval/Monitoring/Decision Protocol**

For spill situations that are not addressed in the existing In-situ burn pre-authorization plan, the FOSC, with the concurrence of the EPA representative to the RRT and, as appropriate, the concurrence of the RRT representatives from states with jurisdiction over the navigable waters threatened by the release or discharge, and in consultation with the DOC and DOI natural resources trustees, when practicable, may authorize the use of burning agents on a case-by-case basis, as outlined in the NCP.

The FOSC may authorize the use of any burning agent, including products not listed on the NCP Product Schedule, without obtaining the concurrence of 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, when, in the judgment of the FOSC, the use of the product is necessary to prevent or substantially reduce the hazard to human life. Whenever the FOSC authorizes the use of a product pursuant to this paragraph, the FOSC is to inform the EPA RRT representative and as appropriate, the RRT representatives from the affected states and, when practicable, the DOC/DOI natural resources trustees of the use of a product, including products not on the Schedule, as soon as possible. Once the threat to human life has subsided, the continued use of the product shall be in accordance with the concurrence method as described above and 40 CFR 300.910.

For further information regarding In-situ burning, please refer to sections 3205 and 9507 of this ACP.

**1608 Bioremediation**

Bioremediation is the process of adding compounds, such as nutrients and oxygen, to an oil spill to accelerate the natural biodegradation process. Biodegradation can take a period of time from several weeks to several months or more. Therefore, the use of bioremediation will probably not be the first choice if a rapid cleanup is desired. Additionally, the potential benefit of bioremediation must be balanced with the potential impact to the environment from the compounds added to it. Bioremediation is further discussed in Section 3206.

**1609 Fish and Wildlife Acts Compliance**

Federal and State permits generally allow permit holder to collect, transport, possess, rehabilitate, euthanize, release or band migratory birds. Some permit holders also have authority to handle threatened and endangered species under separate Federal permits. Each of these permits encompasses more than one species. If a bird were considered to be migratory, but also threatened or endangered, it must be covered under a threatened and endangered species permit. If rescue and rehabilitation efforts are deemed to be necessary and worthwhile, the following Federal permits may apply:

***1609.1 Migratory Birds***

*Banding or marking:* 50 CFR 21.22. A permit is required before any migratory bird is captured for the purposes of banding or marking. Permits and official bands are issued by the U.S. Geological Survey, Bird Banding Laboratory for this purpose. Any rehabilitation group that participates in wildlife response activities and bands migratory birds is required to possess this permit.

*Special Purpose Permit:* 50 CFR 21.27. May be issued for special purpose activities related to migratory birds, their parts, nests, or eggs. During oil spills and discharges, it is expected that the initial cleaning, emergency care, and triage of animals will be done by contracted experts under a Special Use Permit. Unless authorized by the USFWS, no individual rehabilitator or rehabilitation group will be designated as "in charge" of rehabilitation efforts, but will work with the cleanup team under USFWS regional guidelines. Off-site rehabilitation of any migratory bird will be done only by federally licensed rehabilitators. The licensed rehabilitator must notify the USFWS within 48 hours of acquiring an injured bird. The USFWS provides disposition guidance at any time. A Special Use permit does not authorize the use of recovering sick or injured migratory birds for display or educational purposes.

***1609.2 Eagle Permits***

50 CFR 22. These permits authorize the taking, possession, or transportation of bald eagles or golden eagles, or their parts, nests, or eggs for scientific or exhibition purposes. They may be required for the possession of such birds during rehabilitation. The USFWS must be notified within 48 hours of acquisition of any Bald and or Golden Eagle. Directions will be given at that time regarding disposition and or continued treatment.

***1609.3 Endangered Species***

50 CFR 17.22 and 17.32. Permits are for scientific purposes, enhancement of propagation or survival, or for incidental take. There is normally a 30-day comment period for this type of permit, which may be waived by the USFWS Director during emergency conditions where the life and health of a specimen is threatened and there is no alternative available. Rehabilitators participating in wildlife responses that include endangered species must be authorized to handle endangered species. In the case of endangered migratory birds, the rehabilitator must have a valid Special Purpose Permit that includes endangered species.

It is important to know that the Federal Regulations for the Endangered Species Act include provisions that allow for handling of sick, injured and orphaned wildlife specimens by certain individuals. 50 CFR 17.21(c)(3) & (4) describe this authority for endangered wildlife and 50 CFR 17.31(b) describes the authority available for threatened wildlife. In this section of the regulations, certain employees of the USFWS, other Federal land management agencies, National Marine Fisheries Service and state conservation agencies are given the authority to aid wildlife species and are given specific steps that must subsequently be followed regarding disposition of these specimens.

***1609.4 Sources of Federal Permits***

Inquiries regarding Federal Migratory Bird permits and criteria for qualified wildlife rehabilitators are to be directed to the following:

Migratory Bird Permit Office
U.S. Fish and Wildlife Service
300 Westgate Center Drive
Hadley, MA. 01035 Phone: (413) 253-8643

Inquiries regarding Federal Endangered Species permits may be directed to:

Ecological Services Operations
U.S. Fish and Wildlife Service
70 Commercial Street, Suite 300
Concord, NH 03301-5087 Phone: (603) 223-2541

In a spill situation, response and rehabilitation permit needs for endangered species will be determined by the USFWS on an emergency case by case basis administered under 50 CFR17.21, 22, 31, and 32. Specific information with regard to obtaining a Federal permit for endangered species rehabilitation can be obtained through the USFWS Region 5 Ecological Services Operations Office listed above.

USFWS personnel will handle all Federal permit activities through the Ecological Services Field Office responsible for the area where the spill occurs. The Field Office will coordinate Migratory Bird and Endangered Species permit needs with appropriate Regional Office staff.

***1609.5 Sources of State Permits***

State wildlife permits may be obtained through the following agencies in Maine and New Hampshire:
Maine Department of Inland Fisheries & Wildlife
284 State Street
SHS 41
Augusta, ME 04333-0041
(207) 287-5252

New Hampshire Fish and Game Department
11 Hazen Drive
Concord, NH 03301
(603) 271-2462

Note: These permits would pertain to resident wildlife species other than those listed as migratory birds or endangered species.

No reference to marine mammals has been made here. For regulations under the Marine Mammal Protection Act with respect to cetacea (whales and porpoises), pinnipedia, other than walrus (seals and sea lions), see 50 CFR part 216 which comes under the jurisdiction of the National Oceanic and Atmospheric Administration.

***1609.6 Endangered Species Act (ESA)***

The Endangered Species Act provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. The U.S. Fish and Wildlife Service (USFWS) maintains a list of endangered and threatened species. Species include birds, insects, fish, reptiles, mammals, crustaceans, flowers, grasses, and trees. Anyone can petition USFWS to include a species on this list. The law prohibits any action, administrative or real, that results in a "taking" of a listed species, or adversely affects habitat. Likewise, import, export, interstate, and foreign commerce of listed species are all prohibited.

A list of Endangered and Threatened Species in Maine and New Hampshire is included in Appendix 9706

The mission of the Endangered Species Act (ESA) is to: (1) identify species needing protection and provide means to protect and recover those species; (2) provide for consideration of listed species prior to any federal action that may affect them; and (3) to prevent and punish takings of those species and harm to their critical habitats. The ESA's main sections of 4, 7, and 9 provide the basic structure for the Act's missions.

ESA Section 4 contains the process for the initial listing of endangered and threatened species and for critical habitat. This section also mandates that the U.S. Fish and Wildlife Service or NOAA National Marine Fisheries Service (NOAA NMFS) prepare recovery plans for each listed species in order to identify and implement the measures needed to protect and recover each species. ESA Section 7 mandates that all federal agencies carry out programs for the conservation of endangered and threatened species.

Section 7 requires that federal agencies consult with the Secretary before taking any action which may affect a listed species in order to ensure that the action will not jeopardize the continued existence of the endangered species or result in the destruction or modification of critical habitat for the species. The Act is applicable to all federal departments and agencies and to all actions "authorized, funded or carried out" by them including federal permits, federal funding, or other federal action necessary to a private project. Federal action cannot occur without consultation between the permitting agencies and the USFWS or NOAA NMFS if a listed species may be affected by the planned activity. The consultation process includes issuance of a "biological opinion" by the agency with jurisdiction over the endangered species assessing the nature and extent of the jeopardy posed to that species by the agency action.

ESA Section 9 contains prohibitions against "takings" of listed species. The statute defines "takings" as to "harass, harm, pursue, hunt, wound or attempt to engage in any such conduct." "Harass" is further defined by regulations as an intentional or negligent act or omission that

significantly disrupts normal behavior patterns of the endangered animal. Similarly, "harm" is defined to include activity that results in significant environmental modification or degradation of the endangered animal's habitat.

***1609.7 Compliance with the Endangered Species Act***

The guidance provided in this ACP is aimed at ensuring that response actions will not adversely affect or jeopardize Federally-listed threatened or endangered (T/E) species, protected marine mammals, listed migratory bird species, or essential fish habitat (EFH).

Decisions on if and how to proceed and then when to terminate cleanup operations are made on a site-specific basis by the action agency (e.g., Coast Guard FOSC) and/or Unified Command after consulting with the Federal Trustees (National Oceanic and Atmospheric Administration, U.S. Department of Interior, and defined in Subpart G of the National Contingency Plan [NCP]), and state and local trustees and agencies. In developing cleanup strategies and cleanup endpoints, the potential effects on the environment and other attributes caused by further cleanup activities is weighed against the ecologic and other impacts of leaving residual oil in place.

As outlined in the "Inter-Agency Memorandum of Agreement 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" ( ESA MOA), T/E species and critical habitats information obtained from the Services (National Marine Fisheries Service, U.S. Fish & Wildlife Service) are compared against potential response actions to provide a preliminary assessment of sensitive site protection strategies for potential response actions that are non-incident specific.

Final estimates of whether response actions may adversely affect T/E species, critical habitat, fish and wildlife, or EFH can only be made during an actual spill incident when seasonal and environmental conditions are known. Under emergency consultation at the time of an actual incident, specific for a response action, the Services will provide best management practices (BMPs) for species or habitat to minimize, mitigate or eliminate altogether its adverse effects.

Approval of this ACP in itself does not constitute an action that affects T/E species, critical habitat, fish and wildlife, or EFH. When utilized, the ESA MOA and pre-authorization agreements in this ACP, per 50 CFR 402.05, can serve to expedite a response decision when time is of the essence. The Coast Guard is aware of its responsibility under the Federal ESA and other fish and wildlife Acts and coordinates pre-spill planning, spill response and post-spill activities with the Area Committee, Federal Trustees and Services, and U.S. Environmental Protection Agency (EPA).

**1610 Protection of Historic Properties**

Congress passed the National Historic Preservation Act (NHPA) in 1966, which established a national policy for protection of historic and archaeology sites and outlined responsibilities for federal and state governments to preserve our nation's history. Section 106 of this act provides

for Federal agencies to take into account the effects of their undertakings on historic properties that are listed in, or eligible for, inclusion in the National Register of Historic Places (NRHP). Federal regulations require the lead agency to consult with State Historic Preservation Offices (SHPOs), Tribal Historic Preservation Officers, Federal land managers, and other stakeholders regarding any adverse effects on Historic Properties prior to the commencement of the undertaking. Guidelines for complying with the National Historic Preservation Act are outlined in Appendix 9705.

The applicable regulations are:

- 36 CFR 67, National Register of Historic Places
- 36 CFR 800, Protection of Historic Properties (Advisory Council on Historic Preservation)
- The Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation

In 1980 and later, a series of amendments to the National Historic Preservation Act and other preservation legislation included:

- Requiring an inventory of Federal resources and Federal agency programs to protect historic resources
- Authorization for Federal agencies to charge reasonable costs, for protection activities, to Federal permittees and licenses. (This provision resolved a controversy about whether private interests could be required to pay costs of protecting archeological and historic resources that would otherwise be destroyed by those activities.)
- Established Tribal Historic Preservation Officers and required Federal Agency consultation with THPOs for the effects of undertakings on historic properties on Tribal lands.

Further guidance can be found in the Programmatic Agreement on Protection of Historic Properties during Emergency Response under the National Oil and Hazardous Substances Pollution Contingency Plan at https://urldefense.proofpoint.com/v2/url?u=https-3A__www.hsdl.org_-3Fabstract-26did-3D447234&d=DwMGaQ&c=0NKfg44GVknAU-XkWXjNxQ&r=34hoTEECcGODmIfVBgSOw_8okvu9s_YEf_TH4sCcC1A&m=4XKObjLBXOYnK90Q0vQEkfdAE9bUfqf1mCUa8qyMpdY&s=uj2kQM1l0ILHbyQEGZmTBWM2yhnuKh_FI1T6IICiQ7k&e=

**1611 Alternative Response Technical Evaluation System (ARTES)**

ARTES is designed to provide the FOSC with a method for evaluating optional response countermeasures in advance or during an oil or chemical spill. A FOSC may use the ARTES for evaluating proposed conventional but unfamiliar countermeasures as well, such as alternative sorbents. For more information regarding ARTES, see ARTES Evaluation Policy.

**1612 Specialized Monitoring of Advanced Response Technology (SMART)**

SMART establishes a monitoring system for rapid collection and reporting of real-time, scientifically based information, in order to assist the Unified Command with decision making during in-situ burning or dispersant operations. For more information about SMART, see http://response.restoration.noaa.gov/smart

**1613 Policy for Removal and/or Destruction of a Vessel to Protect the Environment**

The USCG Marine Environmental Response and Preparedness Manual (MERMAN), Commandant Instruction Manual (COMDTINST M) 16000.14(series), provides detailed policy and guidance on vessel destruction policies, as well as procedures for FOSCs to follow when requesting vessel destruction approval from the Commandant for an actual or substantial threat of a discharge or release.

The FOSC must make the initial determination of whether, in order to eliminate a threat of pollution, an abandoned vessel should be removed or destroyed, but only the Commandant of the Coast Guard (CG-00) may authorize such actions. Before the FOSC requests Commandant approval to destroy an abandoned vessel, the FOSC should first make a concerted effort to find the owner of the vessel. In formulating a request to destroy or remove the abandoned vessel, the FOSC should attempt to define why the vessel poses a substantial threat to the environment. In order to do this, the FOSC should consider, at a minimum, the following factors:

1. The threat of pollution that would be posed by any residual oil or hazardous substance that would remain on the abandoned vessel if cleanup operations were not to include disposal of the abandoned vessel.
2. The historical record of the abandoned vessel as a site for illegal dumping and the substantial likelihood that the abandoned vessel will be a site for future illegal dumping.

In accordance with the references above, when the FOSC determines that removal or destruction of the abandoned vessel is necessary to eliminate the pollution threat, the FOSC must submit a request for permission to remove or destroy the vessel to Commandant. The submission should include, at a minimum, the following information:

1. Reference to the above listed Abandoned Vessel Destruction references
2. A description of the abandoned vessel, including its age and condition.
3. A brief recitation of the circumstances for requesting for the removal or disposal of the vessel (ex: illegal dumping site that has a discharge or substantial threat of discharge of oil or a hazardous substance into the environment).
4. A description of any threats to the public health or welfare and environment (e.g. critical habitats or environmentally sensitive areas).
5. Are other waterway stakeholders involved in discussions regarding the vessel (e.g. Dept. of Natural Resources)?

6. A brief statement recognizing that the National Pollution Fund Center (NPFC) Regional Manager and/or Case Officer has been briefed on the situation and that the NPFC agrees that the use of the Oil Spill Liability Trust Fund (OSLTF) is appropriate for the removal and disposal of the vessel from its present location.

7. Enclosures (Photographs, maps, graphs etc…)

This request should receive District and OPCOM endorsements prior to submission to Coast Guard Headquarters for approval.

**1613 Disposition of Vessels Once Oil Removed**

When encountering damaged vessels in the field, a rigorous preliminary assessment must be conducted to determine the scope of actual or potential pollution from the vessel. Vessels can be found in various circumstances. They can be fully or partially submerged, beached/grounded, or abandoned at a pier or mooring. Each situation presents logistical challenges for response and removal, and different hazards to the environment or the waterway.

For any such vessels with oil or hazardous materials aboard, pollution response/clean-up should be planned and executed to provide the most prompt, thorough clean-up followed by the complete salvage or removal of the vessel (when possible). This may be accomplished using a variety of response tactics and funding sources, including federal (Oil Spill Liability Trust Fund [OSLTF] or Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA], state, local, or the Responsible Party (RP). Even when oil or hazardous materials has been removed, persistent threats from residual sheening, debris, or hazards to the waterway can continue from the vessel. While salvage or complete removal of the vessel is ideal, in some instances – particularly when the vessel is abandoned – this can be challenging.

Although certain state and local jurisdictions may have the authority to remove vessels regardless of whether they have pollution aboard, they may not have the funding or staff to accomplish this alone. New Hampshire has no mechanism to remove vessels that have no known pollution threat. Use of Coast Guard or other federal authorities in conjunction with state or local authorities often provide the best opportunity for the complete removal of the subject vessel.

If oil and/or hazardous materials have been successfully removed/cleaned from a damaged vessel, or if there were none aboard to begin with, authorities to respond may be more limited as well. In particular, the Coast Guard will have few authorities and tools to bring to bear. At best, the Coast Guard can focus on any general safety and navigational hazards that remain. However, funding via OSLTF or CERCLA, which can normally be used in responding to pollution threats, will not be available. Coast Guard policy generally does not authorize the use of these funds for the salvage, removal, or destruction of vessels.

Nonetheless, the problem of the vessel's disposition remains. In some cases, it may be acceptable to leave the vessel in place, particularly if there are no enduring pollution, hazard to navigation/waterway, or safety concerns. In this event, periodic monitoring must continue to ensure the vessel's situation does not deteriorate. In other cases, a vessel that has had oil or hazardous materials successfully removed must be salvaged, removed, and/or destroyed. Given the Coast Guard's limited authorities and funding sources, other means for removal may be pursued, including:

1. U.S. Army Corps of Engineers (ACOE): Under 33 U.S.C. 414, the Army Corps of Engineers (ACOE) has the authority to remove obstructions to navigation, including sunken vessels. Depending on the cost of the removal, such an operation may be approved at the District Engineer level. Certain criteria will have to be met before the ACOE will undertake such an operation. Responders seeking ACOE assistance should consult with them early to ascertain if they can assist. Aside from contacting the local ACOE District, guidance can be found in 33 C.F.R. Part 245 and the "Memorandum of Agreement between Department of Army and U.S. Coast Guard on Responses to Marking and Removal of Sunken Vessels and Other Obstructions to Navigation (1985)."

2. Environmental Protection Agency (EPA) Ocean Dumping Program: The Environmental Protection Agency's (EPA) Ocean Dumping Program may be available when the removal and destruction of a vessel is necessary. Per 40 CFR. Part 220 – 224, the EPA may issue Ocean Dumping Permits for the disposal of vessels at sea. Other agency consultations with the Coast Guard and National Oceanic and Atmospheric Administration (NOAA) will be required for permit approval, but the EPA manages the overall Ocean Dumping Program. This program may be particularly useful when vessel owners want to remove their vessels, but lack the means to do so. Note that EPA's Ocean Dumping Program carries with it a number of strict requirements on the condition and preparation of the vessel, the specific location of where it will be disposed of offshore, and a detailed plan for how disposal will be completed. For a private entity or governmental agency seeking such a permit, compliance with these requirements can be quite costly or cost-prohibitive. The EPA Region I Office should be consulted early regarding their requirements and process for obtaining an Ocean Dumping Permit.

3. State and Local Governments: State and local government means of removal remain an option. State and local methods that have been successful include: a.) utilizing state law that authorizes the removal of abandoned vessels, or b.) seeking a court order for removal from local government. As with the ACOE process above, these methods are available whether oil or hazardous materials are aboard or not. New Hampshire has no mechanism to remove vessels that have no known pollution threat.

4. Private Entities: In some instances where federal, state, or local government authorities and resources are inadequate, private sources may be used to fund and coordinate the salvage, removal, and/or destruction of a vessel. In addition to the vessel owner, these private sources could include impacted property owners or stakeholders that are willing to undertake the response. If such private entities intend to fund and coordinate such activities, cognizant federal, state, and local responders should engage them continually to ensure the safety and effectiveness of their vessel salvage/removal plans.

Further guidance is available National Response Team's Abandoned Vessel Authorities and Best Practice Guidance, 2020 Update

**1700 Reserved for Area**

**1800 Reserved for District**

**1900 Reserved**

## 2000 Command

### 2100 Unified Command

It is the strategy of the Maine and New Hampshire Area Committee to manage spill incidents according to the following principles:

Incident Command System - The signatory agencies will use the National Incident Management System (NIMS) model Incident Command System (ICS). Further information on the ICS structure can be found in the Coast Guard Incident Management Handbook.

Unified Command - When an entity arrives on-scene to participate in managing a response action, the agencies will utilize a Unified Command structure to jointly manage the spill incident. In the Unified Command, decisions with regard to the response will be made by consensus and documented through a single Incident Action Plan (IAP).

The Unified Command (UC) is a structure that brings together designated senior representatives of major organizations that have (1) jurisdictional responsibility for the incident, (2) are charged with managing or coordinating a major aspect of the response, (3) have resources to support participation in the response organization, and (4) their organization's area of responsibility is impacted by the incident or response. UC representatives must be able to:

- Agree on incident objectives and priorities;
- Have the capability to sustain a 24-hour-7-day-a-week commitment to the incident;
- Have the authority to commit agency or company resources to the incident;
- Have the authority to spend agency or company funds;
- Agree on constraints/limitations, priorities, decisions, and procedures;
- Agree on an incident response organization;
- Agree on the appropriate Command and General Staff position assignments;
- Commit to speak with "one voice" through the Public Information Officer or Joint Information Center, if established;
- Agree on managing sensitive information and operational security issues;
- Agree on logistical support including resource ordering procedures; and
- Agree on cost-sharing and cost-accounting procedures, as appropriate.

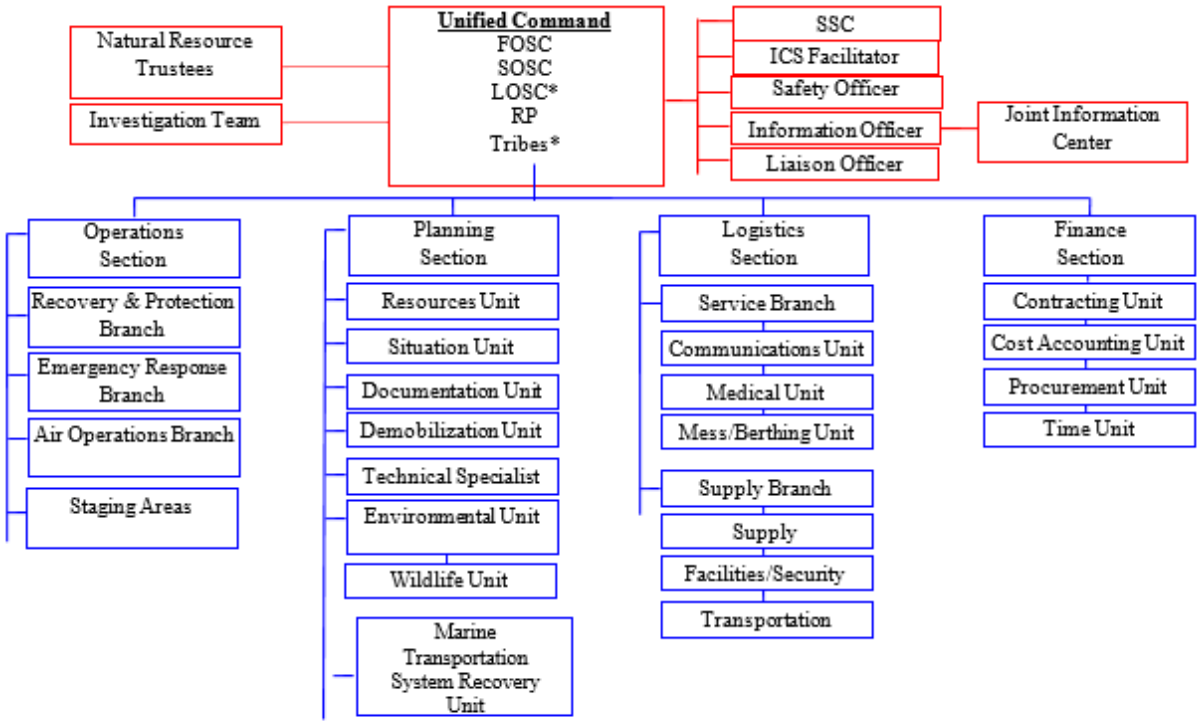
Organizational charts for the UC & Command Staff and its subordinate units are shown in figure 2-1. They serve as examples and are not meant to be all inclusive. Functions of the UC & Command Staff can be performed by one individual or can be expanded, as needed, into additional organizational units with appropriate delegation of authority. Each of the UC/ICS Sections may be sub-divided as needed. The UC/ICS organization expands or contracts to meet

the needs of the incident. The Incident Commander or UC should first review the response objectives and priorities in this section then consult the appropriate Incident Annex for further guidance. Additional guidance on ICS staff positions can be found in the Coast Guard Incident Management Handbook (IMH), USCG COMDTPUB P3120.17B.

The IMH also describes the roles of each member of the ICS Command staff (which is outlined in red in Figure 2-1) and of the General Staff which is made up of the Operations, Planning, Logistics and Finance Section Chiefs.

Figure 2-1

Unified Command Organization




*May be assigned to a section as needed during an incident

**2101 Unified Command (UC) Representatives**

The number of UC representatives can vary based on the incident. Members of UC include but are not limited to:

- The pre-designated Federal On-Scene Coordinator (FOSC);
- The pre-designated State On-Scene Coordinator(s) (SOSC);
- The Qualified Individual (QI) or Incident Commander representing the Responsible Party (RP);

- The local On-Scene Coordinators; and
- The tribal On-Scene Coordinators or Department of Interior land manager, as appropriate.

The Unified Command will typically plan for 24 hour operational periods. If there is a need for extended daily operations or night operations, plans should be made to provide sufficient staffing to established two shifts for each daily operational period. This will ensure members are not excessively fatigued which can lead to less than optimal decision-making and jeopardize safety. Qualified deputies should be assigned to represent each of the key organizations in the Unified Command to facilitate necessary rotation of personnel. Additionally, if a response operation extends beyond three weeks, provisions should be considered to rotate in fresh personnel to fill the Unified Command positions and ensure the initial unified command representatives are not excessively fatigued.

***2101.1 Incident Commander***

For a detailed description of the roles and responsibilities of the Incident Commander (IC), please refer to the Coast Guard Incident Management Handbook and the Incident Commander job aid.

**2102 Federal Representative**

As outlined in the National Contingency Plan (40 CFR 300.120), the FOSC or OSC "directs response efforts and coordinates all other efforts at the scene of a discharge or release". Appropriate designation between the USCG and EPA can be determined by the most recent version of the Regional Response Team Federal Region I (RRT I) Memorandum of Understanding indicating demarcation of the Inland and Coastal Zones.

***2102.1 Coast Guard FOSC***

The pre-designated Coast Guard FOSC for the Maine and New Hampshire Coastal Zone is the Sector Commander/Captain of the Port (COTP), Coast Guard Sector Northern New England. The Deputy Sector Commander or other designated representative may fulfill the role of FOSC in the Sector Commander's absence.

***2102.2 Environmental Protection Agency OSC***

The pre-designated EPA OSC for the Maine and New Hampshire Inland Zone is the on-call OSC for EPA Region I.

**2103 State Representative**

As per the National Contingency Plan (40 CFR 300.180), "each state governor is … requested to designate a lead state agency that will direct state-led response operations. This agency is responsible for designating the lead state response official for federal and/or state-lead response actions, and coordinating/communicating with any other state agencies, as appropriate".

***2103.1 Maine SOSC***

The pre-designated SOSC for Maine is the Director of the Division of Response Services for the Department of Environmental Protection (DEP). In his/her absence, Maine DEP will designate a representative to join the UC.

***2103.2 New Hampshire SOSC***

The pre-designated SOSC for New Hampshire is the Administrator of the Spill Response and Complaint Investigation Section of the Waste Management Division under the Department of Environmental Services (DES). In his/her absence, New Hampshire DES will designate a representative to join the UC.

**2104 Qualified Individual (QI)/Responsible Party (RP) Representative**

The QI/RP representative is the single point of contact designated and authorized to act on behalf of a potential RP in the event of a spill. The QI/RP representative will typically be included in the UC.

**2105 Local Government OSC**

A local government representative such as the fire chief or senior fire official representing the town from which the spill originates should be included in the UC. Often times the local government representative is the first arriving responder, thus providing continuity as the initial response shifts to a Unified Command-based structure.

**2106 Tribal OSC**

The United States has guaranteed the right of Indian tribes to self-government and inherent sovereign power over their members and territory. Within the U.S. Department of the Interior (DOI), the Bureau of Indian Affairs (BIA) acts as the principal agent to carry out government-to-government relationships with federally recognized Indian tribes; however, Executive Order 13175 dated November 6, 2000 directed all federal agencies to consult directly with federally recognized Indian tribes. The following are steps the IC/UC should take when incidents have occurred or may occur on or near tribal lands:

- Notify the U.S DOI, Office of Environmental Policy and Compliance, Regional Environmental Officer (REO), (617) 223-8565. The REO will contact the BIA Eastern Regional Office.
- Contact the affected tribal government directly if the IC/UC has points of contact.
- Notify the EPA Regional Office of Environmental Justice and Tribal Affairs.
- Communicate with the tribal government officials prior to entering tribal lands. This discussion may be facilitated by the BIA or DOI.

A tribal representative/OSC should be integrated into the UC structure whenever a spill takes place on or near tribal land or involves Tribe members or companies. Federally recognized tribes having an interest in spill response within the Maine/New Hampshire ACP area of responsibility are the Passamaquoddy Tribe at Pleasant Point, Maine and the Penobscot Indian Nation (contact information can be located in Section 9210).

**2107 Scientific Support Coordinator**

The NOAA Scientific Support Coordinator (SSC) is a principal advisor to the FOSC for scientific issues and will typically serve as a member of the Command Staff and coordinate with the Environmental Unit. Please refer to Chapter 20 of the Coast Guard's Incident Management Handbook for the major roles and responsibilities of the Scientific Support Coordinator.

**2108 Setting Response Objectives**

The IC/UC must analyze the overall requirements of an incident and determine the most effective direction for the response to follow. As such the IC/UC is responsible for developing and updating the incident objectives. The objectives form the foundation of the Incident Action Plan (IAP) and should be specific, measurable, achievable, realistic, and time sensitive. Depending on the incident, the objectives can address a wide variety of facets, such as the following:

- Provide for the safety and welfare of citizens and response personnel (Safety).
- Locate and evacuate all passengers and crew (Search and Rescue).
- Contain and recover spilled material (Oil/HAZMAT Spills).
- Conduct damage/stability assessment; develop and implement a salvage plan (Salvage).
- Keep the public, stakeholders, and media informed of response activities (Public Affairs).
- Minimize adverse effects on the environment (Environmental).

Examples of expanded objectives for a variety of incidents can be found in the U.S. Coast Guard Incident Management Handbook, COMDTPUB P1320.17B.

Top Area specific response objectives include providing for the safety of responders and the general public, securing the spill source and protecting environmentally sensitive areas

## 2200 Safety

**2201 Safety Officer**

During an incident the IC/UC may deem it necessary to identify a Safety Officer (SOFR). The Safety Officer's primary responsibilities are laid out in the Coast Guard's SOFR Position Job Aid and the Coast Guard Incident Management Handbook.

**2202 Assistant Safety Officer**

Assistant Safety Officers (ASOFR) may be brought on to assist the SOFR or provide additional skills and expertise that the SOFR does not possess. The major responsibilities of the ASOFR are described in the Coast Guard Incident Management Handbook. The incident scope, duration, and complexity, and the technical expertise of the SOFR can all play a role in determining the necessary support. To establish the number of ASOFRs required the following guidelines may be applied:

- One ASOFR for each high-risk activity
- One ASOFR for every 100 responders
- One ASOFR for completing the Site Safety Plan and providing input to the Incident Action Plan
- One ASOFR to coordinate air monitoring or other specialized assessments
- One ASOFR available to assist the Operations Section Chief with real-time tactical decisions
- One ASOFR to support multiple incident support facilities

**2203 Site Characterization**

It is important to understand the incident site characteristics in order to prepare the site safety plan. The individual making the site characterization should provide recommendations for the protection of workers' safety and health through a Site Safety Plan. Ultimate responsibility for the health and safety of personnel supporting a pollution response mission rests with the FOSC. Site safety meetings/briefings are the first step to maintaining site safety. They should address any changes to the Site Safety Plan or new hazards to the workplace. Site safety meetings should be held on a daily basis prior to entry into the controlled work area. Conditions may warrant exit debriefing meetings to be held at the end of the day or after departure from the controlled work area.

**2204 Site Safety Plan Development**

The SOFR may be required to complete a Safety Plan (ICS 208). State and Federal OSHA regulations require this site-specific document, also known as the Site Safety and Health Plan (SSHP). It is compatible with ICS and is intended to meet the requirements of the Hazardous Waste Operations and Emergency Response regulation (Title 29, Code of Federal Regulations, Part 1910.120). Although primarily designed for oil and chemical spills, the plan can be used for all hazard situations. At a minimum it addresses the following elements:

- Health and safety hazard analysis for each site task or operation; including review of Safety Data Sheets (SDS)
- Personnel training requirements;
- PPE selection;

- Occupational medical/air monitoring requirements;
- Confined space entry procedures; and
- Health and safety briefing for all participants prior to commencing operations.

**2205 Safety Compliance Requirements**

The National Contingency Plan mandates that all response actions comply with the provisions designated by the Occupational Safety and Health Administration (OSHA) standards regarding health and safety.

The regulations set forth in 29 CFR 1910.120 set the standards for worker safety and health at uncontrolled hazardous waste sites being cleaned up voluntarily or by government mandate, and "emergency response operations for releases of, or substantial threats of releases of, hazardous substances without regard to the location of the hazard." The definition of hazardous substances in these regulations is much broader than CERCLA, encompassing all CERCLA hazardous substances, RCRA hazardous waste, and all hazardous materials listed in 49 CFR 172. Thus, most oils and oils spill responses are covered by these regulations.

The role of the site safety officer is to assess the site, determine the safety and health hazards present, and determine if OSHA regulations apply. If an OSHA field compliance officer is on-scene, he/she should be consulted. Concerns should be referred to the Department of Labor representative on the RRT. Safety concerns should be brought to the SOFR's attention and vetted through IC/UC for resolution as needed.

**2206 Responder Training**

Generally, pollution response personnel working in contaminated areas must complete a 40-hour course that meets OSHA training requirements described in 29 CFR 1910.120(e)(3)(i). The OSHA representative to the RRT has been empowered by OSHA Instruction CPL 2-2.51 to reduce the training requirements to a 4-hour course for responders engaged in post-emergency response operations. The reduced training applies to all federal, state, and local government participants as well as the private sector; however, training requirements may also vary from state to state. Because Maine and New Hampshire do not have OSHA-approved plans, state and local employees fall under rules adopted by the U.S. Environmental Protection Agency (40 CFR 311). The two agency rules contain nearly identical requirements, since 40 CFR 311 incorporates the provisions of 29 CFR 1910.120. The exception is that the OSHA rule covers only compensated workers, whereas the EPA rule covers non-compensated (volunteer) workers as well.

Personnel who are skilled in the operation of certain support equipment (i.e. cranes, hoist equipment), who are needed temporarily to perform immediate emergency support work that cannot otherwise reasonably be performed in a timely manner, and who will be or may be exposed to the hazards of an emergency response scene, are not required to meet the 40-hour or 4-hour training requirements; however, such personnel should be given, at a minimum, a one-hour initial safety briefing on the wearing of appropriate personal protective equipment, what

chemical hazards are involved, and what duties are to be performed, in accordance with 29 CFR 1910.120(q)(4).

Guidelines for meeting OSHA requirements for volunteers assisting in the response are discussed in Section 9408 of this ACP.

## 2300 Information

### 2301 Public Information Officer

A Public Information Officer (PIO) should be assigned to manage communications with the public, media, and response personnel during an incident. A description of the primary duties and responsibilities of PIO can be found in the Coast Guard Incident Management Handbook and in the Coast Guard's PIO Position Job Aid

Pre-designated PIOs for agencies in the Maine and New Hampshire area, in conjunction with the Area Committee, can take steps *prior to an incident* to better prepare for a successful public/media engagement *during an incident*.

- Develop and update a media contact list for the area (maintained by USCG SNNE designated PIOs/Public Affairs Officers.
- Know the partner agency PIOs before an incident occurs.
- Understand their agency's policies regarding information release and establish processes to release it (releases, conferences, etc.)
- Assemble general information packets for media/public education (CDs, pamphlets, fact sheets, etc.)

Once an incident has occurred, the initial actions by the PIO can help set the tone for the overall perception of the response. The PIO should consider the following initial actions:

- Establish dedicated phone lines for media inquiries.
- Implement a process for collecting timely, complete and accurate information by reaching out to elements across the IC organization – particularly the Situation Unit and the Unified Command.
- Prepare an initial press release and have it approved by the IC/UC. Establish a process to ensure timely release of routine press releases – possibly employing a review by Deputy ICs.
- Recommend a JIC location (as needed) and assign staff positions.
- Develop talking points and command messages for the incident.
- The ME/NH Area Committee's policy is to avoid speculating on the amount of oil or hazardous materials discharged. Whenever possible, the reported amount discharged should be based on the difference between verified measurements of the amount of product that was in all potentially impacted tanks (or other sources) prior to and following a release. If verified measurements of the amount of product that was in all potential discharge sources is not available, then estimates of the amount of product released should be based on the total

capacity of all impacted tanks (or other sources). This conservative method of estimating the amount spilled will be used unless there is a strong consensus among the incident commanders (including the FOSC) that an alternate estimation method should be used.

- The ME/NH Area Committee's policy is to use gallons as the unit of measurement for all reports of the amount of liquid product discharged or recovered during an incident response.
- Coordinate a press conference with the IC/UC and develop a press package. (Ideally a room separate from the ICP should be identified for press briefings. This will help alleviate interruptions with responders.)
- Systematically monitor news and social media coverage of the incident in order to provide the ICs with ongoing feedback on public and private perceptions and interests
- Establish close coordination with the Liaison Officer to ensure consistent communications and messaging.
- Utilizing the draft Public Information Plan found here as well as the Wildlife Press Release template found here.

**2302 Media Briefings**

***2302.1 Protocol for Access/Timing Media Briefings***

The question of media access to spill sites may arise during emergencies, usually because of one of three issues: safety, potential interference with response activities, or admission to private property. In general, it should be the Unified Command's policy to allow free access for the media where public resources are concerned, with reasonable guidelines to protect personal safety and preclude interference with response activities.

The information officer must work through and seek permission from the UC before allowing media access to the emergency scene or the Incident Command Post. If conditions will not accommodate crowds of reporters, "pool" reporting may be necessary on a temporary basis. In regard to private property (a spill, for instance, on the grounds of a privately owned refinery or storage facility) reporters or their companies must negotiate their own access. The information officer should obtain permission and legal counsel before releasing photos or video footage on private property, both for purposes of conserving legal evidence and potential violation of owners' rights.

The general public's opinion of response efforts is not always based upon what action has been taken, but upon what information they have received. Supplying information to the media is a critical component of spill response and is a primary function of the FOSC. Early and accurate news releases serve to minimize public apprehension and to enhance their faith in the response community. The NRT's Risk Communication For Oil Spill Response fact sheet provides additional information regarding communications.

The media and the general public are looking for timely and complete information continuously. More rapid information dissemination can be provided via an incident specific website, Twitter, Facebook and/or other social media platforms. NOAA's Environmental Response Management Application (ERMA) is available to provide emergency responders, environmental resource managers and stakeholders web-based Geographic Information System (GIS) based situational updates on incident status.

The following general guidelines are provided:

- Fast and accurate information must be provided to protect public health and obtain public cooperation, and to assist in guarding against further environmental damage.
- Clear communication by spill response authorities is essential for the delivery of accurate information to avert misinformation or rumors sometimes engendered by an emergency.
- The FOSC must immediately establish and maintain his/her position as chief articulator of an incident. It is the Federal and State OSC's role - not the role of the spiller or others--to deliver public statements regarding the effects of a spill, including evaluations of a spill's size, extent, nature, dangers to public health or resources, details of the response plan, the FOSC's expectations for response plan implementation, degree of success or lack of success of a spill response, and the anticipated long-term effects of a spill.
- When a spill occurs, the FOSC must immediately open communications with local government officials of affected communities, conveying facts needed by residents for their own response activities and protection of public health and resources. State Emergency Management Agencies (ME EMA/NH HSEM) can assist conveying information to local government officials. Initial phone calls to establish communication channels with local governments and appropriate organizations, such as fishermen and native groups, should be followed by regular updates through spill bulletins, press releases, and briefings.

***2302.2 The Daily Press Briefing***

During a significant spill with a rapidly developing situation and the presence of a large number of reporters, a briefing held daily at a pre-established time (10:00 am and/or 3:00 pm is recommended) is one of the most useful means of delivering information. This is an opportunity for the FOSC and other spokespersons to brief the press and answer their questions, and for other key staff members to follow up with important data. For example, if applicable, natural resource managers should present information on wildlife and fisheries impacts or public health authorities may offer their findings on contamination of local subsistence foods. It is the information officer's duty to work with the FOSC to prioritize the information according to importance, point out backup factual material and other sources, provide written information for distribution, and conduct the press briefing. Since effective public messaging is key to a successful response, Incident Commanders, the PIO and other key stakeholders are encouraged to set aside approximately 30 minutes prior to a press briefing or press conference to ensure presenters are well coordinated and fully prepared to address the media. Example Key Messages and answers to common questions are available in the PIO Job Aid. These press briefings may

relieve the FOSC and other spokespersons of some of the pressure of interviews throughout the remainder of the day, as well as free reporters to proceed with fieldwork.

***2302.3 News Releases, Fact Sheets, and Background Papers***

News releases should be reserved for announcements of major decisions, policy changes, or new developments. They must report on items that are actually news, should summarize issues clearly, and provide quotes from decision-makers that encapsulate and clarify the Unified Command's position. Distribution should be to affected communities and all response agencies in addition to the media. WEB EOC is one method by which information can be quickly disseminated to affected communities. Fact sheets should be prepared and updated regularly to present key data needed by the press or the public, such as amounts of oil or hazardous substance spilled or cleaned up, or wildlife mortalities. If operations permit, these sheets should be reviewed by the applicable Sections prior to release. The Information Coordinator can be used to facilitate this process. Background papers should be written to amplify and clarify complex issues and the Unified Command's related actions and policies.

A press release should tell the who, what, when, where and how of an incident. Once these basic elements are developed, the press release should address items of specific concern to the media and the public, including the following items:

- What is the danger to the public?
- Who is taking responsibility for the spill?
- What is the response? What kind of equipment is being deployed?
- What is the relationship of response to the ACP?
- What is the cause of the incident?
- How toxic is the spill? What are the safety concerns, if any?
- What is the impact?
- What type of oil is it and what are its significant properties?
- How much will the cleanup cost and how long will it take?
- How many gallons were spilled?
- How long will the cleanup take?
- What should I do if I see oil/oiled wildlife?
- Who is involved in the response?
- Is this the worst spill in the region: compare with history of other spills in the area?
- Has the master and crew of the ship been tested for drugs and alcohol?
- Is benzene present, is it a problem?

- What should people do if they get oil on them?
- Who should be contacted for claims?
- Provide any contact information that the public can access; e-mail, twitter, phone numbers, etc.

Incident News is a website that is maintained by the , Office of Response and Restoration, National Ocean Service, National Oceanic and Atmospheric Administration, in support of the USCG. This site contains information provided and approved by the Unified Command for specific spill incidents. Information is posted on the site as it becomes available. The timing of updates depends on the nature of each spill and resources available to post the material. The date of updates is noted on each page. During rapidly-evolving events, the site might be updated several times per day. In the later phases of a response, the site might be updated once per week.

**2303 Function of the Joint Information Center (JIC)**

The JIC is the location where multiple agencies and organizations come together to manage information needs during an incident response. The roles of the members of the JIC include:

- Serve as a central location for media to receive up-to-date information about the response.
- Provide multiple phone lines for incoming calls, staffed by knowledgeable individuals.
- Ensure Responsible Party, state and federal government Public Affairs representatives are available to the media.
- Issue news releases and other information and provide copies to response officials.
- Schedule and coordinate news conferences and media briefings.
- Establish an incident-specific website and begin monitoring social media as soon as possible for a major incident response.
- Provide the responsible party an opportunity to coordinate their media efforts with those of the federal and state OSCs.
- Coordinate information to government officials and arrangements for over-flights and tours of the response site.
- Provide community relations support in keeping local civic, business and opinion leaders informed and providing outreach to the general public.
- Handle inquiries from all sources -- media, government officials and the general public.
- Provide information to all spill responders regarding the status of the response.
- As needed a representative from the Environmental Unit or Scientific Support Coordinator's staff should be assigned to the JIC to ensure coordination on scientific issues prior to releasing information to the media.

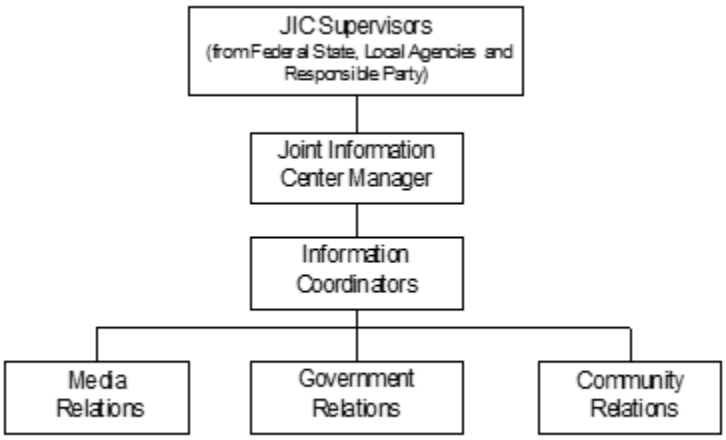
Of additional note, the PIO and JIC members must seek permission from the IC/UC and work through the appropriate staff (such as the Wildlife Branch Director) before allowing media access to field operations.

The National Response Team has created a Joint Information Center (JIC) Model which explains what a JIC is and why a JIC is established. It outlines the structure, processes, functional positions and roles and responsibilities of JIC personnel. It also includes Risk Communications Strategies and Guidelines, Guidelines for News Releases, Sample News Releases, Speaker Preparation Worksheets. .

This document is intended for field use and can be located at: JIC Model

***2303.1 Joint Information Center Organization and Position Descriptions***

Figure 2-2




***2303.2 JIC Supervisors***

These positions are held by the senior public affairs representatives for the:

- U S Coast Guard/EPA
- Maine Department of Environmental Protection
- New Hampshire Department of Environmental Services
- Responsible Party

JIC Supervisors report to the Unified Command and provide strategic public relations advice and guidance. The JIC Supervisors will:

- Ensure that a JIC is established and fully functioning

- Establish public information goals and objectives for the spill incident that ensures accurate and timely dissemination of information
- Provide direction on handling controversial and sensitive spill response issues, for example, use of dispersants, in-situ burning, drug testing, enforcement investigations, access for news media, etc.
- Receive input on issues from the JIC Manager
- Establish a schedule for news conferences, briefings and public informational meetings
- Prepare On Scene Coordinators/Incident Commanders for news conferences and briefings
- Resolve disputes that may arise regarding public affairs issues between agencies and responsible parties

***2303.3 Joint Information Center Manager***

An experienced public affairs information specialist with working knowledge of oil spill response issues and the Incident Command System will hold this position.

The JIC Manager will:

- Review information supplied by information coordinators, ensure accuracy and consistency and determine appropriate method for dissemination (to production for updates, copying for JIC staff, etc.)
- Ensure news media updates, news releases and fact sheets are distributed to JIC staff, command post staff, on-site news media, off-site news media, off-site agency officials and other interested parties
- Provide orientation for newly arriving or assigned public information staff.

**2304 Risk Communications**

Risk communication involves disseminating important safety information to the public in a timely and professional manner during emergency situations. A few examples of situations that may involve risk communications include but are not limited to:

- Natural disasters
- Disease outbreaks
- Oil/HAZMAT releases
- Major bridge or building collapses
- Urban/wildland fires
- Terrorist attacks

The IC/UC should consider the following guidelines when communicating risk in an emergency situation to the public:

- Show empathy toward impacted members of the public.
- Define technical terms and acronyms.
- Use positive or neutral terms and do not refer to other disasters for comparison.
- Use visuals to emphasize key points.
- Remain calm.
- Use examples or analogies to establish a common ground or understanding.
- Be sensitive to nonverbal messages that may be communicated (i.e. dress, body language.)
- Emphasize current achievements and efforts, but do not make speculations.
- Use personal pronouns instead of identifying as an organization.

The Liaison Officer (LOFR) and the PIO can be important resources when communicating risk during an incident. Informing stakeholders and using the media for widespread distribution can quickly spread the IC/UC message. The responders in the field should limit remarks to their scope of responsibilities/operations and direct broad, incident questions to the JIC.

Procedures should be developed to address natural resource damage assessment (NRDA) information in close coordination with the NOAA Scientific Support Coordinator and Federal, state and local resource trustees.

**2305 Agency PIO and Local Media Contacts**

Typically Sector Northern New England's collateral duty PIO responsibilities are assumed by the sector's Command Center Supervisor who can be reached at 207-767-0303 and his/her Alternate PIO. Responders can obtain contact information for other agency PIOs through the Sector Northern New England's PIO or the First Coast Guard District Public Affairs Office, who can be reached at 617-223-8515. Agency PIOs maintain current lists of local media contacts.

## 2400 Liaison

### 2401 Role of Liaison Officer

Large-scale or multi-jurisdictional incidents may require establishing a Liaison Officer (LOFR). The primary responsibilities of the LOFR can be found in the Coast Guard Incident Management Handbook and the LOFR job aid.

The LOFR may also follow these "best practices" when managing or communicating with stakeholders:

Elected Officials and Staff

- Ensure elected officials are briefed prior to significant press releases or media events.

- Be cognizant of officials who may take an interest in the incident, their staff members, and what key issues may concern them.
- Decide need for a detailed agenda and briefing package for VIP visitors, including appropriate escort.
- Attempt to group political/VIP visits concurrently.

Government Agencies

- Be aware of those government agencies currently participating in the response and those not.
- Initiate contact with those not participating as needed.
- Offer periodic updates, consultations, or support requests as the response continues.

General Public

- Coordinate efforts with PIO.
- Consider community outreach through community meetings.
- Use local elected officials to help organize outreach events.
- Consider implementing daily noontime conference call to local emergency managers, elected officials, fire departments and other key stakeholders supported by state emergency management agencies (MEMA and NH HSEM).

**2401 Coordination of Response and Casualty Investigations**

Typically, civil and potential criminal investigators from federal, state and local agencies will not be part of the Unified Command (UC) addressing the spill response and mitigation. While investigations personnel may report to individuals that are part of the UC, the investigators are separate and should be clearly delineated as such so as not to introduce potentially polarizing forces into the UC where collaboration and cooperation are key to a rapid and well-coordinated spill response and mitigation. Coordination with and access to the UC is conducted through the LOFR.

**2402 Contacts**

Contact information for many federal, state, local trustees, stakeholders and areas of interest is included as part of the ME/NH Area Committee contact list maintained by the USCG Sector Northern New England Planning and Force Readiness staff. The Coast Guard's First District Office also maintains current contact information for key regional elected officials and stakeholders.

**2403 Multi-Agency Coordination System**

Cooperating agencies may develop a Multiagency Coordination System (MACS) to better define how they will work together and to work together more efficiently. Initially the Incident

Command/Unified Command and the Liaison Officer may be able to provide all needed multiagency coordination at the scene. However, as the incident grows in size and complexity, off-site support and coordination may be required. MACS can provide support, coordination and assistance with policy-level decisions to the Incident Command Post or other ICS structure managing an incident. This may include support from an Emergency Operations Center (EOC) which is physical located separately from the on-scene Incident Command Post and supports the on-scene response by providing external coordination and securing of additional resources.

**2404 Stakeholders**

A stakeholder is any person, group, or organization affected by and having a vested interest in the incident and/or the response operation. They primarily include elected officials and their staff, government agencies, special interest groups, the general public, and industry partners. The perception of the response can quickly become the reality regardless of the actions of responders, and as such the LOFR must be prepared to communicate effectively with the stakeholders. Stakeholders can present a wide array of concerns when it comes to response operations, such as environmental, economic, or political interests. Their interests can also lie within multiple categories.

***2404.1 Environmental***

The following are possible stakeholders that may fall within the environmental category:

- Marine fisheries councils
- Sustainability coalitions
- Trail development committees
- Conservation committees
- Forest coalitions
- Wildlife conservation groups
- Air emission councils
- Water quality groups

***2404.2 Economics***

The following are possible stakeholders that may fall within the economic category:

- Commercial fishing industry
- Shipping and passenger vessel/ferry interests
- Port Facilities
- Energy commissions

- Chambers of Commerce
- Tourist industry interests

***2404.3 Political***

The following are possible stakeholders that may fall within the political category:

- State/Local government
- Regulatory agencies
- Union representatives
- Political parties

**2405 National Resource Trustees and NRDA**

Under Subpart G of the NCP, Federal and State agencies, and Federally Recognized Tribes, have been designated to act on behalf of the public as trustees for the natural resources and their supporting ecosystems under those agencies management jurisdiction or control. In the event of a spill or release, under both CERCLA and OPA, trustees are charged with assessing the extent of injury to natural resources and determining appropriate ways of restoring and compensating for that injury. As required under the NCP, following notification of a spill, the Federal OSC shall notify the relevant Federal, State, and/or Tribal natural resource trustees and managers. Natural resource trustees will provide the OSC with information concerning the presence of trust or important natural resources, and expertise as practicable concerning impacts or potential impacts to those resources so as to help facilitate the response.

**Preparedness and response:** Trustees may additionally directly participate in one or more sections of the response organization depending on the incident.

- *Planning* – Trustee representatives may provide information about sensitive resources and response techniques to assist with plan development.
- *Operations* – Assisting with plan implementation may ensure efforts are in compliance with relevant laws.
- *Command* – A trustee representative in the Command staff could ensure that information on trustee resources is directly available during the decision making process.
- *Logistics* – If trustees contribute significant amounts of resource or equipment to a response, it may be beneficial to have direct representation in the logistics section.
- *Finance/Admin* – A trustee representative in the finance/admin section could assist with supporting trustee personnel involved in a response, such as time-record documents and cost estimates.

***2405.1 Natural Resource Damage Assessment (NRDA)***

NRDA is the process by which the trustees identify and quantify the resource injuries and evaluate the monetary value ("damages") of impacted resources for the purpose of restoration. The DOI and NOAA NRDA rules (43 CFR 11 and 15 CFR 990, respectively), establish the procedures for determining the merits of going forth with the assessment of injury to natural resources and quantifying natural resources damages, and developing a claim for the natural resource damages resulting from the incident and/or the response actions.

It is important to recognize that while NRDA efforts are administratively separate from response to the spill, close coordination with response activities, especially in the collection of ephemeral data, will greatly reduce the potential for redundant or potentially conflicting field activities. The National Contingency Plan (NCP) requires the FOSC to "coordinate all response activities with the affected natural resource trustees and, for discharges of oil…consult with the affected trustees on the appropriate removal action to be taken."

The NRDA representatives are responsible for coordinating NRDA needs and activities of the trustee team. They will determine if a NRDA is appropriate for a particular response effort. NRDA activities do not necessarily occur within the structure, processes, and control of the spill response Incident Command organization. However, particularly in the early phases of a spill response, many NRDA activities overlap with the environmental assessment performed for the sake of spill response. Therefore, NRDA representatives should remain coordinated with the spill response organization through the Liaison Officer, and they may need to work directly with the Unified Command, Planning Section, Operations Section, and the NOAA SSC to resolve any problems or address areas of overlap. This includes close coordination with the Liaison Officer for obtaining timely information on the spill and injuries to natural resources. While NRDA resource requirements and costs may fall outside the responsibility of the Logistics and Finance/Administration Sections for response purposes (see sections 6101 and 6240 regarding Trustee access to the Oil Spill Liability Trust Fund for NRDA purposes), coordination is important. The NRDA representative will coordinate NRDA or injury determination activities. To meet NRDA requirements, specific interactions with the Unified Command, or elements thereof, by the representative may include:

- Attending appropriate meetings to facilitate communications between the NRDA team and IC/UC
- Providing status reports
- Coordination with the Liaison Officer, or the IC/UC in their absence, to assure that NRDA field activities do not conflict with response activities and to request logistical support for NRDA field activities
- Seeking the FOSC's cooperation in acquiring response-related samples or results of sample analysis applicable to NRDA
- Interaction with appropriate units to collect information requested by the NRDA team
- Obtaining necessary safety clearances for access to sampling sites

- Coordination with other organizations to identify personnel available to conduct NRDAs

In addition to NRDA duties, trustee representatives may also conduct the following activities during an incident response:

- Provide technical and scientific assistance on natural resource issues.
- Provide guidelines to the IC/UC on appropriate response techniques and clean-up endpoints (i.e. how clean is clean) for lands and resources under trustee agency control.
- Facilitate compliance with the consultation requirements of the Endangered Species Act and ensure appropriate response actions for injured wildlife.
- Participate in post clean-up inspections and implement wildlife release protocols.

The following are lists of the federal, state, and local trustees of natural resources:

Federal

- U.S. Department of the Interior
- National Oceanic and Atmospheric Administration (NOAA)
- U.S. Department of Agriculture
- U.S. Department of Defense
- U.S. Department of Energy

Federally Recognized Tribes

- Penobscot Indian Nation
- Passamaquoddy Tribe

State

- Maine
    - Department of Environmental Protection
    - Department of Marine Resources
    - Department of Inland Fisheries and Wildlife
    - Department of Conservation
- New Hampshire
    - Department of Environmental Services
    - Fish and Game

**2406 Agency Representatives**

Agency Representatives may be sent by assisting or cooperating agencies to support improved communications and coordination during an incident response. An assisting agency directly contributes tactical support (i.e. security personnel, vessels, vehicles) while a cooperating agency only supplies non-tactical support (i.e. the Red Cross or Salvation Army support).The Coast Guard (or other agency) may also deploy members away from the unit/Incident Command to serve as agency representatives at another, ICP, EOC or Joint Field Office during a response.

**2500 Intelligence Officer**

During certain incidents, intelligence gathering, analysis, and sharing could play an important role in planning the response. The position of Intelligence Officer (INTL) may be established if deemed necessary by the IC/UC. Intelligence is not only limited to national security information but may also include risk assessments, medical surveillance, weather-related information, toxic contaminant levels, geospatial data, etc. Intelligence information must only be shared with those personnel that have the appropriate level of access and on a need-to-know basis. Other agencies that may assist with intelligence gathering and disseminating functions include but are not limited to:

- Police Department
- Sheriff's Office
- Maine/New Hampshire Marine Patrol
- FBI
- CBP
- Game Warden

The primary responsibilities of the INTL include but are not limited to:

- Collect and analyze incoming intelligence information from all sources.
- Provide intelligence briefings as needed.
- Establish and maintain organized intelligence files.
- Participate in meetings/briefings as required.
- Prepare all required intelligence reports and plans.
- Establish contact with all participating law enforcement agencies

**2600 Reserved**
**2700 Reserved**
**2800 Reserved**

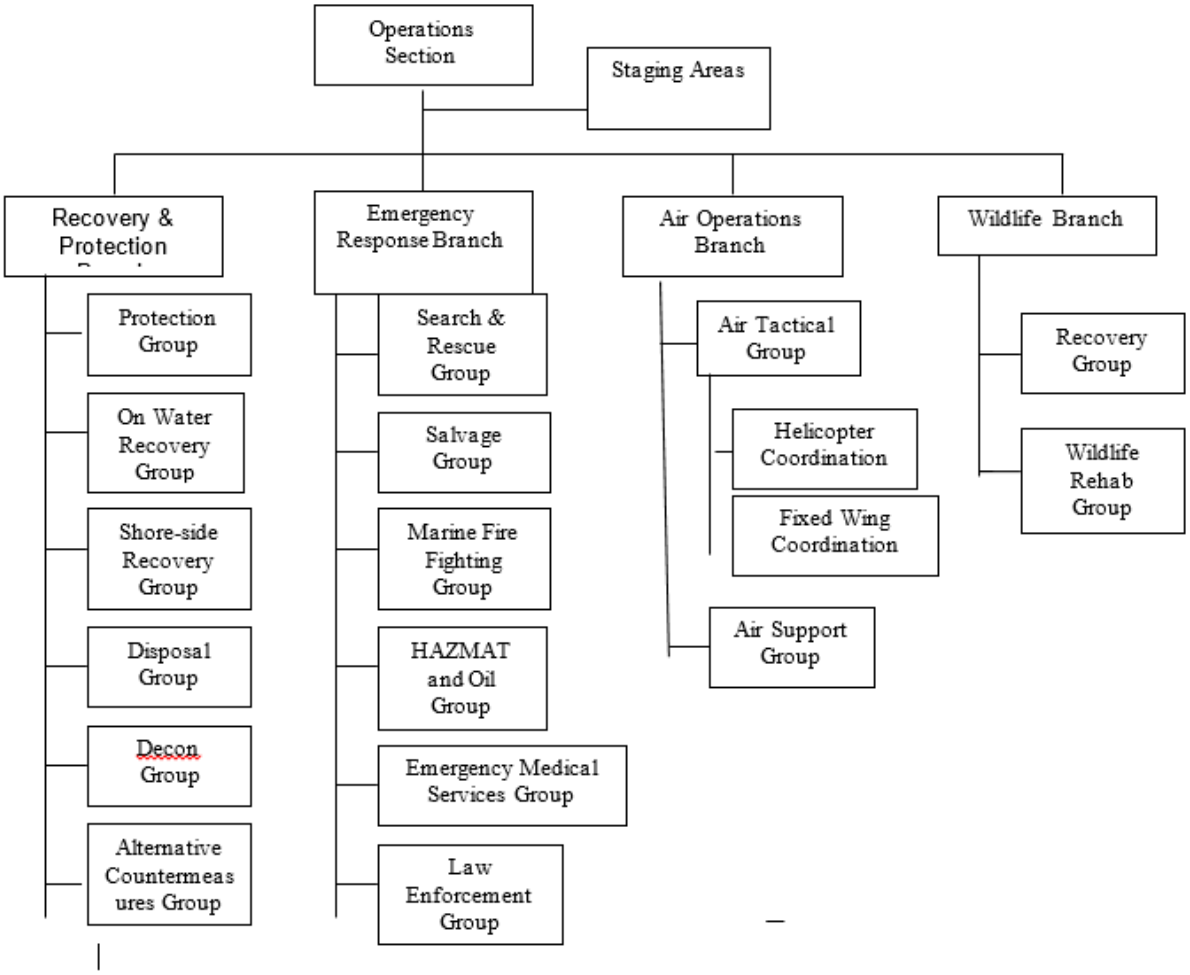
## 3000 Operations

### 3100 Operations Section

The Operations Section is responsible for the management of all tactical operations. An organizational chart of the Operations Section and its subordinate units is shown below. It serves as an example and is not meant to be all inclusive. The functions of the Operations Section can be performed by one individual or can be expanded, as needed, into additional organizational units with appropriate delegation of authority. Up to 7 branches may be included in the Operations Section, and up to 7 groups or divisions may be included in each branch. In addition, strike teams or task forces may be included in the Operations Section, typically under the groups or divisions.

Operations Section Organization

Figure 3-1



**3101 Roles and Responsibilities**

Additional Operations Section information can be found in the most recent version of the USCG Incident Management Handbook (IMH) USCG COMDTPUB P3120.17B, and in the Operations Section Position Job Aids. The roles described below are brief, and do not include all possible contingencies.

**3102 Operations Section Chief**

The Operations Section Chief (OSC) is responsible for the direction and coordination of all tactical operations. As a part of this overall responsibility, Operations implements policies, objectives and plans that the Command and Planning Sections have devised. The OSC must be both tactically competent in responding to the incident and possess a thorough understanding of the Incident Command System (ICS). The Operations Section Chief will normally be selected from the agency with the most jurisdictional responsibility for the incident, or the state where the spill occurred. The OSC's responsibilities include

- Manage the Operations Section branches and groups needed to proactively accomplish the Incident Action Plan.
- Participate in the planning process to develop response goals as well as the strategic and tactical portions of the Incident Action Plan.
- Evaluate on-scene operations and make adjustments to organization, strategies, tactics, and resources as necessary. For larger or more complex incidents or events, the OSC is encouraged to consider assigning a Deputy OSC to direct current field operations to free up the OSC to focus on the Operational Planning Process and broader issues.
- Assist with development of long-range strategic, contingency, and demobilization plans.
- Manage volunteers if they are used as part of the response operation. Volunteers will not be used for direct oil removal activities. Policies for use of volunteers are outlined in Section 4302.

**3103 Tactics to be Considered by Operations**

Specific tactics for response strategy implementation are developed by the Operations Section in coordination with the Planning Section, and include consideration of the following:

- Computer modeling/trajectories
- Use of alternative countermeasures (Refer to Section 4702)
- Criteria/guidance for terminating cleanup, including input from unified Command, SSC, scientific community, natural resource trustees, and stakeholders as necessary.
- Use of Rapid Assessment Teams (RATs) and the Survey123 application to capture current information from the field and sent to OPS reps in the ICP instantly. OPS reps in the ICP will ensure that observations received from the field are shared with the SITL to

ensure the common operating picture is updated with the latest information. Access to the Survey123 Reporting Tool and data can be found here. A second form has been set up here: https://arcg.is/Pu9DP to subscribe to updates from Rapid Assessment Teams. The intent is a link to this form along with the access code could be posted in the ICP such that persons in various parts of the ICS structure could sign up for updates from the RATs. The access code is currently set as **A5891.** After the form is filled out, the provided email address is sent an email confirming their subscription if the access code is correct, or denying access if the code was not corrected. If the email address is already subscribed, an email is sent stating this.

**3104 Operations Branch Tactical Planning**

Incident complexity or geographic scale may require the Operations Section Chief and Planning Section Chief to empower Branch Directors in Operations to develop detailed Branch-specific strategies, tactics and work assignments at the Operational Branch level. Branch Tactical Planning will often occur at an incident base that is not co-located with the ICP. Due to geographic separation, operational branch level planning may need additional support staff from the Operations, Planning, Logistics and Finance Sections. Branch specific objectives and strategies may also need to be developed (under the umbrella of the overall incident objectives) to address unique political and operational concerns at the Branch level.

Though objectives, strategies and tactics developed at the branch-level are incorporated into the overall response Incident Action Plan (IAP), the operational branch director and his/her support staff may need to work relatively independently from the ICs, OSC, PSC and other staff in the ICP. Strong communications links need to be instituted through liaisons and other mechanisms to ensure close coordination between operations at a remote incident base and the primary ICP. Additional guidance for Branch Tactical Planning is available in the latest addition of the Incident Management Handbook and other resources.

**3200 Recovery and Protection**

Strategic considerations that can be used to develop consensus ecological risk assessments that can assist in forging priorities and recovery/protection strategies can be referenced in the publication, Oil Spill Response Field Manual

Broad protection, containment and recovery strategies to be considered may include:

- Limited action – appropriate when weather, sea, or other conditions make response options unsafe and/or infeasible. Also appropriate when mechanical response actions or site access pose a greater risk to the environment. (e.g., wetlands).
- On-water recovery – mechanical removal of floating oil by sorbent materials, vacuum trucks, and skimming devices.
- Underwater recovery – mechanical removal of sunken oil by dredges, pumps, submersible equipment or divers.

- Exclusion Booming – deploying various types of boom to keep oil out of a designated area.
- Deflection Booming – deploying various types of boom to divert oil away from a designated area and/or divert oil toward a collection point.
- Dispersant Application and In-Situ Burning – See Section 9000 for policies and more information.

Private resources, such as commercial marinas are not included in the GRS. These resources are assigned a priority for protection based upon all of the resources at risk. Development of any protection strategies for private resources, and assignment of their priorities, therefore falls under the duties of the Unified Command.

The Recovery and Protection Branch is responsible for overseeing and implementing the protection, containment and cleanup activities established in the Incident Action Plan. Maine and New Hampshire staff should fill or coordinate with lead roles in this Branch if the spill will impact resources of their states. The Recovery and Protection Branch may include the following groups:

**3201 Protection Group**

***3201.1 Geographic Response Strategy***

A Geographic Response Strategy (GRS) has been developed for the Maine & New Hampshire area outlining the priority areas for protective booming. The plan is divided into four geographic zones. Within each of these zones are individual Geographic Response Strategies (GRSs) designed to protect pre-determined sensitive areas. These individual strategies are intended to provide responders with guidance on deployments in the early stages of a spill. The priority of strategy deployment will be dependent upon the situation and will be guided by the Incident Commander / Unified Command. As the spill progresses, and the ICS organization is staffed, the Planning Section will determine additional or alternate response priorities. However, the GRSs may still be used as the pre-designed protection for a particular location. The Maine Department of Environmental Protection maintains the electronic version of the GRSs for both ME and NH, which can be accessed at their web site at: Geographic Response Strategies

More information on the Geographic Response Strategy is contained in Section 4605 of this ACP.

***3201.2 Protection Actions***

The Protection Group is responsible for the deployment of boom or other devices in locations designated by either the Geographic Response Strategy or the Planning Section in order to protect sensitive areas. This includes monitoring the effectiveness of the protective action and modifying as necessary.

Procedures for identifying protection strategies include:

- Ensure proper protection strategies are in place with proper deployment of diversion and exclusion booming techniques. Continue to evaluate booming strategies.
- Ensure cleanup methods are appropriate for area being cleaned. Consult the Environmentally Sensitive Index (ESI) listing (NOAA & USEPA sensitivity atlases) and input from the Trustees.
- Do not conduct cleanup with methods that cause more damage than the oil that would have been removed.
- Ensure workers know what to look out for, avoid, or protect. • If dispersants, burning, or use of other chemicals is a viable option, seek approval and plan logistics early.
- Each incident is different and may require extensive research to determine the appropriate cleanup method(s). All available resource information should be used to determine what is appropriate. These include, but are not limited to, SSC, Atlantic Strike Team (AST), State Trustee resources, and Manufacturer and/or users of the chemical involved.

Protection strategies and tactics may include some or all of the following:

- Exclusion booming/Deflection booming
- Sorbent booming (quiet water with minor oil contamination)
- Berms and dams (sandy low energy beaches or shallow streams or rivers)
  * Approval is required.
- Wildlife hazing (nesting, feeding or resting areas)
  * Approval is required.
- Shut off culverts and pipes

*Approval is required

Logistical considerations and tactics for protecting sensitive sites are identified in specific Geographic Response Strategies (GRSs).

**3202 On Water Recovery Group**

- The On Water Recovery Group is responsible for supervising on water recovery operations, including assessing the effectiveness of oil removal activities and modifying operations as necessary. This group will consider near and offshore conditions, sensitive areas, booming and containment options and countermeasure effectiveness. All oil recovery techniques should be reviewed by the Environmental Unit of the Planning Section before being implemented. On water strategies and tactics may include some or all of the following:
- Floating oils: containment booming (small extent open water areas), sorbent materials, vacuum trucks and/or skimming devices and monitoring

- Submerged oils: sorbent materials, barriers, pumps or submersible equipment. Note that disturbance of the ocean floor has potential impact on important habitat and often also requires written permitting or approvals from the Army Corps of Engineers and/or other agencies. Special response considerations for responding to heavy Group V oils and lighter oils such as gasoline are discussed in section 9000.

Logistical considerations and tactics for protecting critical sensitive area are outlined in specific Geographic Response Strategies.

**3203 Shore-side Recovery Group**

The Shore-side Recovery Group is responsible for supervising shore-side cleanup operations. The group will consider the type of shoreline, shoreline geology, sensitive resources, access for equipment, potential staging areas, types of alternative countermeasures used, storage needs and the need for stream diversions or impoundments. Shore-side recovery may include some or all of the following options. Those options shown in italics require special approvals under federal law.

- Natural attenuation
- Manual removal
- Mechanical removal
- Passive collection with sorbents
- Vacuum
- Debris removal
- Sediment reworking / tilling
- Vegetation cutting / removal
- Flooding (deluge)
- Ambient water washing: low pressure (<50 psi) or high pressure (>50 psi) Warm water washing (<90 °F) or hot water washing (>90 °F)
- Slurry sand blasting
- Solidifiers
- Shoreline cleaning agents
- Nutrient enrichment
- Burning
- Bioremediation

**Shoreline Recovery Strategies**: Under certain conditions, it will be appropriate to take actions to remediate the effects of oil on shorelines. Other conditions may dictate that no actions should be taken. The primary goal of any shoreline countermeasure is the removal of oil from the

environment with no further injury or destruction to that environment, ideally to help enhance the treated area's ability to recover.

To best assess and evaluate the appropriate treatment options for affected shoreline, the Shoreline Cleanup Assessment Technique (SCAT) provides a comprehensive program of assessment, monitoring, and treatment recommendations for affected shorelines. On USCG spills, SCAT is typically run from the Environmental Unit (EU) within the Planning Section.

Once a spill occurs, typically the EU will begin to develop a SCAT plan within the first day of a response, and the Operations Section will need to coordinate with the SCAT Coordinator to ensure appropriate interaction of the shoreline assessments and treatment recommendations with the shoreline cleanup tactics being used. SCAT teams will typically include representatives from appropriate federal and state spill response agencies (e.g. USCG, ME DEP and/or NH DES) as well as federal and state natural resource trustee agencies (e.g. NOAA, DOI, ME IFW) and potentially cleanup contractors in order to provide timely advice concerning recommended cleanup actions that could potentially affect key resources.

The SCAT program and process typically also leads to the planning of the Treatment Endpoints for shorelines, based in large part on input from federal, state and local resource trustee and the NOAA SSC, , which will guide the Operations Section in determining when their work on shorelines is complete. Also see Section 4600.

**Coordination with Natural Resource Damage Assessment**: (Refer to NRDA overview in Section 2405). The early stages of the Natural Resource Damage Assessment (NRDA) process (which is focused on restoration of injured natural resources and their human uses) may overlap with ongoing operational spill response activities.. The NRDA activities should be coordinated with, but are not directed by the spill response. This coordination can often take place through the Environmental Unit in the Planning Section if the NRDA activities are closely coordinated with the response or also potentially through the Liaison Officer or Operations Section. The NRDA activities will often be led by the NOAA Damage Assessment, Remediation and Restoration Program, but can also be led by other federal or state trustee agencies. Data from NRDA activities including identifying resources at risk, field samples, aerial photography and lab testing that may support more effective operational decision making for response operations can be shared through the EU or provided directly to the Operations Section Chief (OSC). Provided it doesn't unduly interfere with response actions, the Operations Section Chief can share use of response personnel and equipment (e.g. an available seat aboard a helicopter overflight or boat transportation out to field sites with trustees working on NRDA activities. This coordination can take place through the Operational Planning Cycle process or via less formal exchanges. The lead administrative trustee working on NRDA should consolidate all NRDA support requirements on behalf of trustees and submit them to the OSC in sufficient time so they can be incorporated into the regular planning cycle. This could be through the formal ICS 233-RR resource request process or less formally. NOAA's Damage Assessment, Remediation and Restoration Program or other resource trustees can apply direction to the US Coast Guard's Pollution Fund Center to access funding from the Oil Spill Liability Trust Funds

to support NRDA activities including Assessing Injuries, Planning Restoration and Restoring Habitats and Resources.

***3203.1 Pre-Impact Shoreline Cleanup***

It is not uncommon that shorelines will have uncontaminated materials such as driftwood, litter and decomposing vegetation (wrack). If this material is contaminated by oil from the release or spill, the subsequent removal of it becomes more difficult and costly. Therefore, under certain circumstances, non-oil spill contaminated material may be removed before it can be impacted by oil from some shorelines as a function of the response. This material will then be disposed of according to Maine and New Hampshire solid waste regulations. The use of volunteers may be considered for this function.

The removal of uncontaminated wrack should be conducted only in consultation with the Environmental Unit. The insects and organisms that thrive in the wrack often serve as important food sources for shorebirds and other animals.

**3204 Alternative Countermeasures Group**

The Alternative Countermeasures Group is responsible for implementing such alternatives as in-situ burning, chemical countermeasures and bioremediation, and for evaluating their effectiveness. The Alternative Countermeasures Group's actions will be based on plans provided by the Environmental Unit of the Planning Section, and will include the following actions:

- Assist the Planning Section in development of countermeasure operations and monitoring plans
- Determine resources needed to implement the countermeasure
- Manage dedicated resources
- Coordinate required monitoring of alternative countermeasures

More information on Alternative Countermeasures is contained in Section 4702 of this ACP.

***3204.1 Dispersant Selection***

Numerous products may be available under each dispersant type. Under provisions of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), chemical agents shall not be considered for use as dispersing agents unless they have been accepted by the Environmental Protection Agency (EPA), and listed in the National Contingency Plan Product Schedule (available by calling the NCP Hotline at 202-260-2342). To be useful, dispersants must be on-scene in sufficient quantity and in a timely fashion. Product selection should also consider effectiveness and toxicity. Desirable products should combine maximum effectiveness and minimum toxicity.

***3204.2 Application Selection Method***

Selection of the proper application method is as important as selection of an appropriate dispersant. Application methods are determined by the characteristics of the dispersant to be applied, the nature and location of the spill, and limiting environmental conditions.

The basic types of dispersant application systems include spray booms attached to vessels, portable pumps and integral pre-piped vessel fire systems, and aerial spray systems using a variety of helicopters and fixed wing aircraft. For small spills, use of a single application method may be acceptable. For larger spills large aerial application systems or use of several types of systems may be required. There is not enough dispersant and spray capability available in the immediate area to manage a large off shore spill. Due to the time frame required to get sufficient dispersant and application equipment on scene and ready to dispense, the dispersant use decision must be made as early in the spill as possible.

***3204.3 Making the Dispersant Use Decision***

The steps below outline a process for deciding upon dispersant use. Experience has shown that in most cases it takes hours to gather the information necessary to make the decision. Therefore, it is critical to begin the information gathering process as soon as possible.

It is suggested that the "New England Region Oil Dispersant Authorization Guide" (Section 9508.6) be used to assist in the decision making process.

STEP ONE: Identify the spill source, cause, rate of release, and type of oil. Once the oil type is known, its properties such as the specific gravity, viscosity, pour point, etc. can be determined. Data are also gathered on the physical conditions on scene, including temperature, wind speed and wind direction, water temperature, salinity, and depth.

The Unified Command uses this information to make a preliminary assessment of whether or not dispersants would be effective. For example, a very viscous oil near its pour point in cold water would most likely not be dispersible. Conversely, a light fuel, with heavy seas, might disperse naturally before chemicals could be mobilized.

STEP TWO: If it is decided that dispersants may be beneficial, then the next step is to evaluate the movement of the oil, both dispersed and un-dispersed. Accurate oil trajectory forecast modeling is a critical element in the decision process, providing predictions of travel time to land, slick surface area, and amount of expected shoreline impact. Each aspect of the forecast is used to evaluate the method of dispersant application and the potential environmental impact.

It must be determined that the dispersant type is effective on the oil spilled and compatible with the proposed application method and that enough dispersant is available to treat the forecasted slick surface area. It is important not to initiate dispersant application without sufficient supplies or logistical support. Such an effort could fail, compounding the environmental effects.

Logistical information is used to plan a schedule of application, and to determine the location and area of slick to be treated. In order to determine the dose rate of dispersant to oil the Unified Command can get assistance from the USCG Strike Team, EPA Environmental Response Team, and industry representatives.

STEP THREE: (Steps A and B should be performed simultaneously)

A. The Environmental Unit, including the natural resource trustees and the Scientific Support Coordinator (SSC) examine the resources at risk for both a dispersant-treated spill and an untreated spill. The Environmental Unit identifies threatened resources by studying oil travel paths identified by trajectory forecasts.

Shoreline habitat types, including habitats for threatened and endangered species are identified within the area of expected impact.

The relative threat posed by oil to a particular area can be rapidly evaluated by using the Environmental Sensitivity Index and Environmental Vulnerability Index maps. Specific wildlife present in the threatened areas is also identified. These categories include endangered and threatened species, marine mammals, waterfowl, fish, mollusks, and crustaceans and their respective seasonal variation and sensitive life stages. Commercial and public use areas such as aquaculture sites and parks are also considered. The SSC will rely on state and federal resource agencies for guidance in developing resources protection priorities.

B. The Logistics Section gathers information on the available dispersants and application equipment for the spill at hand. This information must include the actual time that the needed resources will arrive at the incident scene and ability to apply the dispersant

STEP FOUR: Final determination by the Unified Command on dispersant use. There are four determinations an OSC can make:

- Do not use dispersants.
- Use dispersants on a trial basis (to evaluate effectiveness).
- Disperse in selected areas
- Disperse to the maximum extent possible.

***3204.4 Pre-Authorization Agreement for Dispersants***

The Pre-authorization Plan that describes procedures to be followed for obtaining an expedited decision regarding the use of dispersants within designated zones under specific conditions is outlined in Section 9508. This section again references the New England Region Oil Dispersant Authorization Guide that should be completed to support this decision-making process.

***3204.5 Dispersant Resources***

A table listing all dispersant resources in the area is located in the Maine Department of Environmental Protection Marine Oil Spill Contingency Plan, Appendix I, found at:

http://www.maine.gov/dep/spills/emergspillresp/marine.html

Classified Dispersant Oil Spill Response Organizations are also listed in the Response Resource Inventory (RRI) maintained by the Coast Guard.

**3205 In Situ Burning**

Burning of oil in place, i.e., "in situ" is a viable oil spill response option. Given the right circumstances and the necessary equipment, in-situ burning could prove the most effective means of spill response in a particular situation. Burning is an option when mechanical cleanup methods have limited effectiveness or pose a greater risk to the environment. The goal is to quickly reduce the amount of free-floating oil on the water to protect sensitive environments and reduce the amount of shoreline impact. Where shoreline or terrestrial habitats (marshes) are already impacted, and mechanical recovery may create unacceptable impacts, in-situ burning may be more desirable. In situ burning will reduce the amount of oily wastes generated.

USE CONSIDERATIONS. There are several factors that must be considered when making the decision to use in-situ burning as an oil spill response option:

- In Situ burning is an option when there is limited access to the spill site for mechanical recovery.
- The potential to light and maintain a burn is primarily a function of spill volume; the larger the spill the higher the potential. Higher fuel loads and more flammable fuels result in hotter, more intense, and potentially more damaging fires. Accordingly, potential damage from fire to nearby vegetation and structures must be evaluated.
- Weather conditions, particularly wind.
- Potential long term damage to vegetation
- Ignition of the periphery of the slick results in burn efficiencies almost as high as those for ignition of the entire surface area.
- Air, entrained by the combustion of this oil slick induces an inward surface current that inhibits and finally stops the oil's spread.
- Burning reduces the amount of oily waste for disposal.
- Burning should not be used in times of extended dry periods or drought
- Personnel trained in In-Situ burning should be consulted.
- Potential damage to nearby vegetation must be evaluated for long term impacts.

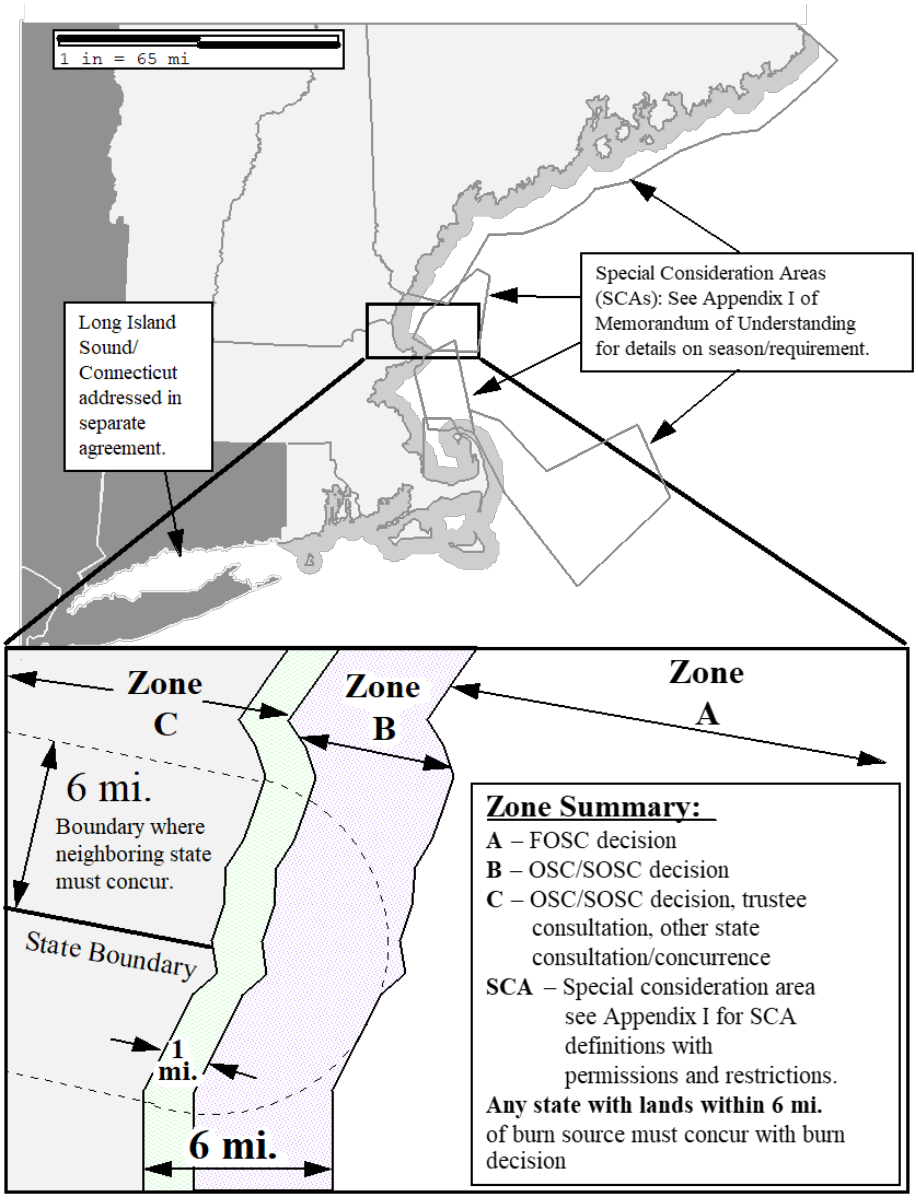
### *3205.1 Pre-Authorization Agreements for In-Situ Burning*

The Memorandum of Understanding on In-Situ Burning and the "In-Situ Burn Unified Command Decision Verification Checklist" adopted by the Region 1 Regional Response Team in March, 1998 is located in Section 9507. It outlines the preauthorization agreement for use of In-Situ Burning and includes a decision verification checklist. Figure 3262-1 summarizes the agreement. In general, the FOSC has decision authority beyond 6 miles. In between 1 to 6 miles, it is a joint FOSC/SOSC decision. Inward of 1 mile, the decision must be made in consultation with trustees. The MOU also outlines Special Consideration Areas which may affect the decision making process. There are four Special Consideration Areas (SCAs):

- State of Maine SCA
- 20 foot water depth SCA
- NMFS SCA
- National Ocean Service SCA

Figure 3-2

In-Situ Burning Zone Boundary Map and Diagram




**3206 Bioremediation**

Bioremediation is the process of adding compounds, such as nutrients and oxygen, to an oil spill to accelerate the natural biodegradation process. Biodegradation can take a period of time from several weeks to several months or more. Therefore, the use of bioremediation will probably not be the first choice if a rapid cleanup is desired. Additionally, the potential benefit of bioremediation must be balanced with the potential impact to the environment from the compounds added to it.

Bioremediation is typically used as a "polishing technique" in order to remove residual oil. This is done following the initial response efforts to remove free phase oil.

There are several options for bioremediation:

- Addition of nutrients, microbes, oxygen or oxygenated compounds to:
  - spilled oil/sheen (after free phase removal)
  - onto the land/shorelines impacted by spilled oil
  - injected into the substrate on the land/shoreline impacted by spilled oil.

The environmental conditions of the area, such as type of soils, microbes already present and nutrients and oxygen concentrations will guide the UC in deciding upon what type of bioremediation option to choose, if any. There is no approved preauthorization plan for bioremediation.

Addition of any compounds onto the surface of land, such as a salt marsh, often results in a significant percentage of the compound being washed away with tidal currents. This decreases the amount available at the contaminated area and adds nutrients to the surface waters. The technique of injecting nutrients into the soil substrate should be considered.

Another source of information is the National Oceanic and Atmospheric Administration report, A Summary of Bioremediation Applications Observed at Marine Oil Spills, Report HMRB 91-2

Equipment and trained operators for implementing bioremediation is available through major oil spill removal organizations.

**3207 Disposal Group**

The Disposal Group is responsible for coordinating the activities of personnel engaged in collecting, storing, transporting and disposing of recovered product, contaminated debris, and associated waste materials. The group should consider the need for temporary storage. In addition, they are responsible for ensuring compliance with all applicable hazardous and solid waste laws and regulations, as well as maintaining accurate records.

***3207.1 Disposal Strategies***

The disposal of recovered oil, oily water and contaminated debris pose problems including: finding adequate temporary storage, identification of acceptable disposal sites, and arranging for transport of the material. Pre-identification of debris staging disposal sites is suggested. This section provides general guidance regarding this topic for both New Hampshire and Maine.

Prior to the disposal of recovered oil and oily debris there is often a need to temporarily store recovered material. The selection of temporary storage sites will be partly dictated by where the oil and oily debris are recovered. Temporary storage sites should be selected and prepared to minimize contamination of surrounding areas. If possible, storage sites should not be located on

or adjacent to wetlands, gullies, surface waters, the sides of hills, etc. Once a location is selected, certain site preparations are usually necessary to contain oil that may leach or flow from the site. Temporary storage of oily debris on an impervious surface surrounded by an earthen berm is suggested. Planning before an oil spill for temporarily storing oily waste and debris will enable the response effort to continue smoothly. As with any aspect of oil spill response, there will be the unexpected, so complete consideration of all eventualities is impossible; however, storage and disposal of oily waste is an aspect of the response effort that can, and must, be given planning consideration before a spill occurs. A Waste Management Plan template can be found here. This template addresses requirements for sampling, testing, classification, segregation and temporary storage of recovered oil and oiled debris prior to transportation and disposal.

***3207.2 New Hampshire Disposal***

In New Hampshire, oil and oily debris is managed as a special waste. The Department of Environmental Services, Waste Management Division oversees the removal, storage and transportation of solid and hazardous wastes. The Waste Management Division is also responsible for the permitting of storage and disposal facilities.

The Oil Remediation and Compliance Bureau within the Waste Management Division has authored and maintains a guidance document of Best Management Practices (BMP) for Oil Spill Debris (November, 2006). The purpose of this document is to provide easy access to current information on the resources available and the practices to be employed when storing, transporting, and disposing of petroleum contaminated debris and oil contaminated water. \

The BMP summarizes the New Hampshire Emergency permit requirements and criteria for the establishment of temporary storage areas (Env-Wm 313) and other applicable state standards which govern riverways, wetlands, shorelands and air quality. The document is intended to assist the responsible party in the decision making process, minimize confusion, and avoid delays associated with response activities.

Various temporary storage areas at several locations were evaluated using these criteria to assess the capability of the area to address waste storage concerns. A commentary on these sites is available within the BMP, and will be updated periodically. The document also addresses transportation, decanting and other issues related to spill response

***3207.3 Maine Disposal***

In Maine, wastes generated during remediation activities may require management as oil contaminated special waste, waste oil or hazardous waste. DEP staff will determine waste characterization sample requirements. The Department of Environmental Protection (DEP) has no permitting requirements for the department-supervised temporary storage of oily debris. Temporary storage options include storing oily debris in covered dumpsters or covered “roll-off” containers, or in temporary engineered containment structures with oil resistant liners.

Oily debris and oily soil recovered during response activities must be disposed of in accordance with state and federal law. Oily debris includes sorbents, seaweed, carcasses, and other materials

contaminated with oil as a result of a marine oil spill. Under the Maine Department of Environmental Protection's Solid Waste Management Rules, 06-096 CMR Chapter 405 dated June, 2006, non-hazardous oily debris can be land filled or incinerated and the resultant ash land filled in a properly licensed facility, and non-hazardous oiled soil may be sent to licensed contaminated soil facilities.

Waste oil is typically disposed of by burning in a waste oil burner. The requirements of the Maine Department of Environmental Protection's Maine Waste Oil Management Rules, 06-096 CMR Chapter 860 must be met for storage and transportation of waste oil.

The transportation of special waste or hazardous waste within the state of Maine requires a waste transporter license. More information may be obtained from http://www.maine.gov/dep/waste/rules/index.html or by calling (207) 287-6115.

***3207.4 Disposal Facilities***

New Hampshire: The New Hampshire DES Waste Management Division conducted an extensive phone survey of solid waste facilities serving the Northeast. Detailed information such as contact names, directions and emergency phone numbers can be obtained from the current version of the NH BMP for Oil Spill Debris, included in the following section of this plan.

Maine: Disposal facilities for both contaminated soil and oil and oil-soaked debris are also listed in the State of Maine Marine Oil Spill Contingency Plan in the Equipment and Support Services Directory. DEP spill responders can assist with waste determinations as well as storage and management requirements. DEP staff in the Divisions of Solid Waste Management or Oil & Hazardous Waste Facilities Regulation are available for additional guidance at (207) 287-2651.

## FACILITIES ACCEPTING VIRGIN PETROLEUM CONTAMINATED DEBRIS 2007-2008

| FACILITY NAME | Emergency #/Hrs | LIMIT | CONSIDERATIONS |
|---|---|---|---|
| **Within a 50-mile radius of Portsmouth Harbor** | | | |
| Turnkey Recycling & Environmental Enterprises<br>97 Rochester Neck Rd Gonic, NH 03839<br>603-330-0217 **Contact Steve Poggi** | Cell 603-498-2635<br>*M-F 6:30 AM to 5 PM*<br>*SAT 6:30 AM to 10 AM* | **No Limit** | No carcasses w/o prior DES approval. Soil O.K. <50 tons analytic not required unless low flashpoint. No free liquids/ prefer lined roll-offs. |
| Wheelabrator Concord Company, LP<br>11 Whitney Rd Penacook, NH 03303<br>603-753-8411 **Contact Tara Hurst** | 603-753-8411<br>*M-F 6 AM to 6 PM*<br>*SAT 6 AM to 12 PM* | **80 CY/da** | Certification/written assurance/test burn/flashpoint (Meth. 1010) required prior to delivery. No free liquids. Carcasses w/ARD approval. PPE/organic flotsam/combustible sorbents O.K. |
| Environmental Soil Management, Inc<br>67 International Dr Loudon, NH 03307<br>603-783-0228 **Contact Stephen Raper** | Page 603-365-9452<br>*M-F 6 AM to 7 PM*<br>*SAT 6 AM to 7 PM* | **85 TONS** | Virgin petroleum contaminated soil only. TPH <400,000 ppm and % $H_2O$ <15 %; >15% surcharge applies. Composite sample every 20 SW-846. NHDES Method 1 Soil Standards apply. No Free Liqui |
| KTI MERC<br>3 Lincoln St Biddeford, ME<br>207-282-4127 ext. 109 **Contact Jim Secunde** | 207-282-4127<br>*M-F 5 AM to 3 PM*<br>*SAT 5 AM to 3 PM* | **No Limit** | Prefer roll offs. LSP State of ME sign off required. PPE/ <1% organic flotsam/combustible sorbents O.K. No snare. |
| Covanta Haverhill Inc.<br>100 Recovery Way Haverhill, MA 01835<br>978-372-6288 or<br>518-482-9150 **Contact Dan Bucham** | 978-372-6288<br>*M-F 6 AM to 2 AM* | **No Limit** | Generic approval process can be done via fax. Prior notification preferred. No soils. |
| MTS Environmental<br>69 Dover Rd Chicester, NH 03234<br>603-798-4557 **Contact Jamie Esker** | None<br>*M-F 7 AM to 5 PM*<br>*Sat-Sun w/request* | **No Limit** | Virgin petroleum contaminated soil only. TPH <20,000 ppm and % $H_2O$ <15 %. Composite sample every 200 tons for Method SW-846. NHDES Method 1 Soil Standards apply. |
| **Within a 100-mile radius of Portsmouth Harbor** | | | |
| Wheelabrator Claremont Company, LP<br>145 Gaissom Ln Claremont, NH 03743<br>603-542-6592 **Contact Tara Hurst** | 603-542-6592<br>*M-F 6 AM to 6 PM*<br>*SAT 6 AM to 12 PM* | **80 CY/da** | Certification/written assurance/test burn/flashpoint (Meth. 1010) required prior to delivery. No free liquids. Carcasses w/ARD approval. PPE/organic flotsam/combustible sorbents O.K. |

**SOURCE: New Hampshire Department of Environmental Services**

## FACILITIES ACCEPTING VIRGIN PETROLEUM CONTAMINATED DEBRIS 2007-2008

| FACILITY NAME | Emergency #/Hrs | LIMIT | CONSIDERATIONS |
|---|---|---|---|
| **Within a 100-mile radius of Portsmouth Harbor** | | | |
| Fitchburg/Westminster Landfill<br>Route 31 Westminster, MA<br>978-874-0037 **Contact Tom Murray** | None<br>***M-F 6 AM to 3:30 PM***<br>***SAT 7 AM to 12 PM*** | **No Limit** | 24 hour notice needed. Soil only. |
| Wheelabrator Millbury Inc.<br>331 Southwest Cutoff Rd Millbury, MA 01527<br>508-791-8900 ext. 216 **Contact Steven Sibinich** | None<br>***M-F 6 AM to 5 PM***<br>***SAT 6 AM to 3 PM*** | **No Limit** | 24 hour notice needed. No waste > 6" diameter or > 6' length.<br>No carcasses. No soil. |
| BFI Fall River Landfill<br>1080 Airport Rd Fall River, MA<br>781-289-0500 x225 **Contact Eugene Lunney** | 508-679-5188 X244<br>Dan Bolbon<br>***M-F 6:30 AM to 4 PM***<br>***SAT 7 AM to 11:30 AM*** | **1500 TPD** | 24 hour notice needed. No carcasses. Soil/organic flotsam/<br>combustible sorbents O.K. Special waste approval needed.<br>May have water content limit. |
| SEMASS Partnership<br>141 Cranberry Highway West Wareham, MA<br>508-291-4400 **Contact Matt Wetmore** | 508-291-4485<br>***M-F 5:30 AM to 6:30 PM***<br>***SAT 5:30 AM to 6:30 PM*** | **No Limit** | No snare/carcasses/soil. |
| Bourne Municipal Landfill<br>Route 28 Bourne, MA<br>508-759-0651 **Contact Dan Barrett** | None<br>***M-F 7 AM to 3 PM***<br>***SAT 7 AM to 3 PM*** | **N/A** | Soil only in emergency situations. Call first for details. |
| North Country Environmental Services<br>Trudeau Rd Bethlehem, NH 03574<br>800-883-8877 **Contact Mike Viani** | None<br>***M-F 7 AM to 3 PM*** | **No limit** | 24 hour notice required. No carcasses. Soil quantity depends<br>on analytic results. |

**SOURCE: New Hampshire Department of Environmental Services**
**Waste Management Division**

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SOURCE: New Hampshire Department of Environmental Services
Waste Management Division

## FACILITIES ACCEPTING VIRGIN PETROLEUM CONTAMINATED DEBRIS 2007-2008

| FACILITY NAME | Emergency #/Hrs | LIMIT | CONSIDERATIONS |
|---|---|---|---|
| **Within a 200-mile radius of Portsmouth Harbor** | | | |
| Moretown Landfill, Inc.<br>19 Kaiser Drive Waterbury, VT<br>802-244-1100 ext. 226 **Contact Tom Badowski** | None<br>*M-F 7 AM to 3 PM*<br>*SAT 8 AM to 12 PM* | **100 TPD** | Generator certification/PID readings required. Soils <18% liquid O.K. |
| Waste USA Landfill<br>Airport Rd Coventry, VT<br>802-334-8300 **Contact Chris Brown** | None<br>*M-F 7 AM to 4 PM*<br>*SAT & AM to 12 PM* | **Soil 250T**<br>**Other:**<br>**100 TPD** | 24 hour notice required. Lined roll-offs preferred. Prior approval by VT Natural Resources/ analytic data required. |
| Crossroads Landfill<br>357 Mescer Road Norridgewock, ME<br>207-634-2714 ext. 210 **Contact Jeff McGown** | 207-851-4575<br>*M-F 7:30 AM to 3:30 PM* | **500 TPD** | Material profile required. No free liquids. |
| Pine Tree Landfill<br>358 Emerson Mill Rd Hampden, ME<br>207-394-4371 **Contact Tom Gilbert** | None<br>*M-F 8 AM to 4 PM* | **No Limit** | 24 hour notice required. Analytic data/manifest required. No carcasses. |
| Covanta of Southeastern Connecticut<br>132 Military Hwy Preston, CT<br>860-889-4900 **Contact Erik V. Freidenf** | None<br>*M-F 7 AM to 5 PM*<br>*SAT 7 AM to 12 PM* | **20 TPD** | 24 hour notice required. Material profile required. No soil/ carcasses. |
| Riley Energy Systems<br>425 So. Burham Hwy Lisbon, CT<br>860-887-9267 x 13 **Contact John Pasutto** | None<br>*M-F 7 AM to 5 PM*<br>*SAT 7 AM to 12 PM* | **40 TPD** | Call in advance. Analytic data/manifest required. No soil/ carcasses/55 gallon drums. |

SOURCE: New Hampshire Department of Environmental Services
Waste Management Division

## FACILITIES ACCEPTING VIRGIN PETROLEUM CONTAMINATED DEBRIS 2007-2008

**Within a 200-mile radius of Portsmouth Harbor**

| | | | | |
|---|---|---|---|---|
| Covanta<br>530 So. Cherry St Wallingford, CT<br>203-294-1649 **Contact Jason Farren** | None<br>***M-F 7 AM to 3 PM***<br>***SAT 7 AM to 12 PM*** | **420 TPD** | Call in advance. No soil. Carcasses O.K. | DONE |
| Greater Albany SLF<br>525 Rapp Rd Albany, NY 12205<br>518-427-7484 **Contact Bill Bruce** | None<br>***M-F 7 AM to 3 PM*** | **20 TPD** | Soil only. Call if daily max to be exceeded. | DONE |

SUMMARY of DISPOSAL FACILITIES accepting OILY DEBRIS:

- ***6 facilities within a 50 mile radius of Portsmouth Harbor***
- ***13 facilities within a 100 mile radius***
- ***23 facilities within a 200 mile radius***
- ***Total capacity exceeds 12,000 tons per day (TPD)***
- ***12 accept virgin petroleum contaminated soil***
- ***6 accept carcasses***
- ***6 New Hampshire facilities***

**SOURCE: New Hampshire Department of Environmental Services**
**Waste Management Division**

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***3207.5 Decanting***

When oil is spilled on the water, mechanical recovery of the oil will be the principal approved method of responding. The overriding goal of mechanical recovery is the expeditious recovery of oil from water while minimizing the impact to the environment. Mechanical recovery necessitates placing equipment into spilled oil or onto water with spilled oil floating on it. The operation of equipment used for mechanical recovery, by the nature of its location directly in the spilled oil, will result in incidental returns of oil into the response area. An example of these incidental returns is oil dripping from spill response machinery and vessels located in the response area. During spill response operations, the efficiency of the mechanical recovery of oil is often effected by a number of factors, including: weather, sea state, emulsification and currents; the type of recovery system employed; the efficiency of the skimmers being used and the amount of tank space available on the recovery unit to hold recovered oil/water mixtures. Such discharges to waters within a response area are termed "incidental discharges' or discharges incidental to recovery operations.

Inevitably, water is collected along with the oil during skimming operations. The volume of water which is picked up varies based on many factors and is normally much greater than the volume of oil recovered. During the initial stages of a large spill, a lack of adequate storage space for the recovered oil/water product is often the case, both directly at the recovery unit (vessel or skimmer) and on land. This lack of storage space can bring the skimming, collecting and and/or pumping of oil out of the environment to a halt while the response units are brought to a location to be emptied of the oil/water mixture. During these breaks in the collection process oil will likely continue to travel and impact sensitive environments. To more effectively utilize the storage that is available and keep response activities operating, the process of decanting is often used. Decanting is the process of draining off a majority of the water portion of the oil/water mixture collected during recovery processes directly in the recovery area. This reduces the need for recovery equipment to stop operations in order to transfer the oil/water mixture. Decanting can occur from portable tanks, internal storage tanks on skimming vessels, collection wells or other storage containers to increase the available storage capacity for recovered oil. When decanting is conducted properly, most of the water can be removed from the collected oil/water mix. 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, thereby minimizing overall environmental damages.

***3207.6 Decanting Policy***

The Maine and New Hampshire Area Committee encourages the use of decanting as a means to ensure a more efficient recovery operation. This policy is put in place in order to facilitate the approval process during a spill response and provide guidance to the Unified Command, response contractors and other members of the spill response community on how to implement decanting. Decanting is encouraged because the discharged water will be much less harmful to the environment than allowing unrecovered oil to remain on the water. In the initial stages of an incident, the Unified Command may authorize decanting verbally after considering each request for decanting on a case-by-case basis. Prior to approving decanting, the UC 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 receptacles. The following items should be considered by Unified Command in determining whether to approve decanting unless circumstances dictate otherwise:

- Contamination levels of water proposed for decanting as well as the quality of receiving waters
- Type, size, and availability of storage devices including available temporary vessel and facility capacity
- Location of designated area
- Need for containment around designated area
- Sufficient retention time to allow for adequate separation of oil and water
- Visual monitoring of the decanting operation

A sample Decanting Request/Authorization Form is included in section 9704.

**3208 Decontamination Group**

The Decontamination Group is responsible for the decontamination of personnel and response equipment in compliance with approved statutes and guidelines. Implementation of the Decontamination Plan should be coordinated with the Safety Officer. The Decontamination Group shall perform the following actions:

- Ensure that procedures and equipment are in place to adequately decontaminate personnel
    - Suitable shelter for inclement weather
    - Clear identification of decontamination corridor including points of entry and egress
    - Accessibility of decontamination zone for emergency medical units
    - Equipment drop zone at the edge of the hot zone
- Identify types and amounts of equipment to be decontaminated
    - Large vessels (ships and barges) on water
    - Small vessels (recreational and response vessels associated with the incident)
    - Oil containment boom
    - Skimmers
    - Other
- Identify a suitable facility or facilities for decontamination activities
    - Suitably sized area for decontamination operation
    - Suitable area for staging equipment prior to and post decon
    - Consider location based on public use and access, and waste handling and storage capability. The location should preferably be in an industrial area

- Identify required resources
  - Decontamination pools
  - Pressure washers
  - Pumps
  - Water source
  - Water temporary storage
  - Wash water transport to disposal facility in accordance with waste disposal plan
  - Equipment handling (fork lift, crane)
- Work with the Safety Officer to develop an appropriate site safety plan considering approved cleaning agents (include information on the Material Safety Data Sheet)
- Develop appropriate tracking and documentation of equipment as it enters and departs the decontamination facility

Refer to Form G of the Site Safety & Health Plan (ICS Form 208) for a decontamination equipment and procedures template.

Decontamination resources are listed in the Maine Marine Oil Spill Contingency Plan's Equipment and Support Directory.

**3209 Surface Washing Agents**

Surface washing agents are liquid products designed to make it easier to remove oil from surfaces and structures that have been oiled to minimize sources of secondary oiling. Several surface washing agents that have meet basic requirements for consideration during an oil spill response have been included by EPA on the National Product Schedule. Approval from the FOSC, SOSCs and the Regional Response Team is required before a surface washing agent can be used in a manner that could cause it to be released into the environment. Before selecting a surface washing agent, utilize the Surface Washing Agent Checklist. Typically, conventional methods should be used first to the extent of their utility. A Fact Sheet on Surface Washing Agents is available on NOAA's response website.

**3300 Emergency Response Branch**

The Emergency Response Branch is responsible for overseeing and implementing emergency measures to protect life, mitigate further damage to the environment and stabilize the situation. The Emergency Response Branch may include the following groups:

**3301 Search and Rescue Group**

The SAR Group is responsible for prioritization and coordination of all Search and Rescue (SAR) missions directly related to the incident, including management of dedicated SAR

resources and coordination of SAR mission resource requirements with platforms of opportunity. SAR resources can be activated by contacting USCG Sector Northern New England at (207) 767-0303 or via Channel 16 VHF-FM by radio. SAR and preservation of life takes priority over other response efforts.

**3302 Salvage Group/Source Control**

The Salvage Group is responsible for coordination of salvage of the vessel, and for de-conflicting interference between pollution response efforts and salvage efforts. The Group will consider the below items in consultation with the Salvage Response Plan (SRP) which is located in Annex 10200 of Sector Northern New England's Area Maritime Security Plan:

- The liquid level of all tankage (i.e. fuel, ballast, cargo, etc.)
- Potential pollution risks, Assessment and Survey
- Stabilization, Lightering considerations
- Specialized Salvage Operations, Booming considerations
- Types of Equipment Required, Standby equipment
- Salvage Guidelines

**3303 Marine Firefighting Group**

The Marine Fire Fighting Group is responsible for coordinating and directing all firefighting activities and managing all dedicated firefighting resources.

More information on Marine Fire Fighting is contained in Section 8000 of this ACP.

**3304 Hazardous Material and Oil Group**

The HAZMAT Group is responsible for coordinating and directing emergency hazardous material response activities, including prioritizing HAZMAT responses and managing dedicated HAZMAT resources. Several definitions exist for hazardous materials or substances. HAZMAT may include numerous hazardous materials/substances including Chemical, Biological, Radiological, or Nuclear (CBRN) materials. During the initial emergency phase, the HAZMAT group will be concerned with the safety of responders and the public, and will focus on:

- Emergency recognition / Source identification
- Safe distances
- Emergency notification – by reference 911/broadcasts/media and other means
- Evacuation

More information on Hazardous Material Response is contained in Section 7000 of this ACP.

### *3304.1 Evacuation Plans*

State, County and Municipal Emergency Managers have the lead for making emergency notifications and maintaining and implementing evacuation plans. The Maine state evacuation plan is broad. More detailed work gets done at the County and Municipal level. For example, at the Cumberland County level 11 Regional Evacuation Shelters have been identified along with teams and agencies to staff them, and major routes to use to get to them. More community-by-community detailed route planning is being developed. The cities of Portland and South Portland have conducted more detailed evacuation planning. There are lots more moving parts county-wide such as working on commodity points of distribution (C-POD), Alternate Care Sites (ACS), etc. Municipalities are responsible for their local evacuation planning building off a planning backbone provided by each county. For the city of Portland, evacuation decisions would be made at the command post by the Chief with assistance of the Hazmat team personnel. Early decisions could be made by the on duty Deputy Chief, the officer most likely to be in charge of the incident until command would be transferred to the Chief if available and/or present at the Unified Command post. For the city of South Portland, Any immediate evacuations would be ordered and carried out by the incident commander and responders for very emergent issues. Otherwise it would be the Fire Chief/EMA Director in South Portland that would adjust any previous evacuations if needed and/or expand them. This would most likely be done in conjunction with information/readings from the hazmat team and done as part of the Emergency Operations Center planning. State, County and Municipal level Emergency Operations Plans (EOP) should contain an evacuation annex. A similar process has been developed in New Hampshire at the state and municipal level under the oversight of the Director of Homeland Security and Emergency Management. If air monitoring was necessary to determine an evacuation, the threshold would be set by a combination of the hazmat teams (SPFD & PFD) as well as reliance on other experts such as EPA, DEP, and Chemtrek. The measurements could be done by hazmat teams as well as the EPA and DEP teams. Communications would be via press releases and press conferences. In the case of an evacuation it would be via reverse 911 as well as social media and evacuation protocols (such as having Police go door to door).

### *3304.2 Hazardous Substances and Public Risks*

There is a list of hazardous substances maintained by the State Emergency Response Commission (SERC). In Maine, the SERC is led by the Maine Emergency Management Agency (MEMA). In New Hampshire, the functions of the SERC have been consolidated into the Advisory Council on Emergency Preparedness and Security (RSA 21-P:48) which is coordinated by New Hampshire Homeland Security and Emergency Management. At the county level in Maine, the Local Emergency Planning Commissions (LEPCs), work under the SERC and are typically run by county emergency management agencies. Each county, maintains a list of hazards specifically associated with their county (fixed site and hazards that transit the county by vehicle or rail). This list and the County HazMat Plan inform emergency managers and responders of the various technical risks in each area. Counties also maintain County Hazard Mitigation Plans (HMPs) which rank-order Natural Hazards in each county and outline mitigation strategies, by Municipality, for many of them. The MEMA also maintains a state

level HMP. In New Hampshire local level plans are maintained at the regional level in some areas by Regional Emergency Management Committees and at the municipal level in other areas by LEPCs

**3305 Emergency Medical Services Group**

The Emergency Medical Services Group is responsible for coordinating and directing all emergency medical services related to the incident. Emergency Medical Services can be accessed by calling 911 in Maine and New Hampshire. In most cases procedures for evacuations are developed and implemented by local emergency management agencies, typically by the fire department with jurisdiction in the area. Other agencies, such as local law enforcement, may assist in implementation of evacuation plans. Any evacuation routes and lists of high risk Hazardous Substance sources and public risks that have been developed are maintained by Emergency Management agencies including Maine Emergency Management Agency and New Hampshire Department of Safety, Homeland Security and ***Emergency Management.***

**3306 Law Enforcement Group**

The Law Enforcement Group is responsible for coordinating and directing all law enforcement activities, including isolating the incident (e.g., establishment of a safety zone), crowd control, traffic control, evacuations, beach closures and/or perimeter security

## 3400 Air Operations Group

The Air Operations Branch is responsible for coordinating and providing air support services to response personnel. The principal needs for air support services in a large spill include:

- Oil spill and trajectory mapping
- Shoreline and wildlife reconnaissance
- Skimmer surveillance
- Assessment of boom effectiveness
- Support assessment of threatened resources
- Deployment and retrieval of personnel to otherwise inaccessible areas
- Search and Rescue/Medevac
- Developing and implementing processes for aerial dispersant applications, if needed.

The Air Operations Branch is also responsible for the following:

- Identification of air assets to meet the needs of the response plan
- Coordination with FAA for Temporary Flight Restrictions (TFRs) and other activities, as necessary.

- Coordinating flight departures and arrivals
- Maintaining a status board of flight assets and status
- Scheduling of flights in compliance with Incident Command priorities
- Maintenance of flight safety

Air assets in the Maine/NH Area include:

- Coast Guard Air Station Cape Cod
- Coast Guard Auxiliary
- Civil Air Patrol
- Maine Air Wing
- NH Air Wing
- NH State Police
- Maine State Police
- Commercial aircraft providers

**Unmanned Aircraft Systems (UAS)** or Drones provide a less expensive and often very viable arial surveillance capability. UAS resources have become increasingly capable and available through both government and commercial sources. Potential sources of UAS include:

- York County (Maine) Emergency Management Agency
- Portsmouth (New Hampshire) Police Department
- USCG Strike Teams and Sector Northern New England

For a current list of airports, helibases, helispots, helicopter/aircraft providers, fuel maintenance sources and air traffic control locations, contact Sector Northern New England Command Center at (207) 767-0303. The Air Operations Branch may include the following groups:

**3401 Air Tactical Group**

The Air Tactical Group is responsible for the coordination and scheduling of aircraft operations intended to locate, observe, track and survey response operations. The Air Tactical Group also supports dispersant applications or other deliverable response application techniques. An aerial dispersant observation Job Aid prepared by NOAA provides some guidance to assessing the effectiveness of dispersant operations.

In addition, the Group reports on the incident situation when aircraft are airborne. Aerial observations should be conducted with assistance of NOAA's Open Water Oil Identification Job Aid for Aerial Observation.

**3402 Air Support Group**

The Air Support Group is responsible for supporting and managing helibase and helispot operations, and maintaining liaison with fixed-wing air bases. This includes providing:

- Fuel and other supplies
- Maintenance and repair of helicopters and other aircraft
- Recordkeeping of aircraft activity
- Enforcement of safety regulations

Lists of area airports, helicopter/aircraft/UAS providers, and fuel/maintenance sources are listed in the Response Equipment List and in contact lists maintained by the Coast Guard SNNE Command Center and Air Station Cape Cod. Typically, standard air traffic control procedures will be used at a spill response site under the direction of the cognizant air traffic controller. Temporary Flight Restrictions may be requested by the FOSC through the Federal Aviation Administration to restrict and control air traffic near the spill scene.

**3500 Staging Area Manager**

Under the Operation Section Chief, the Staging Area Manager is responsible for managing all activities within the designated staging areas. Pre-identified staging areas are shown in the Geographic Response Strategy. Additional information on the Staging Area Manager can be found in the Coast Guard Incident Management Handbook.

Staging area security will likely be provided by contracted security guards on a 24hour per day basis, if required.

**3600 Wildlife Branch**

The Wildlife Branch is responsible for the recovery and rehabilitation of wildlife impacted by the spill. The Wildlife Branch's responsibilities include:

- Minimizing wildlife injuries during spill response
- Coordination with Environmental Unit in Planning (see Section 4600) regarding prioritization of fish and wildlife resources and habitats and process for identifying protection priorities.
- Coordination of aerial and ground reconnaissance of wildlife
- Collection and removal of oiled carcasses
- Appropriate handling of oiled wildlife as potential evidence of injury from the spill.
- Deployment of hazing/deterrence measures as authorized in the Incident Action Plan
- Direction of wildlife recovery/rescue/rehabilitation operations

- Providing training and briefing on actions and notifications required when response workers or members of the public encounter distressed wildlife
- Overseeing the activities of private wildlife care groups, including those hired by the Responsible Party
- Establishment of wildlife rehabilitation centers and conduct of rehabilitation operations
- Assisting the Volunteer Coordinator in determining training needs for volunteers who will be working with wildlife
- Assisting the JIC with press release
- Provision of capture and care protocols based upon:
  - Species
  - Location
  - Available care facilities
  - Trustee coordination, consultation and approval, as needed

State and Federal Roles in Wildlife Branch

The U.S. Fish and Wildlife Service, New Hampshire Department of Environmental Services, New Hampshire Fish and Game Department, and/or the Maine Department of Inland Fisheries and Wildlife (IF&W) staff will fill roles in or coordinate roles in this branch. Existing capacity to handle oiled wildlife is limited to the existing facilities of wildlife rehabilitators within the state (typically <5 animals depending on species). Additional capacity would be created by establishing a temporary rehabilitation facility specific to the incident (see below) and by employing the services of a contracted wildlife rehabilitator. The wildlife rehabilitation contractor will:

- Consult with the state/federal wildlife agencies to assess the oil spill situation and determine the appropriate level of response.
- Provide assistance with field capture and the transportation of oiled wildlife to the oiled wildlife rehabilitation facility.
- Supervise the total operation of the oiled wildlife rehabilitation facility and related oiled wildlife field triage facilities.

Maine's "Primary Care Center Options Analysis", completed in January 2019 in collaboration with Tri-State Bird Rescue, evaluated numerous potential sites for a wildlife rehabilitation facility. National Guard armories were determined to be particularly well-suited for this need. The Maine Army National Guard was very supportive of this concept, but we do not yet have an MOU that specifically authorizes it. Other potential facilities include sites managed by the state/federal wildlife agencies and the Maine DEP. The MDIFW Oiled Wildlife Response Plan and the Maine State Marine Oil Spill Contingency Plan provides additional specifics on the

state's wildlife recovery and rehabilitation roles and capabilities. An incident specific MDIFW Oiled Wildlife Response Plan can be found here.

The New Hampshire Fish and Game Department (NH F&G) and/or New Hampshire Department of Environmental Services (DES) will fill roles in or coordinate roles in the Wildlife Branch. DES and/or the responsible party will contract for oiled wildlife response on a case by case basis. State agencies will provide pre-arranged facilities and base response equipment until the contractor arrives on scene.

The New Hampshire Department of Environmental Services has pre-identified four locations for wildlife rehabilitation centers considering location, size of facility, water, electricity and other factors. The pre-identification will provide a quick set up of an oiled wildlife rehabilitation center. The facilities are as follows:

- Sprague Energy storage warehouse
- PSNH Newington Warehouse #2
- Pease Air National Guard Base – Airplane hangars
- Town of Rye Recycling Center
- NH Port Authority

Use of any of these facilities is dependent upon availability and each facility's security requirements.

The State of New Hampshire Department of Environmental Services and NH Fish and Game's Contingency Plan for Oiled Wildlife was last updated in 2008.

The US Fish and Wildlife Service may also fill a role in the Wildlife Branch. The US Fish and Wildlife Service's guidance documents for Fish and Wildlife Service NCP Response Guidance Documents provide best practice manuals and other references for spill response.

The Wildlife Branch may include the following:

**3601 Wildlife Recovery Group**

The Wildlife Recovery Group is responsible for the following:

- Deployment of wildlife hazing/deterrence operations to prevent unoiled wildlife from becoming oiled under the guidance and authority of state and federal fish and wildlife agencies and in coordination with the Air Operations Branch.
- Coordination with the Planning and Operations Sections to conduct aerial and ground surveys of wildlife.
- Coordination with the Operations Section to conduct wildlife recovery and rescue activities.

- Transporting live, oiled wildlife to the Wildlife Rehabilitation Center(s).

Collecting and securing dead, oiled wildlife

***3601.1 Oiled Carcass Removal Procedures***

Dead, oiled wildlife need to be removed from the environment as soon as possible to help prevent secondary contamination of scavengers, including raptors. State/federal agencies have developed specific protocols for removing oiled carcasses. These protocols are provided in the agency-specific wildlife response plans referenced above.

**3602 Wildlife Rehabilitation Center**

The Wildlife Rehabilitation Center Manager must:

- Operate and Maintain a Wildlife Rehabilitation facility.
    - Maintain a central clearing point for all recovered wildlife
    - Receive oiled wildlife at the facility
    - Maintain documentation on wildlife delivered for rehabilitation
        - Note: It is critical to identify and track the wildlife brought into the facility as evidence for future natural resource damage assessment.
    - Conduct triage, stabilization and rehabilitation of oiled wildlife
        - Bird rehabilitation
        - Domestic pet rehabilitation
        - Other oiled animals rehabilitation
    - Coordinate transport of wildlife to other facilities, as needed
    - Coordinate release of recovered wildlife
- Store, document and coordinate laboratory analysis and necropsies, and properly handle deceased wildlife.
- Identify all support needs to logistics.

The Wildlife Branch works closely with the Environmental Unit of the Planning Section to minimize the impacts of any incident on wildlife and habitat. Further information on wildlife and the identification of environmentally sensitive areas can be found in Section 4600 of this ACP.

The Maine State Marine Oil Spill Contingency Plan is included in this ACP by reference. See Section 9, Wildlife Rehabilitation, of the Maine State Plan. Additionally, the State of New Hampshire Department of Environmental Services and NH Fish and Game's Contingency Plan for Oiled Wildlife is included in this ACP by reference.

Standard wildlife recovery/rehab protocols and practices routinely used by Tri State Bird Rescue and International Bird Rescue Research Center (IBRRC) will be utilized under the oversight of appropriate state and federal wildlife agencies. These plans were developed with input from Tri-State Bird Rescue.

**3700 Reserved**
**3800 Reserved**
**3900 Reserved for Area/District**

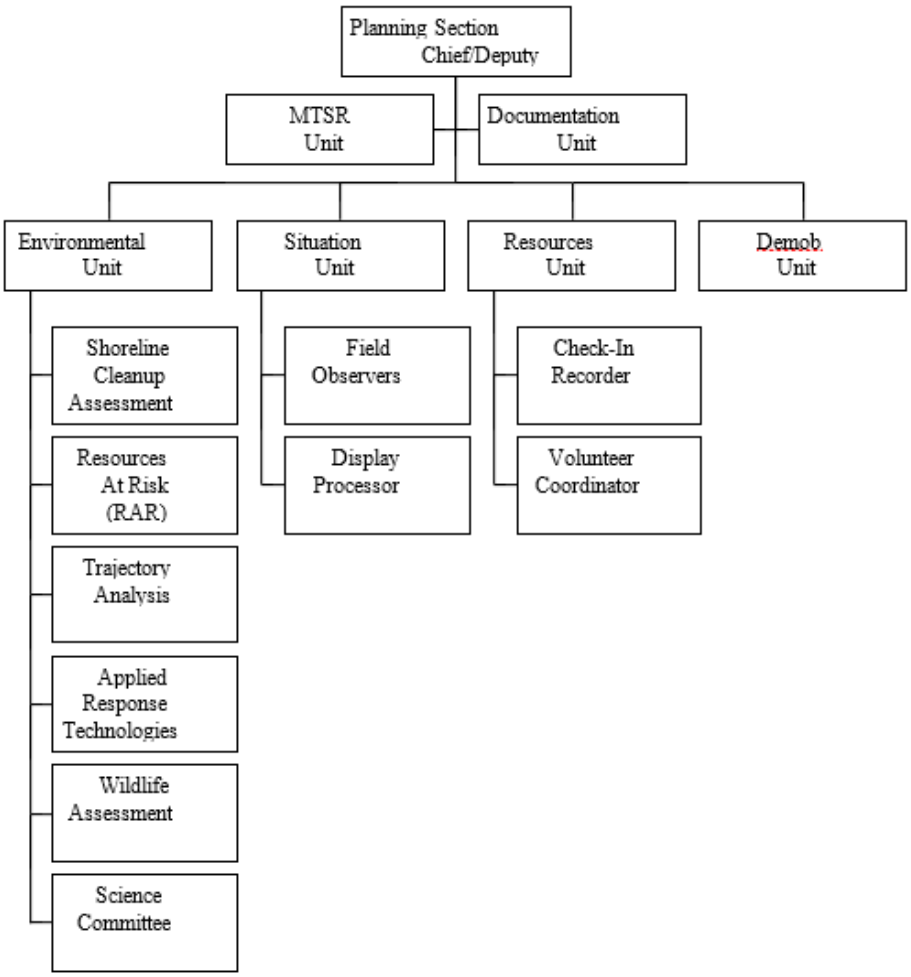
## 4000 Planning

The Planning Section (Planning) is responsible for the collection, evaluation and dissemination of tactical information related to the incident, and for the preparation and documentation of Incident Action Plans. Planning also maintains information on the current and forecasted situation, as well as on the status of resources assigned to the incident. In addition to the aforementioned, a major responsibility is to schedule, plan and manage all Incident Command System meetings within the planning cycle.

Planning includes the Situation, Resource, Documentation, Environmental, Marine Transportation System Recovery (resumption of commerce) and Demobilization Units. Additionally, Technical Specialists are included who can be assigned to any Planning Unit or other Section, as needed.

### 4100 Planning Section Organization

Figure 4-1



**4101 Roles and Responsibilities**

Information regarding roles and responsibilities of Planning Section positions is contained in Coast Guard Incident Management Handbook (IMH), USCG COMDTPUB P3120.17B as well as the position specific job aids found here.

**4102 Planning Section Chief**

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 the probable course of incident events; and 3) prepare alternative strategies for the incident. A Planning Section Chief job aid can be found on the Coast Guard Homeport website.

During the early stages of a large spill event the Planning Section Chief position may be held by the most qualified person who has arrived on scene, including the senior Fire Official. However, once a formal Incident Command Post is operating and Incident Command has passed to the Unified Command a Planning Section Chief will be appointed by the Unified Command. The Planning Section Chief should have the following capabilities:

- Able to schedule, manage and complete Incident Command System briefings in an efficient manner
- Strong knowledge of the ICS system, particularly the Planning cycle and creation of Incident Action Plans.
- Skills to organize and motivate staff to accomplish assignments quickly.
- Familiarity with the Geographic Response Strategies in the SNNE area.
- Knowledge of risk based oil spill response activity priorities.
- Knowledge of oil spill countermeasures (skimming, booming, chemical countermeasures and application methods, etc.).
- Able to prepare alternative strategies based on incident potential and the effectiveness of current operations (following consultation with the Operations Section Chief).

Considering that the Planning Section Chief's duties include managing the ICS meetings, i.e., frequent absence from the Planning Unit, it is also imperative to appoint a fully qualified Deputy Planning Section Chief.

**4200 Situation Unit**

The Situation Unit collects, processes, and organizes incident information and provides the command team with both current situational information and future projections of incident potential. The situation unit provides the Incident Command/Unified Command and staff with a comprehensive, accurate and up-to-date picture of the incident status.

- Displays incident status including: reports obtained from field observers, resource status, communication plans, aerial and digital ortho photographs, and infrared data.
- Collects situation information from personnel observations at the incident.
- Displays projections and estimates of the movement and behavior of the spill.
- Displays the current common operating picture (COP) to all portions of the Incident Command Post, using digital or paper charts and maps as needed. This COP may include an interactive map displaced on the Environmental Response Management Application (ERMA) as well as other electronic displays depicting incident status, trajectories, weather/tides and deployed resources.
- Provides status reports, using available graphics during ICS briefings.

**4201 Situation Unit Leader**

The Situation Unit Leader must be an individual with good communication and organizational skills, with an understanding of spill response and how to obtain updated incident information from all possible sources. The role of the Situation Unit leader is outlined in the Coast Guard Incident Management Handbook and the Situation Unit Leader Job Aid. The Situation Unit Leader should be familiar with available resources and capabilities including

Display Processors/Status Displays:

- Pre-designated Command Post display and printing capabilities, i.e, projection, large format plotters, etc.
- Capabilities to receive store and print aerial photography.
- Resources and technical experts who can assist in the details of displays and mapping.
    - GIS mapping, display skills and infrastructure, specifically related to spill response, have been developed by both the states of Maine and New Hampshire. It is suggested that the following assets be included in the situation unit.
        - NHDES GIS specialists
        - ME DEP Spill Mapping specialists
        - USCG staff with skills in GIS and electronic mapping.
        - NOAA's Emergency Response Management Application (ERMA)
        - GIS Applications and resources made available by the Responsible Party
    - In the event of a significant spill, it is likely that local resources will be used during the initial hours or days of a response, and that a transition will be made to federal resources such as ERMA and/or GIS resources provided by the responsible party as the need for data management and spatial information increases. It is imperative that whatever systems are in use work cooperatively to develop and share information to avoid confusion and duplication of effort. Regardless of the level of involvement of federal and/or responsible party, local resources should remain

active in the development, verification, management and mapping of GIS data. In a significant event, the Situation Unit Leader should appoint a GIS coordinator responsible for coordinating these information management systems.

- Use of information collected by Rapid Assessment Teams (RATs) as referenced in section 3104

The following items, at a minimum, should be placed on the overall status displays

- Incident objectives
- Incident status summary
- Current situation
- Master map, including:
  - Location of oil
  - Predictions of oil travel
  - Spill resource locations, i.e., deployed booms, skimmers, vessels, SCAT teams, response teams, etc.
  - Locations of industries, sensitive receptors, water intakes, etc.
- Weather/tides/currents forecasts.
- Meeting schedule(s)

There will be significant demands upon the Situation Unit for providing both paper and electronic status maps. Therefore, the Situation Unit must be provided with the necessary infrastructure, such as: printers, large format plotters and computers.

The Situation Unit must provide updated information to the UC and JIC, as well as maintain the master displays in the situation display area of the ICP. This task is imperative to assure that the same information is provided throughout the Incident Command Post. The Situation Unit is also responsible for developing and updating the daily Incident Status Summary (ICS 209) that highlights key information on the incident, assigned resources and response operations.

The Situation Unit should develop and implement a process for validating the accuracy and currency of all posted information and posted information should be time/date stamped with the source noted to avoid confusion.

**4300 Resources Unit**

The Resource Unit is responsible for tracking the status of resources and personnel committed to the incident. This unit works closely with Operations to address needs and ongoing effectiveness of resources as well as with Logistics to assure resource availability.

Tracking of resources in the field is one of the more difficult tasks during a spill event. The Resource Unit must be able to determine what resources have already arrived, track the locations of resources and work with Operations to manage the resources per the Incident Action Plan. As this information will be in demand by the members of the Incident Command it must be transmitted quickly to the Situation Unit for display.

In the SNNE area, many local, state, federal and private sector personnel have received significant ICS training in the management of incident resources. Using these trained resources should be considered a top priority to maintain the level of preparedness that has been developed to operate the Resource Unit.

All command posts should have a capability to provide resource tracking. If pre-designated command posts do not exist, then the SNNE portable ICS kits contain sufficient supplies to set up the resource unit. The current resource inventory of available spill response resources available for a spill in ME/NH can be accessed online at the following website: Response Equipment and Support List This equipment inventory can also be viewed by geographic location via a web-based ArcGIS file at: Response Equipment GIS Display

Additionally, the Response Resources Inventory (RRI) maintained by the Coast Guard's National Strike Force Coordination Center provides information on equipment sites, skimmers, transfer pumps, boom, portable storage, dispersants, dispersant delivery systems, firefighting equipment, beach cleaners, oil water separators, vacuum systems, vessels, trained personnel, and support equipment.

No acute shortages of response equipment needed to implement response and protection strategies have been specifically identified. However, spill response equipment is clustered in areas of highest spill risk including Portland, ME; Portsmouth, NH; and Searsport, ME. It will take significant time to muster spill response resources to more remote portions of the area including Downeast, ME. There is a limited amount of towboats and salvage equipment available for spill response in the downeast area of Maine, in particular.

**4301 Resources Unit Leader**

The Resources Unit Leader is primarily responsible for accounting for all response resources within the bounds of logistical and financial considerations. Resources include: people, equipment, and finances necessary to accomplish the incident objectives. The Coast Guard Incident Management Handbook and Resources Unit Leader Job Aid list additional responsibilities of the Resources Unit Leader and can be found on the Coast Guard Homeport website. If possible, the Resource Unit Leader should try to take advantage of available electronic tools to track and display the location of response resources in near real time.

**4302 Volunteer Component**

The use of volunteers to assist in oil spill response is recognized in 40 CFR 300 Part 185 (c), the NCP. The NCP defines "volunteer" as "any individual accepted to perform services by the lead

agency which has the authority to accept volunteer services" (for examples see 16 USC 742f(c)). A volunteer is subject to the provisions of the authorizing statute and the NCP.

The three primary federal regulations governing oil spill response-40 CFR 300 (NCP), 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. Various health and safety requirements for different on-site activities are outlined in 29 CFR 1910.120. In addition, various federal property owners (e.g., United States Department of Defense and Department of Energy) may have specific regulations, policies or national security concerns regarding the use of volunteers. The USCG may require each volunteer to sign a "hold harmless" clause. The legal representatives of these organizations must be consulted prior to employing volunteers.

It is the general policy of the ME/NH Area Committee that volunteers may only be utilized in low risk activities and only after receiving safety training appropriate for their designated activities. The ME/NH Area Committee is committed to using qualified volunteers who wish to assist in a spill event on an as needed basis. Volunteers can comprise a valuable and dedicated pool of workers to assist with the large personnel requirements of a significant spill event. However, the number one priority in any response is ensuring the safety of response personnel and the public. Therefore, the Maine/New Hampshire Area Committee will ensure that volunteers are only used in tasks for which they are capable and trained. **Volunteers will not be used for direct oil removal activities**. Human health and safety are the first priorities in a decision regarding the use of volunteers. The benefit of volunteer efforts must be balanced against concerns for volunteer safety. Based on the conditions specific to an incident, the Unified Command will determine the suitability of integrating volunteers into the response. It is anticipated that volunteers will be available very early during a spill event and it is imperative that the Unified Command is prepared to manage this valuable potential pool of workers.

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

- The Planning, Operations, and Logistics Sections will need to consider how to effectively incorporate volunteer efforts.
- Volunteers are "just in time" trained which creates a higher risk of injury and liability than those who train and exercise regularly.
- Using volunteers at the Incident Command Post may create an information security risk.
- If there is no RP for a spill, the responsibility of volunteer liability will need to be determined.

During an initial response, before the need for volunteers has been expressed, the ICS structure may not contain positions specifically dedicated to volunteer management. The Liaison Officer will query other ICS Sections and Units concerning the need for the use of volunteers, and to determine if members of the public have expressed an interest in assisting with the response on a volunteer basis. If it appears that there will either be a significant demand for volunteers to fill positions within the response organization or a significant demand from the public to assist with the response on a volunteer bases, the Liaison Officer will assess the situation and develop a volunteer use recommendation and present it to the Unified Command for review and approval. If there are a significant number of volunteers needed and the UC approves the use of volunteers in the response organization, the Planning Section Chief will assign a Volunteer Coordinator who can either work as a member of the Command Staff (Volunteer Coordination Officer) or within a Volunteer Unit under Planning (Volunteer Unit Leader).

Volunteer Coordinator

Once the UC makes the decision to utilize volunteers, a Volunteer Coordinator will be assigned by the Planning Section Chief as soon as possible. The responsibilities of the Volunteer Coordinator include:

- Develop and maintain a list of volunteer organizations and contacts.
- Develop and maintain a list of volunteer capabilities
- Provide outreach/just-in-time training to volunteers/organizations including:
    - Basic oil spill response information
    - Tasks that volunteers can do
    - Job specific training that volunteers will be required to have
- Work closely with both ME DEP and NHDES in implementing their respective oiled wildlife contingency plans.

The types of tasks that volunteers could fulfill include:

- Dissemination of public notices door to door.
- Local knowledge for assisting the situation unit display processors.
- Local knowledge for directing responders to geographical areas.
- Command Post staff support (check in, reception, phone bank, scheduler, runner, database, note-taker)
- Providing/disseminating food and refreshments
- Transportation
- Field Support
- Photo Documentation

- Joint Information Center
- Liaison

The volunteer component of any oil spill must be managed in the safest and most thorough manner possible. Compliance with OSHA requirements must precede any participation from any volunteer who may come into contact with oil or hazardous materials, including those volunteers involved in oiled wildlife rehab. Please refer to Section 9408 for additional information on volunteer policies and utilize the Volunteer Management Plan Template.

**4303 Vessel of Opportunity Policy**

A major oil spill could stretch the limits of spill response equipment available through Oil Spill Response Organizations and public agencies. Vessels of Opportunity (VOOs) could potentially be used to supplement the extensive inventories of response equipment in place throughout Northern New England and available to cascade in from other regions. VOOs will only be used if they are determined to be necessary by the Unified Command.

Vessel owners who offer to participate in a VOO program will supplement the system of organized professional spill responders already in place.

VOOs include local commercial or recreational vessels interested in assisting in the extended cleanup of a major oil spill. A range of vessel types would be considered including: fishing, charter, deck barges, or other types of passenger and large recreational boats.

Private entities, such as professional response contractors or oil companies, will use information provided by interested VOO participants to find vessel owners with whom they choose to be in contact. If a response contractor or oil company decides to contract with a vessel operator, the vessel operator will sign a private agreement with the company. The operator and crew of the vessel of opportunity will be trained, provided a work assignment, and paid for their occasional, part-time work. All contracts are made between the contractor and the VOO program participant. The Coast Guard and state agencies do not directly participate in these agreements. .

VOO participants may be able to support spill response efforts in several ways. The jobs VOOs may be assigned will depend on oil spill response needs, the size/ type of vessel, and the vessel operator's skills and abilities. Potential roles of VOOs include:

- Assist in oil skimming operations to remove oil from affected waters.
- Transport or deploy oil spill containment boom.
- Provide logistical support by moving equipment, food, or people.
- Serve as a communications or command/supervisory platform
- Provide a platform to search for oiled or injured wildlife.
- Support scientific assessment

VOOs will typically receive "just in time" training and will be paid for both the time spent in training and their time spent conducting contracted spill response activities. Safety training must also be provided and provisions must be included in the overall incident safety plan to cover VOO participants.

Vessels engaged in an oil spill response could be oiled and may not be able to be fully cleaned despite best efforts during decontamination operations at the conclusion of the spill response.

Contracting companies will set the terms and qualifications that interested vessel of opportunity operators must meet to be eligible for participation in the response. These companies will likely assess each vessel's current location, certifications, level of crew training, vessel capabilities, general vessel condition, availability, and other important factors. Information that may need to be collected from interested VOO participants includes:

- Contact Information.
- Vessel and vessel equipment information
- Training records relevant to oil spill response.
- Date of most recent Marine Survey.
- Vessel homeport and hailing port.
- Seasonal operations of the vessel.
- Information about any drug testing programs for captain and crew.
- Vessel and crew insurance and liability policies.

Additional information for commercial vessels includes:

- Lloyds Registry
- IMO Number, or Official Number.
- Date of most recent USCG compliance inspection or boarding.
- Date of expiration of any USCG certifications.
- AIS registration number

Additional information for recreational vessels:

- State registration number
- USCG documentation number or other official number.
- Date of most recent USCG Auxiliary Dockside Courtesy Inspection.

Procedures will be developed to ensure vessels selected for any VOO program meet safety and stability requirements and are properly equipped for any missions assigned. Unless specifically authorized by the unified command, response personnel and agency representatives will only get underway aboard VOOs that are Coast Guard inspected vessels with a valid certificate. In special circumstances, responders can be granted permission to get underway aboard VOOs that are uninspected passenger vessels (UPV), provided they have passed a UPV examination within 6

months, are in compliance with all federal standards, and are being operated by a duly licensed operator.

**4400 Documentation Unit**

The Documentation Unit is responsible for the maintenance and protection of all documents relevant to the incident. Thorough documentation is critical to post-incident analysis. Some of these documents may originate in other sections. Incident files will be saved and stored for legal, analytical, and historical purposes. The Documentation Unit performs the following activities:

- Complete electronic versions of ICS forms and print them on varying formats of paper sizes. Each Documentation Unit should be staffed with at least one person per shift with good computer and printing skills.
- Procure a copier early in the incident to facilitate production, filing and retention of copies of all significant documents
- Assigning Scribes who can ensure that minutes are taken for key meetings and key decisions by the unified command and others are documented.
- Assigning a site photographer to document activities as needed
- Develop and implement procedures for managing and retaining copies of electronic data generated as part of the incident response.

The SNNE USCG Auxiliary has provided excellent staffing for the documentation unit and has a dedicated staff highly knowledgeable in ICS. Therefore, it is anticipated that the USCG Aux will be considered a potential source of staff for the Documentation Unit. See the Documentation Unit Leader Job Aid and the Coast Guard Incident Management Handbook for more detailed information.

**4500 Demobilization Unit**

The Demobilization Unit is responsible for the development of a plan for the demobilization of incident resources. In incidents requiring a major resource commitment, an effective, safe, and cost-efficient demobilization and return of resources to service is dependent on adequate planning. See ICS Form 221 for the Demobilization Check-out. It is important to standup the demobilization unit early in the incident response because some resources may be demobilized well before the incident response is completed for a variety of reasons. A Demobilization job aid can be found on the Coast Guard Homeport website.

Demobilization addresses the following activities:

- ❑ Final survey
- ❑ Clean/return equipment
- ❑ Survey/replace equipment
- ❑ Restore damaged areas
- ❑ Consultation with appropriate Natural Resource Trustees and property owners

**4600 Environmental Unit**

Reducing impacts to public, natural, historical, cultural and economic resources is a key goal in responding to an oil spill. The Environmental Unit is the central point in the Planning section for determining how to best protect these resources. An Environmental Unit should be established for all major coastal incidents. The Environmental Unit is responsible for:

- Identifying all sensitive public, natural, historical, cultural and economic resources likely to be affected by the spill,
- Setting priorities for protecting these sensitive resources using the "Protection Prioritization" guidelines (Section 4608) and other guidance.
- Implementing the Geographic Response Strategies (GRSs).
- Providing guidance to the Unified Command on which GRSs should be deployed.
- Working with the Operations Section to establish any additional geographic response strategies not identified in the GRS.
- Establishing Shoreline Cleanup Assessment Teams (SCAT).
- Using SCAT information to recommend shoreline cleanup priorities and restrictions.
- Providing guidance regarding clean up decisions.
- Identifying and recommending clean up techniques and possible use of dispersants, other chemical countermeasures, or in-situ burning.
- Developing a disposal plan.
- Providing information to the JIC regarding natural resource concerns/impacts.
- Coordinating with NRDA activities.
- Identifying potential type and number of wildlife and fishery resources that will require recovery and rehabilitation based upon:
  - Species
  - Sensitivity to oil
  - Mobility
- Providing the following environmental information and services:
  - Weather / Tides & Currents
  - Trajectory / Overflight Maps
  - Resources at Risk
  - Biological Assessment
  - Shoreline Assessment
  - Chemical Analysis

- Long-term Monitoring
- Seafood Tainting
- Science Outreach (i.e., Universities, etc.)
- Human Health Risk Assessment
- Science Reference Library

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 recommended that the Environmental Unit be led by a federal or state natural resources agency representative. The Incident Management Handbook provides additional information on the job responsibilities for this position. Also, the Environmental Unit Leader, or their designee, should attend the following ICS meetings and provide Environmental Unit information reports and updates with the Situation and Resource Unit Leaders:

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

The environmental unit may include the following members:

- NOAA SSC (See Section 9203.1)
- State environmental agency representative from NHDES and/or MEDEP
- A person familiar with the Geographic Response Strategy for the area of the spill
- A person familiar with the Maine and/or NH environmental sensitivity maps
- Fish and wildlife experts from:
  - ME Inland Fisheries and Wildlife and/or ME Dept. of Marine Resources
  - NH Fish and Game and NH DES Shellfish Program
  - US Fish and Wildlife Service

  Note that the fish and wildlife technical experts in the Environmental Unit may also be assigned to the Wildlife Branch in Operations or the wildlife rehabilitation center.
- State Historical Preservation Officer – a representative from Maine and/or New Hampshire, depending upon spill location
- Shoreline cleanup specialist

- Response technologies specialist
- An aquaculture specialist (this could be the same as the State shellfish program's representatives)
- Maine and/or NH economic development representative (NH Dept. of Economic Resources and Development and/or Maine, Office of Community Development).

**4601 Wildlife Specialists**

Wildlife Specialists are responsible for providing technical expertise regarding the protection, recovery and rehabilitation of wildlife that have been, or may be, impacted by the spill. Wildlife Specialist responsibilities may include providing expertise on the following topics:

- Marine Mammal Recovery and Rehabilitation
- Bird Recovery and Rehabilitation
- Hazing
- Identifying locations, seasonality, breeding seasons and vulnerabilities of wildlife.

Wildlife specialists should initially be assigned to either the environmental unit or to the Operations Section where they will focus on minimizing potential impacts from response operations on wildlife and wildlife habitats.

**4602 ESI Maps and Geographic Response Strategies**

nvironmental Sensitivity/Vulnerability Maps are used to determine areas along the coast that are unique and sensitive. These are areas that could be damaged or destroyed in the event that oil or other hazardous material were spilled and reached them. The maps show coastline types (coastal geomorphology), wildlife habitats, nesting grounds, species seasonality and socioeconomic resources. Each of these types of data is depicted on maps showing resources most vulnerable to oil spills. Associated tables provide additional information regarding species at risk, such as: when species are in the spill area, breeding seasons and population numbers. Response personnel and the Planning Section can use this data to craft appropriate response strategies. The state of Maine and New Hampshire use slightly different formats of these maps; however, they each show the same type of information. The State of Maine's maps are called Environmental Vulnerability Index Maps (EVI), while the State of New Hampshire's maps are called Environmental Sensitivity Index Maps (ESI). ESI/EVI maps can be downloaded at http://response.restoration.noaa.gov or Maine EVIs

**4603 Maine Environmental Vulnerability Index Maps**

There are 98 maps in the four volume EVI atlas series. The atlas series covers the entire coast of Maine and parts of New Hampshire using 1:45,000 scale maps printed in 11" x 17" format. Environmental Vulnerability Index maps can be downloaded by contacting ME Department of Environmental Protection, Bureau of Remediation & Waste Management.

**4604 New Hampshire Environmental Vulnerability Index Maps**

There are 7 maps covering the coastline of New Hampshire using 1/45,000 scale maps. These are based upon a format developed by the National Oceanic and Atmospheric Administration. Currently, the maps are compiled into an 11" X 17" format atlas including information on the types of shorelines and a map key. Several atlases and electronic copies are kept at the NH DES coastal emergency response center. Electronic versions of these maps are available by contacting the NH Department of Environmental Services, Spill Response and Complaint Investigation Section at (603) 271-3899.

**4605 Geographic Response Strategy**

The Geographic Response Strategies (GRS) covers the entire coastlines of both Maine and New Hampshire in four areas. Individual booming strategies are contained in the GRS. They provide boom deployment information for protecting priority areas along the coast. Each GRS includes: nautical charts with proposed booming strategies; a narrative description of the booming strategy; total length and type of boom required; the water depth range; tidal current information; details on site access and staging areas; and collection points for environmentally sensitive areas. The intent of the GRSs is that they can be implemented immediately following a spill, by any responder, so that damage will be minimized. Some are still untested but the Area Committee's Geographic Response Strategy workgroup is leading an effort in both Maine and New Hampshire to continually assess and field test each individual strategy. The Area Committee approves, after review, any updates to the GRSs.

The GRS is an appendix to the Maine and New Hampshire Area Contingency Plan.

The following geographical regions comprise the GRS:

| Region | Plan | Coverage |
|---|---|---|
| A | NH & Southern Maine | New Hampshire and York County Maine |
| B | Casco Bay | Cumberland, Sagadahoc, and Lincoln Counties |
| C | Penobscot River & Bay | Penobscot, Hancock, Knox and Waldo Counties |
| D | Downeast Maine | Washington County |

The Maine Department of Environmental Protection maintains the electronic version of the GRS for both Maine and New Hampshire, which can be accessed at their web site at: https://www.maine.gov/dep/spills/emergspillresp/marine.html

**4606 Environmental Consultation**

It is the responsibility of federal agencies taking an action (e.g. the Coast Guard directing oil spill cleanup efforts in the coastal zone) to consider and address the potential effects of proposed

actions on the environment including endangered and threatened species, designated critical habitats, Essential Fish Habitats, and historical and culturally sensitive properties.

An important step to take to better achieve compliance with federal environmental laws in pre-spill, emergency and post-response consultation efforts is to secure consistent participation and involvement from key players including representatives from EPA, NOAA, NMFS, DOI, USFWS and NPS in cooperation with the RRT and Area Committee. The District Incident Management Preparedness Advisor and District Response Advisory Team along with other key members of the RRT play key roles in supporting regional and local area level planning, community engagement and environmental compliance, including conducting Endangered Species Act (ESA) Section 7 consultations. Additional guidance is available in the Coast Guard's Marine Environmental Response and Preparedness Manual.

**4607 Historical and Archeological Sensitive Sites**

National policy and doctrine for protection of historic properties is outlined in Section 1608. Identification of culturally significant sites in the vicinity of a release or discharge can be accomplished by contacting the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO). In addition, DOI land managers in the region for the National Park Service and Fish and Wildlife Service can provide assistance concerning these resources. SHPOs for Maine and New Hampshire can be reached using the below contact information.

**Maine Historic Preservation Commission**

Kirk Mohney (Maine SHPO)
Director, Maine Historic Preservation Commission
55 Capitol Street, SHS #65
Augusta, ME 04333
(207) 287-3811

Christi Chapman-Mitchell (Maine Deputy SHPO)
Assistant Director of Maine Historic Preservation Commission
(207) 287-1453

Dr. Arthur Spiess,
Senior Archaeologist, Maine Historic Preservation, State House Station 65
Augusta, ME 04333
207-287-2789, Arthur.Spiess@maine.gov

**New Hampshire Division of Historical Resources:** (603) 271-3483

Benjamin Wilson
Director and State Historic Preservation Officer: (603) 271-8850

Nadine Miller
Deputy State Historic Preservation Officer
State Archaeologist: (603) 271-6628

**THPOs for the Passamaquoddy Tribe and Penobscot Nation:**

**Passamaquoddy Tribe**
Donald Soctomah, Passamaquoddy Tribe, Tribal Historic Preservation Officer
Tribal Historic Preservation Office
PO Box 301
Princeton, ME 04668
(207) 796-5533

**Penobscot Nation**
Christopher Sockalexis, Penobscot Nation Tribal Historic Preservation Officer,
Penobscot Nation Department of Cultural and Historic Preservation
12 Wabanaki Way
Indian Island, ME 04468
(207) 817-7349
Christopher.sockalexis@maine.edu; https://umaine.edu/anthropology/chris-sockalexis/

Source: National Association of Tribal Historic Preservation Officers

Generally speaking, the protection of historic properties should be prioritized based on the properties' significance, sensitivity to oil, and the extent to which potential losses can be recovered/restored. Historic properties also need to be protected from the potential detrimental impacts of oil spill response, protection, cleanup, removal and restoration activities. The Maine Historic Preservation Commission maintains a database of historic and archaeological resources and there is a similar database for New Hampshire. Because of the sensitivity of the data it is not shown on the Environmental Vulnerability Indexes or similar maps but is available as a GIS layer from the respective states on a need to know basis. The GIS layer for Maine includes 2,500 prehistoric sites and 1,500 historic sites within 150 meters of the coast.

**4608 Economically Sensitive Sites**

Economically sensitive sites should also be prioritized for protection from the impacts of a spill. Considerations include each location's significance, sensitivity to oil, anticipated impacts and the extent to which potential losses can be recovered/ restored/ compensated. Potential economically sensitive areas include water intakes, high tourism coastal areas, significant port/industrial facilities, marinas, aquaculture sites, and fishing grounds.

***4608.1 Water Intakes***

Water intakes include sources of fresh marine water for critical infrastructure including nuclear power plants and fossil fuel burning power plants, marine laboratories, aquariums, hatcheries, lobster pounds and other facilities. Operators of large water intakes need to be permitted and, as a result, should provide contact information to state environmental agencies for notification purposes. Users of water intakes typically have procedures in place for securing their intakes and operating without them for a period of time, if required. Notification of water users who

could potentially be impacted during an oil spill is the responsibility of the spiller. However, NH DES, ME DEP and ME DMR maintain contact information and may assist in notifying water intake users within their jurisdiction in the event that water intakes could be impacted by a marine oil spill.

***4608.2 High Tourism/Recreational Areas***

Travel and tourism is the world's largest industry and sandy beaches are a leading tourism destination, bringing over $500M dollars into the states of Maine and New Hampshire annually and supporting over 8,000 jobs. Beaches including Hampton Beach State Park, Old Orchard Beach and Reid State Park as well as tourist destinations such as Acadia National Park provide important sources of both revenue and recreational opportunities for citizens of northern New England. Particularly during the months of June, July and August the impact to these high tourism areas needs to be considered in establishing protection priorities following a spill.

***4608.3 Port/Industrial Facilities***

Select port and industrial facilities contribute to federal, state and local economies and provide additional societal benefits and must be considered in determining protection priorities. In Maine, these include critical shipyards that support national defense operations such as Bath Iron Works in Bath, Maine and Portsmouth Naval Shipyard in Kittery, Maine. Important facilities also include the Casco Bay ferry terminal that operates year-round transporting over 950,000 passengers and 29,000 vehicles; the Ocean Gateway in Portland which berths the international ferry Nova Star for daily trips to Nova Scotia between May and October and over 60 cruise ship port calls between June and October as well as the town landing in Bar Harbor, Maine which services over 120 cruise ships during the fall season. Other important facilities include state piers in Portsmouth and Portland, the International Marine Terminal in Portsmouth and oil terminals and other commercial waterfront facilities in both Maine and New Hampshire.

***4608.4 Marinas***

Marinas are interspersed along the coastline of both Maine and New Hampshire with concentrations in and around both Portsmouth and Portland. Marinas support commercial and recreational fishing, recreational boating and other uses. They also provide an important venue for supporting spill response operations. Following an oil spill, boats can be preferably hauled out of the water prior to being impacted. Oiled boat hulls can be cleaned in or out of the water depending on circumstances. Specific marina locations are indicated on the EVIs, Gazetteers and other references.

***4608.5 Fisheries***

Maine's seafood harvest topped $600 million dollars in 2019 with 100 million pounds of lobster harvested. . Lobster accounts for most of the value of the total catch followed by elvers (baby eels),and softshell clams. The important fisheries in Maine and New Hampshire need to be considered in resource protection and spill response decision-making. Representatives from NOAA, the Maine Department of Marine Resources and the Marine Fisheries Division of the

N.H. Fish and Game Department should be consulted in assessing potentially sensitive fisheries. A guideline to Maine Fisheries Closure and Reopening Protocol can be found here.

***4608.6 Sensitive Environmental/Seasonal Information***

Information on environmental sensitivities and seasonal concerns for sensitive areas is identified in the Maine Environmental Vulnerability Index maps, New Hampshire Environmental Sensitivity Index Maps and the Geographic Response Strategy.

***4608.7 Trustee and Stakeholder POCs***

Trustee and stakeholders contact information is maintained on the ME/NH Area Committee roster that is updated quarterly by the Planning and Readiness Staff at Coast Guard Sector Northern New England and by the Region 1 NOAA Scientific Support Coordinator.

***4608.8 Protection of Historic Properties***

Protection of Historic Properties is addressed in Sections 1608, 4606 and 9705.

***4608.9 Essential Fish Habitat Compliance***

Essential Fish Habitat Compliance is addressed in Section 1607

**4609 Protection Prioritization**

The protection of human health and safety is of primary importance throughout the response. The next priority is to control the source of discharge and minimize further injury. The Federal and State On-Scene Coordinators will also consider the protection of natural and other resources. The large number of sensitive resources along the coasts of Maine and New Hampshire make it necessary to prioritize protection sites to maximize the effective use of resources and personnel. Resource prioritization (typically done by the Environmental Unit in the Planning Section) considers the following factors:

1. Significance of Resource (Environmental)
    - Biodiversity: (the variety of species or ecosystems in the area)
    - The importance of the area to a significant species' life history (seasonality)
    - The potential of the impacted area to indirectly affect other species / resources

2. Significance of Resource (Social)
    - Cultural and historic value
    - Legal standing (e.g. endangered, threatened or protected under law)
    - Public significance (broad impacts to the public such as water intakes or aesthetic considerations)
3. Sensitivity to Oil
    - Tolerance to oil

- Tolerance to being handled, cleaned or disturbed
- Probability of direct / indirect consumption
- Probability of spreading via social behavior
- Behaviors that increase probability of injury due to exposure

4. Scale of Impact
    - Proportion of the total amount of the regional resource that may be affected
    - Availability of alternative resources
5. Recovery Potential
    - Ability to restore or replace losses with relative ease and effectiveness
    - Length of time required for restoration or replacement

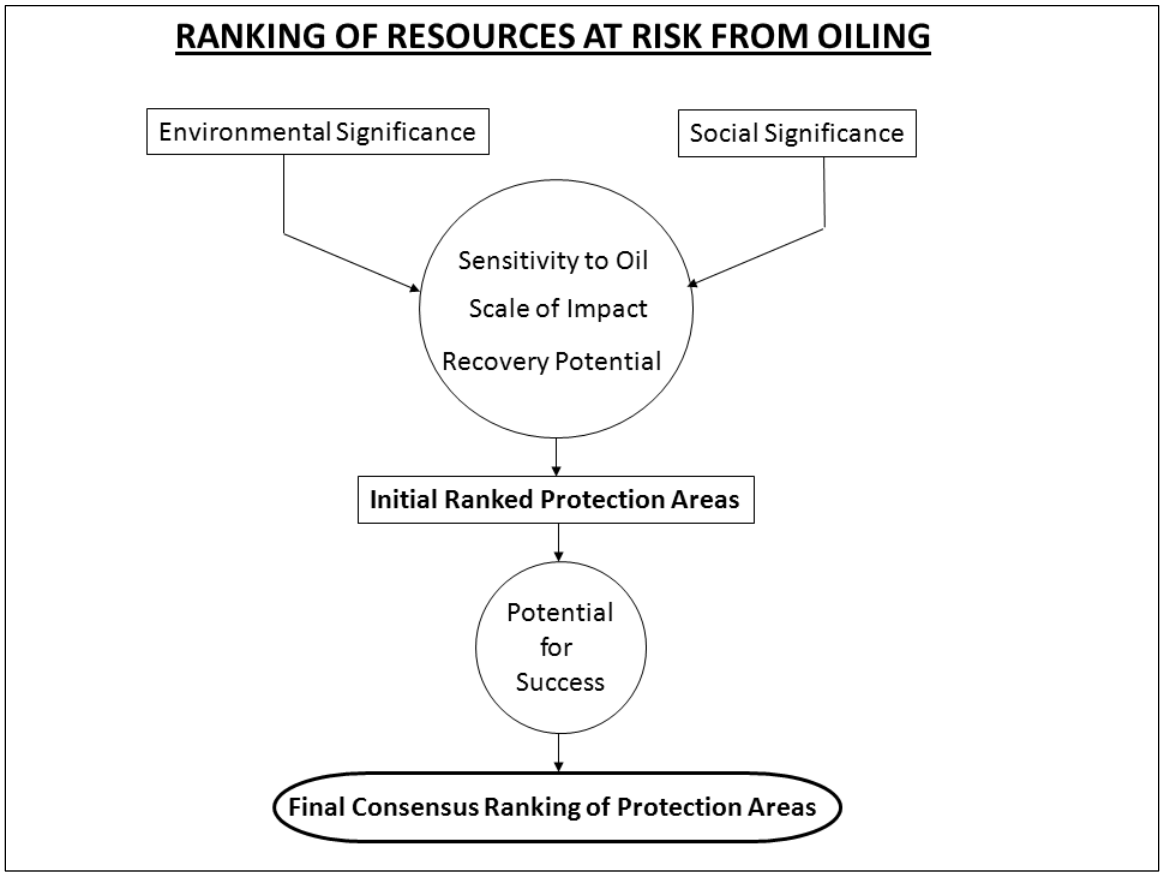
Once the resources at risk have been prioritized by the Environmental Unit, the Operations Section must consider the potential for successfully protecting them:

6. Potential for Success
    - Protectability of resource given available technology
    - Protectability of resource given existing limitations (e.g. weather, personnel, equipment)
    - Expense to other protectable resources

Damage / Cost Recovery – Damages or costs recoverable as a third party claim through a responsible party, state cleanup funds or the Federal Oil Spill Fund are not prioritized for protection. These include:

- Removal costs
- Real or personal property damage
- Loss of profits & earning capacity, and
- Loss of subsistence use of natural resources

The Environmental Unit and Operations Section must concur on which specific resources-at-risk should and can be protected during the next operational period and present that for consideration by Incident Command as illustrated below:




**4700 Technical Specialists**

Certain incidents or events may require the use of Technical Specialists who have specialized knowledge and expertise. Technical Specialists may function within the Planning Section or may be assigned wherever their services are required.

The following are examples of Technical Specialists: Weather Observer, Environmental Specialist, Training Specialist, Emergency Response Technical Specialist, Critical Incident Stress Management Specialist (CISM), Family Assistance Coordinator, Salvage and Engineering Technical Specialist, Geographic Information System Specialist (GIS), Public Health Technical Specialist, Legal Specialist, Hazardous Materials Specialist, Chemist, Industrial Hygienist, Natural Resource Damage Assessment Specialist, Dredging Specialist and Documentation Specialist.

See the U.S. Coast Guard Incident Management Handbook for a description of the duties for many of these positions.

Lists of entities providing many of these sources of expertise can be found in the Response Equipment and Support List.

**4701 Hazardous Material Specialists**

The Hazardous Materials response plan outlined in Section 7000 provides initial response guidance for the response to a HAZMAT release in the coastal zone of ME or NH. This includes a list of technical specialists including State of Maine and New Hampshire First Responders (Section 7500).

**4702 Oil Response, Search and Rescue, Wildlife Resources**

The Response Equipment and Support List provides a listing of numerous response resources and technical experts from aircraft to salvage divers. The SNNE Command Center also maintains current lists of many response resources. The Marine Fire Fighting Plan in Section 8000 includes a listing of local firefighting resources and equipment in Section 8500.

**4703 Protection, Containment, and Recovery Strategies**

Protection, containment and recovery strategies may include:

- Limited action – appropriate when weather, sea, or other conditions make response options unsafe and/or infeasible. Also appropriate when mechanical response actions or site access pose a greater risk to the environment. (e.g., wetlands).
- On-water recovery – mechanical removal of floating oil by sorbent materials, vacuum trucks, and skimming devices.
- Underwater recovery – mechanical removal of sunken oil by dredges, pumps, submersible equipment or divers. For information on Group V Oil (non-floating), refer to Section 9000.
- Exclusion Booming – deploying various types of boom to keep oil out of a designated area.
- Deflection Booming – deploying various types of boom to divert oil away from a designated area and/or divert oil toward a collection point.

Private resources, such as commercial marinas, are not included in the GRS. These resources are assigned a priority for protection based upon all of the resources at risk. Development of any protection strategies for private resources, and assignment of their priorities, therefore falls under the duties of the Unified Command.

**4704 Alternative Countermeasures**

References:

(a) 40 C.F.R. Part 300, National Contingency Plan

(b) The Environmental Protection Agency's INLAND AREA CONTINGENCY PLAN for Region 1 – New England

(c) EPA National Contingency Plan Product Schedule

The Maine and New Hampshire Area Committee strongly believes that the primary method of cleaning up oil spills should be the mechanical recovery of oil from the environment. However, successful oil spill response, particularly to a large oil spill, requires responders to combat the spill with as many "tools" as appropriate. Chemical countermeasures, in-situ burning and bioremediation agents are response options that have demonstrated usefulness in past oil spills. Guidance and agreements on in-situ burning and dispersants can be located in Section 9507 and Section 9508. The Area Committee recognizes that in certain circumstances the utilization of chemical countermeasures, particularly dispersants, alone or in conjunction with other removal methods, may be considered as a more efficient means to minimize a substantial threat to public health or welfare, or minimize serious environmental damages. Thoughtful consideration must be given to all oil spill response options in order to maximize the response effort.

**4705 Habitat Considerations**

One of the primary concerns regarding the use of alternative countermeasures, particularly chemical countermeasures, is the potential for adverse impacts to habitats and organisms. The Maine and New Hampshire Area Committee participated in the development of the dispersant pre-approval plan to guide the Unified Command in the dispersant decision process. It is imperative that all trustees are involved in the dispersant use decision to ensure that the potential impacts of the various countermeasures are adequately assessed.

Though there have been attempts at quantitatively ranking environmental impacts associated with chemical countermeasures in the environment and there are numerous publications on the toxicity of dispersants, it is difficult to predict the response of a particular population or system to chemical countermeasures and oil in a specific geographic area. A review of case histories can provide guidance on situations where chemical countermeasures may not be appropriate.

The relative impacts of oil spill response chemical countermeasures to various habitats are summarized in the National Response Team's Selection Guide for Oil Spill Applied Technologies - Volume 1 Decision-Making

**4706 Administrative/Directive Order**

An Administrative/Directive Order is an intermediate step that the FOSC may take in ensuring that appropriate action is taken in an oil or hazardous material spill incident. The order directs the responsible party to take specified action without the FOSC assuming total control of the spill response.

**4707 Notice of Federal Interest**

A Notice of Federal Interest (Form CG-5549) for an oil pollution incident informs the potential responsible party that there has been or potentially will be a spill of oil or hazardous materials for which the individual may be financially responsible.

**4708 Notice of Federal Assumption**

A Notice of Federal Assumption instructs the responsible party or suspected responsible party that cleanup activity to date has not been satisfactory and that the FOSC intends to conduct the cleanup from that point on. The responsible party remains financially responsible for the cleanup and penalties.

**4709 Notice of Designation**

A Notice of Designation of a source is required in actual or potential spills where the potential for third party claims exists. The FOSC is responsible for notifying the NPFC as to whether or not the source has been identified. Notification to the NPFC may be by telephone, letter or message (included as part of a SITREP/POL). A standard form letter for the designation of sources is included in the NPRC's "Technical Operating Procedures Relating to Designation of Source and Advertisement under the Oil Pollution Act of 1990" https://www.uscg.mil/Portals/0/NPFC/docs/PDFs/urg/Ch3/NPFCTOPs.pdf?ver=2017-11-14-095628-987

## 4800 Permits and Consultation

**4801 Fish and Wildlife Permits**

Refer to Section 1607, Fish and Wildlife Acts Compliance.

**4802 Endangered Species Act (ESA) Consultation**

A Memorandum of Agreement (MOA) was established between USCG, EPA, USFWS, and NOAA NMFS to address required consultations under Section 7 of the Endangered Species Act. This MOA outlines the actions to take for completing these consultations prior to and during an incident. Refer to Section 1607. POCs and contact information for consultation are also listed in Section 1609.

**4803 Disposal**

For information on disposal refer to Section 3207.

**4804 Dredging**

In Maine, Dredging and the management of dredged material are regulated jointly by the Maine Department of Environmental Protection (DEP) and by the U.S. Army Corps of Engineers (ACOE). Permits are required from both of these agencies for any dredging activity. The Bureau of Land and Water Quality of the Maine DEP assists applicants proposing to dredge or to dispose of dredged material in coastal waters of the state. Additional information is available via the ME DEP website at: ME Dredging Applications

**4805 Decanting**

For information on Decanting refer to Section 3207.5 for a sample Oil Spill Decanting Application/Authorization Form refer to Section 9704.

**4806 Places of Refuge**

In accordance with U.S. Coast Guard Places of Refuge Policy COMDTINST 16451.9, this places of refuge section provides information/guidance for the response to requests from ships in need of assistance seeking a place of refuge. The objective of this section is to provide guidance for identifying docking, anchoring, mooring and/or grounding locations that may be selected as Potential Places of Refuge (PPOR) and to provide decision-making tools in order to enhance the overall effectiveness of the response process.

While some possible sites have been identified, this does not imply that any of these sites will be the location of choice in a future incident response. Decision-makers must address many issues including safety as well as environmental and operational issues when determining where to send a stricken vessel.

The U.S. Coast Guard Captain of the Port (COTP)/Commander Sector Northern New England, has jurisdiction over approving a PPOR site for a vessel in distress. When it is practical, the COTP will seek to confer with other federal, state, local officials and industry representatives before deciding where and when to move a stricken vessel. Selection of a place of refuge by the U.S. Coast Guard COTP in consultation with other agencies and stakeholders will always be made on a case-by-case basis.

The US Coast Guard Places of Refuge Policy provides a matrix that may be used to compare the risk associated with six options that a vessel in distress could select:

1. Go to Place of Refuge (A)
2. Go to Place of Refuge (B)
3. Continue voyage (deny entry)
4. Repair in place
5. Scuttle (sink) vessel at given location out at sea
6. Ground vessel at a given location

The National Response Team (NRT) also developed and approved *Guidelines for Places of Refuge Decision-Making* (NRT Guidelines) that provides: (1) an incident-specific decision-making process to assist Coast Guard Captains of the Port in deciding whether a vessel needs to be moved to a place of refuge, and if so, which place of refuge to use; and (2) a framework for pre-incident identification of potential places of refuge for inclusion in appropriate Area

Contingency Plans. The NRT Guidelines, (located at http://www.nrt.org), emphasizes consultation with the Area Committees, RRTs, natural resource trustees, other stakeholders, and technical experts in the identification of potential places of refuge during pre-incident planning and during the decision-making process of an event.

**4900 Reserved for Area/District**

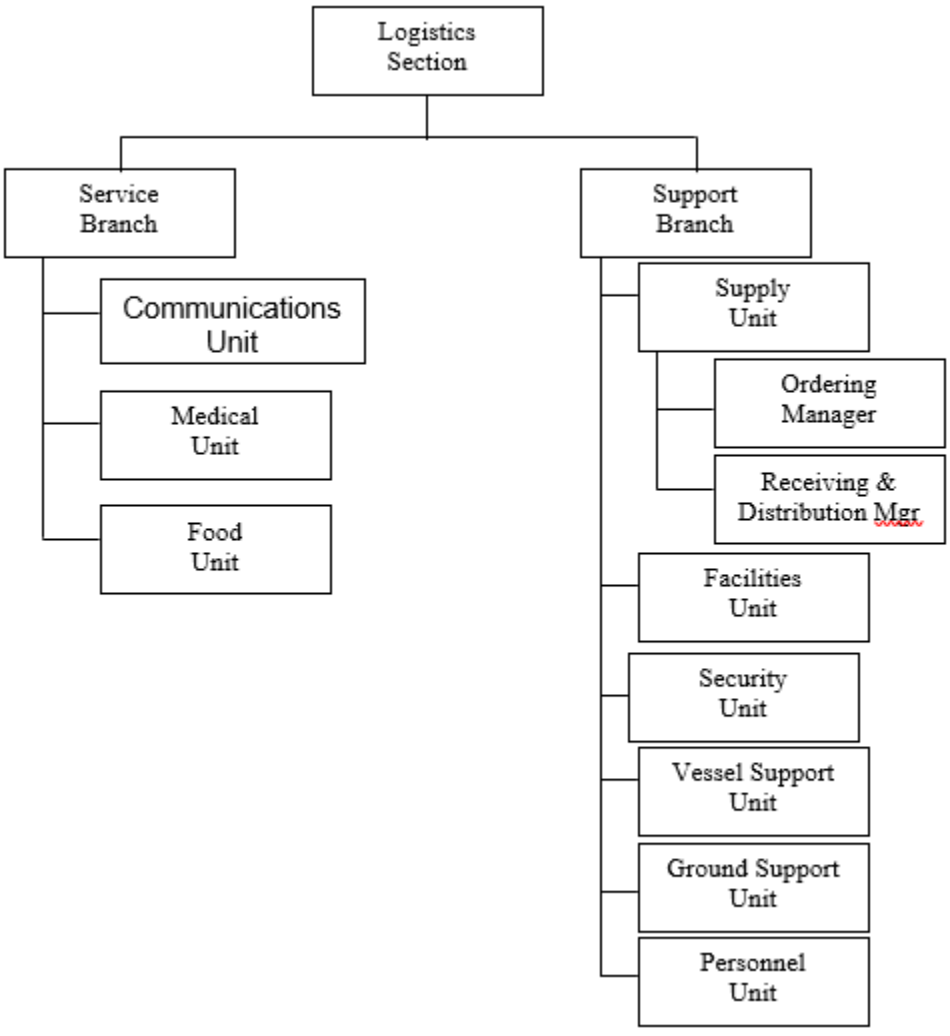
## 5000 Logistics

The Logistics Section is responsible for all of the services and support needs of an incident, including obtaining and maintaining essential personnel, facilities, equipment and supplies. This is accomplished under the direction of the Logistics Section Chief. Early recognition of the need for a separate logistics function and section can reduce time and money spent on an incident.

### 5100 Logistics Section Organization

Figure 5000-1

Logistics Section Organization



**5101 Roles and Responsibilities**

Additional descriptions of each section can be found in the Coast Guard Incident Management Handbook.

***5101.1 Logistics Section Chief***

The Logistics Section Chief, a member of the General Staff, is responsible for providing facilities, services, and material in support of the incident. The Logistics Section Chief participates in development and implementation of the Incident Action Plan and activates and supervises Branches and Units within the Logistics Section. The specific duties and responsibilities of Logistics Section Chief can be found in the Coast Guard Incident Management Handbook and the Logistics Job Aid.

**5200 Support Branch/Director**

The Support Branch Director, when activated, is under the direction of the Logistics Section Chief, and is responsible for development and implementation of logistics plans in support of the Incident Action Plan, including providing personnel, equipment, facilities, and supplies to support incident operations. The Support Branch Director supervises the operation of the Supply, Facilities, Ground Support and Vessel Support Units.

Additional Support information can be found at the following locations and hyperlinks:

SNNE Command Center Resource Contacts:

- Telephone directory
  (207) 741-5465

Federal, state and local government and private spill response equipment and resources: Marine Oil Spill Response Resources

US Coast Guard Deputy Commandant for Mission Support (DCMS) Deployable Support Elements (DSEs) and Emergency Response Teams (ERTs) including Damage Assessment Teams, Personnel Support Teams, Critical Incident Stress Management, Mobile Support Units, Medical Support Teams, Legal Support Teams, Vessel Support Teams, Contingency Staffing Support Teams, Logistics Support Elements.
https://cglink.uscg.mil/DCMSContingencyOperations

**5201 Berthing Facilities Identified**
***5201.1 New Hampshire Seacoast Area:***

http://www.portsmouthnh.com/lodging

http://www.visitnh.gov

***5201.2 Maine Area:***

http://www.visitportland.com

http://visitmaine.com

http://www.mainetourism.com

***5201.3 MARAD Vessels***

The US Department of Transportation's Maritime Administration (MARAD) owns several ships that are berthed along the Atlantic Coast that could be made available for berthing hundreds of responders during a major oil spill or other contingency. This is a particularly capable resource for providing berthing and messing for a major, prolonged response in a remote are with limited facilities. These vessels include:

**TS STATE OF MAINE** (248 passengers): Located at Castine, ME. Training Cruise typically from May – June. Length Overall (LOA): 499.83'. Molded Beam: 72.00'. Normal Operating Draft: 28.00'. Available in 10 days (maximum) if required.

**TS EMPIRE STATE** (680 passengers): Located at Fort Schuyler, Bronx, NY. Training Cruise typically from May - August. Length Overall (LOA): 564.86'. Molded Beam: 76.0'. Normal Operating draft: 28.5'. Available in 10 days (maximum) if required.

**TS KENNEDY** (600 passengers): Located at Buzzards Bay, MA. Training Cruise typically from January – February. Length Overall (LOA): 540'. Molded Beam: 76.2'. Normal Operating Draft: 28.5'. Available in 10 days (maximum) if required.

**SS WRIGHT**: (325 passengers) Located at Philadelphia, PA. Designed to act as an offshore base of operations and repair facility for helicopters. Helicopter/VERTREP capable, and have a 300 TEU container capacity. Length Overall (LOA): 601.5'. Molded Beam: 90'. Mean Draft @ Full Consumables: 27.23'. Five (5) day Activation status.

For more information on US DOT's Standard Operation Procedure that identifies the Emergency Support Function -1 (ESF-1) National Response Program (NRP) procedures and operational considerations for utilization of MARAD vessels for Federal Emergency Management Agency (FEMA) disaster response and other responses contact the US DOT representative on the Regional Response Team (RRT) or Joint Response Team (JRT) or review the procedures outlined below.

https://www.maritime.dot.gov/sites/marad.dot.gov/files/docs/resources/newsroom/fact-sheets/3571/fact-sheet-emergency-preparedness-and-response-2017.pdf

**5202 Maine State Contingency Plan**

https://www.maine.gov/dep/spills/emergspillresp/documents/ME_Marine/Marine_Contingency_Plan.pdf

- Federal , state, and local government and private assets for oil response equipment
- Sources for in-situ burning identified including; application resources (helitorch, get fuel), approximate delivery times, contact information
- Public and private hazardous substance response equipment identified and contact info
- Federal and private out of area resources necessary for worst case discharge scenario
- Response equipment identified and contact info
- Maintenance and fueling facilities
- Federal/State agency contacts for coordination of fish/wildlife rescue/rehab/protection
- Wildlife rescue and rehab facilities identified
- Port/Dock facilities identified
- Local area vessel resources (VOSS, rental, etc) and maintenance facilities identified

**5203 Maine and New Hampshire Geographic Response Strategy**

https://www.maine.gov/dep/spills/emergspillresp/geogplans.html

- Boat ramps/launching areas identified
- Staging areas identified
- Temporary storage disposal facilities identified

**5204 Incident Command Post Facilities and Locations**

For all regions, logistics reps should look at all recently vacated or otherwise available buildings as potential ICP sites.

For all regions, logistics reps should look at all recently vacated or otherwise available buildings as potential ICP sites.

NH and Southern Maine Region. (1 hour from Boston and Portland, ME)

- NH DES Coastal Offices, 222 International Drive, Suite 175, Pease International Tradeport, Portsmouth, NH: 6700 sq ft, availability: 100%
- 157th Air Refueling Wing, Building 149 at Pease Air National Guard Base in Portsmouth, NH, approximately 4,000 sq ft, availability: 50%

Casco Bay Region (2 hours from Boston, 20 mins from Portland, ME)

- Sector Northern New England, Building 1 (Rusty Scupper): 259 High St. South Portland, ME 04106: approximately 1,000 sq ft; availability: 100%
- 265 Combat Communications Squadron Maine Air National Guard Facilities at 50 Western Ave, South Portland, ME.: 6,000 sq ft, availability: 100%
- Holiday Inn By the Bay, 88 Spring St, Portland, ME: 17,500 sq ft, availability: 50%
- Augusta Civic Center, 76 Community Drive, Augusta, ME: 20,000+ sq ft, availability 60%
- Italian Heritage Center, 40 Westland Ave., Portland, ME
- Portland Ocean Gateway, 14 Ocean Gateway Pier, Portland, ME
- Portland Expo, 239 Park Ave., Portland, ME
- Portland Elks Lodge, 1945 Congress St., Portland, ME
- Texas Instruments Inc., 5 Foden rd., South Portland, ME
- Anthem Blue Cross Blue Shield, 2 Gannett Dr, South Portland, ME
- South Portland Community Center, 21 Nelson Rd., South Portland, ME. Capacity: 1000, availability: 50%
- South Portland High School, 637 Highland Ave., South Portland, ME:

Penobscot Bay Region: (3 hours from Portland, ME)

- USCG Station Rockland, 54 Tilson Ave., Rockland, ME: 1,000 sq ft, availability 100%
- Cross Center Arena/Conference Center, 515 Main Street, Bangor, ME, 20,000+ sq ft, availability 50%.
- Point Lookout, 67 Atlantic Hwy, Lincolnville, ME, 35,000 sq ft, availability: 50%
- Jeff's Catering, 15 Littlefield Rd, Brewer, ME
- University of Maine, Hutchinson Center, 80 Belmont Ave., Belfast, ME

Bar Harbor Region (4 hours from Portland, ME)

- Maine Maritime Academy, Castine, ME
- Atlantic Oceanside Hotel, 119 Eden Street (Rt 3), Bar Harbor, ME., 23,000 sq, ft, availability 50%
- Bar Harbor Fire Department, 37 Firefly Lane, Bar Harbor, ME.,@ 600 sq ft, availability 80%
- College of the Atlantic, 105 Eden Street, Bar Harbor ME, @ 2,000 sq. ft., availability 30%
- Jackson Laboratory, 600 Main Street, Bar Harbor, ME, @ 4,000 sq. ft., availability 50%

- Bar Harbor Airport, 115 Caruso Drive, Trenton, ME, A 600 sq.ft, availability 50%
- Acadia National Park Schoodic Education Facility, Winter Harbor, ME, 2,000 sq ft, availability 50%

Downeast Maine: (5 hours from Portland, ME)

- Washington County Community College, Calais, ME, 6,000 sq ft, availability 80%.
- USCG Station Eastport, Eastport, ME, @600 sq ft, availability 100%

**5205 Staging Areas**

New Hampshire Region

- Great Bay Marine-Newington, 61 Beane Ln, Newington, NH
- Peirce Island Boat Ramp-Portsmouth, Peirce Island Road, Portsmouth, NH
- NH State Pier-Portsmouth, 555 Market St, Portsmouth, NH
- NH Rideshare Greenland Rd-Portsmouth, Route 33, Portsmouth, NH
- Mall at Fox Run, 50 Fox Run Rd., Newington, NH
- The Crossings in Newington, NH near Kohl's and PetSmart, 45 Gosling Rd, Newington, NH
- Target/Lowes Parking lot-Greenland,1450 Greenland Rd, Greenland, NH
- Hampton Campground-Hampton, 160 Ocean Blvd, Hampton, NH
- Pease Trade Port-numerous parking lots-Portsmouth, International Dr., Portsmouth, NH
- Casino Ball Room Parking Lot-Hampton, 169 Ocean Blvd, Hampton, NH
- Rye Harbor, 1730 Ocean Blvd, Rye, NH
- Wallis Sands State Beach-Rye, 1050 Old Ocean Blvd, Rye, NH
- Plazas off route 101 & 108- Exeter, 20 and 28 Portsmouth Ave, Stratham, NH

Casco Bay Region

- Ocean Gateway Parking, 14 Ocean Gateway Pier, Portland, ME
- Open lot - 74 W. Commercial St., Portland, ME (near Portland Yacht Services)
- University of New England- Bishop St. Parking Lot- Portland, ME
- 499 Riverside St., Portland, ME (large vacant grass lot)
- 7 Rand Rd., Portland, ME (vacant Westinghouse Warehouse parking)

- District Rd., Portland, ME (Portland Snow Dump)
- Rock Row, 59 Westbrook Arterial, Westbrook, ME
- Maine Mall Parking Lots, 364 Maine Mall Rd., South Portland, ME
- Cumberland Fairgrounds, 175 Blanchard Rd, Cumberland, ME
- Hannaford Bros. Co., 145 Pleasant Hill Rd., Scarborough, ME
- Cabela's, 100 Cabela's Blvd., Scarborough, ME
- South Portland Municipal Boat Ramp, South Portland, ME
- Raymond Beach Boat Launch Parking Lot on RT 302, Raymond, ME
- East End Beach Parking Lot, Portland, ME
- Maine Turnpike weigh station Mile 5 on Maine Turnpike

Penobscot Bay Region

- Maine Maritime Academy, Castine, ME
- Dysart's Truck Stop 366 Coldbrook Road Hampden, Maine

Contact Maine Department of Transportation Operations at 207-624-3600 for additional staging area options along Maine highways.

**5206 Airports/Heliports Identified**

- Portland Jetport, Portland ME
  http://www.portlandjetport.org
- Sanford Regional Airport, Sanford ME (no commercial airlines)
  http://www.sanfordmaine.org

  Distance from Portland 35 miles (48 mins)
- Portsmouth International Airport, Portsmouth NH (Allegiant Air – commercial airline)
  http://www.peasedev.org/
  Distance from Portland, 53 miles (58 mins)
- Manchester/Boston Regional Airport, Manchester NH
  http://www.flymanchester.com

  Distance from Portland, 95 miles (1 hr 45mins)
- Logan International Airport, Boston MA
  http://www.massport.com/logan-airport/

  Distance from Portland, 108 miles (2 hrs)
- Bangor International Airport, Bangor ME

http://www.flybangor.com

Distance from Portland, 130 miles (2 hrs 10 mins)

- Hancock County – Bar Harbor Airport
  www.bhbairport.com/location.html
  Distance from Portland, 160 miles (3 hrs)
- Eastport Municipal Airport
  www.airnav.com/airport/KEPM

  Distance from Portland, 245 miles (4 hrs 40 mins)

**5207 Supply Unit**

The Supply Unit is responsible for ordering personnel, equipment and supplies; receiving and storing supplies; maintaining inventories and distributing supplies as requested.

- Deliver and coordinate the delivery of response equipment, material and supplies, including spare parts.
- Maintain stocks of expendable supplies ready to be issued.
- Plan, document and account for response supplies and materials.
- Issue personal protective equipment, ready gear bags and expendable personal supplies to response personnel.
- Report on response equipment delivery time tables, inventories of available supplies, and the status of supply unit services.

**5208 Facilities Unit**

The Facilities Unit Leader is primarily responsible for the layout and activation of incident facilities as follows:

- Incident Command Post spaces, office equipment and seating
- Berthing / living quarters
- Port & marina capacities if needed
- Staging areas for personnel and equipment
- Airports, heliports and/or other landing areas
- Temporary storage and disposal facilities (TSDs) for post removal waste disposal
- Maintenance and fueling facilities for land and water craft
- Fish and wildlife recovery facilities

Each facility (base or camp) is assigned a manager who reports to the Facilities Unit Leader and is responsible for managing the operation of the facility. The basic functions or activities of the Base and Camp Manager are to provide security service and general maintenance. The Facility Unit Leader reports to the Support Branch Director.

**5209 Security Unit**

The Security Unit is responsible for providing safeguards to protect personnel and property from loss or damage. This includes developing Security Plans and coordinating security with the appropriate agency representatives. [Refer to the Area Maritime Security Plan for more information.]

**5210 Vessel Support Unit**

The Vessel Support Unit arranges for support of out of service vessels and arranges for fueling, maintenance and repair of vessels as needed.

**5211 Ground Support Unit**

The Ground Support Unit Leader is primarily responsible for identifying and procuring vehicle sources, providing fueling and maintenance and implementing the Traffic Plan for the incident.

**5212 Personnel Unit**

The Personnel Unit is responsible for coordinating and documenting the assignment of response personnel (responders and volunteers) to meet response organization needs.

- Coordinate and document the assignment of Incident Command System personnel to meet response organization needs.
- Coordinate requests for additional response personnel.
- Manage and coordinate the processing of private individuals and public groups volunteering to perform response operations.
- Coordinate the processing of arriving response and volunteer personnel.
- Plan, document and account for response assignments made to individuals, agencies, groups and commercial personnel.
- Manage the personnel locator system to track the assignment and location of individual responders and volunteers.
- Manage the response-specific training, qualification and certification process for all assigned workers.
- Identify additional resources and logistics support needed to support response personnel and volunteer processing and tracking.

**5300 Service Branch**

The Service Branch Director, when activated, is under the supervision of the Logistics Section Chief, and is responsible for the management of all service activities at the incident. The Service Branch Director supervises the operation of the Food, Medical and Communications, Units. The FOSC may contract for services, supplies and equipment to cleanup and/or mitigate the harmful effects of spilled petroleum products and hazardous substances.

**5301 Food**

The Food Unit Leader, under the direction of the Service Branch Director or Logistics Section Chief, is responsible for determining feeding requirements at all incident facilities; menu planning; determining cooking facilities required; food preparation; serving: providing potable water; and general maintenance of the food service areas.

American Red Cross

800-733-2767 or 617-274-5200 (MA)

**5302 Catering/Messing Options**

www.yellowpages.com

**5303 Medical Unit**

The Medical Unit is responsible for developing a Medical Emergency Plan and renders medical aid for injured and ill personnel assigned to the incident.

- Provide and coordinate emergency and routine medical services to response personnel.
- Manage dedicated medical unit resources and coordinate additional medical services.
- Identify resources and logistics support needs.
- Report the status of medical unit sections.
- Hospitals in Maine
- Hospitals in New Hampshire

**5400 Communications**

This section establishes which radio frequencies will be used for inter-agency communication in an oil spill response. Most of the frequencies are within the marine band of the VHF-FM spectrum. A secondary purpose is to identify the operating frequencies used by principal federal, state, and local agencies, and provide an overview of those agencies' capabilities and resources. Implementation of this plan will be a slow process. No party involved in the response should expect communications to be established immediately. Communications capabilities should be in place within the first two days.

For an effective response, a continuous and effective communications plan must be in effect. The primary method of communication at the Unified Command Post (if possible) is telephone, cellular telephone, VHF-FM radio and computer telecommunications.

**5401 Communications Plan**

To avoid confusion in the Unified Command System, a basic communications plan should be in place from the beginning. The plan provides information on all radio frequency assignments, cellular phone use and other communication methods for each operational period. Each section should have one unpublished phone line, (in addition to published phone line(s)). This will allow personnel in the section to maintain outgoing phone communications during periods of heavy phone use.

The Communications Unit Leader within the Logistics Section of the Incident Command System will develop this communications plan. The ICS Form 205 ("Radio Communications Plan") will be used to document the communications plan for the specific incident. A blank ICS 205 form can be found in the ICS Forms Section under the Library Tab on the Coast Guard Homeport website at: ICS Form 205

The Communications Unit Leader provides the information to the Planning Section Chief.

The plan is provided to all recipients of the Incident Action Plan as well as the Incident Communications Center. Information from the plan is normally placed on the appropriate Assignment List(s) (ICS Form 204). The ICS Form 217 can be used to assign and track frequencies employed at an incident.

General communication capabilities and resources available to both the Federal and State On-Scene Coordinators include:

1. VHF-FM radio,
2. UHF-FM radio,
3. Cellular phone,
4. Computer telecommunications

See Section 5405 for common frequencies.

The First Coast Guard District Electronics Support Detachment can assist the FOSC with installing phones, phone systems, arranging national and/or international access at the command post. The First Coast Guard District Communications Staff can assist with identifying other additional communications resources from the District or Communications Area Master Station Atlantic (CAMSLANT). Sector Northern New England acquired a PlumKit large capacity cellular Wifi in 2021 that can be used to provide or augment WiFi capacity in the field or at a remote Incident Command Post. The First Coast Guard District can provide additional PlumKits if requested.

The U.S. Coast Guard Atlantic Strike team has a self-contained command post trailer equipped with VHF-FM radios, UHF-FM radios, cellular phones, and computers with telecommunication capabilities. Once requested by the FOSC, it can be in Portsmouth, NH in approximately 9 hours and Portland, Maine in approximately 10 hours.

Resources available to the FOSC from other sources: The Federal Emergency Management Agencies (FEMA) Mobile Emergency Response Support (MERS) equipment can be called in from Maynard, MA (3 hours from Portland). A state of emergency does not need to be declared to use the MERS. Should the need for MERS occur, the FOSC can contact the following personnel to receive this support:

FEMA Region One (Boston):

Regional Director

Phone: (617) 956-7501

Fax: (617) 956-7519

Maynard, MA Field Office:

Arthur J. Johnson (Emergency Response Division)

Phone: (978) 461-5512

Other available government and private sector communications resources are listed in the: Marine Response Equipment List

**5402 Communication Unit**

The Communications Unit is responsible for developing the incident communications plan, distributing communications equipment, supervising the communications network, and maintaining/repairing communications equipment.

- Develop, implement and coordinate the Incident Communications Plan.
- Deliver, issue, track, maintain, support and recover communications equipment. Resources including: telephones, radios, base stations, repeaters and other communications facilities.
- Identify and resolve additional communications resource and logistics needs.
- Report on the status of communications capabilities and operations.

**5403 State On-Scene Coordinators and Responsible Party**

MAINE: As the On-Scene Coordinator (SOSC) for the State of Maine, the Department of Environmental Protection (ME DEP) has response vehicles equipped with VHF-FM radios with local State responder/law enforcement frequencies and cellular phones.

Responders are also equipped with handheld radios with VHF-FM, and local frequencies. In the event of a marine spill, the ME DEP will coordinate all state response activities.

The Maine Emergency Management Agency (MEMA) will provide logistical support to ME DEP. MEMA's communications resources include:

- Portable communications equipment
- Cell phones
- Radios with a listing of all local response frequencies
- State command center communications capabilities
- Ham radio network.

MEMA can also activate local county command centers that have available communications equipment and meeting spaces.

NEW HAMPSHIRE: As the On-Scene Coordinator (SOSC) for the State of New Hampshire, The Department of Environmental Services (NH DES) has response vehicles equipped with VHF-FM radios programmed with local State responder/law enforcement frequencies and cellular phones. Responders are equipped with handheld radios with VHF-FM, which are programmed with local frequencies, fire departments throughout the state and the state of NH interoperability frequency set. In the event of a marine spill, the New Hampshire Homeland Security and Emergency Management (NH HSEM) may provide resources to NH DES. NH DES has jurisdiction over, and will coordinate all State oil spill response activities.

NH Homeland Security and Emergency Management communications resources include:

- Portable communications equipment
- Cell phones
- Radios
- Communications trucks with a listing of all local response frequencies
- State command center communications capabilities

NH Homeland Security and Emergency Management can also request the activation of local command centers that have available communications equipment and meeting spaces.

RESPONSIBLE PARTY: Potential responsible parties have communications gear available through their own response plan, OSRO, Co-operatives, and local industry.

**5404 Response Communications**

An effective response requires a clearly stated communications plan. The plan provides, in one location, information on all radio frequency assignments, cellular phone use and other communication methods for each operational period.

**5405 Common Frequencies**

The Federal Communications Commission has allocated several frequencies to the Petroleum Radio Service. These frequencies are primarily for use during oil spill response operations and are commonly used by most oil spill removal organizations (OSROs). These frequencies and their use in the Maine/New Hampshire area include:

| Frequency | Use in Maine/New Hampshire Area |
|---|---|
| 158.4450/159.4800 | Repeater pair (Marine Spill Response Corp.) |
| 158.4450/154.585 | Repeater pair (National Response Corp.) |
| 158.4450 | field operations (line of sight use) |
| 159.4800 | field operations (line of sight use) |

Other frequencies commonly used in the Maine/ New Hampshire area for oil spill response operations include:

Federal and State Governments

The Maine Department of Environmental Protection and the NH DES have the capability of using the same Petroleum Radio Service frequencies (listed above) as OSROs. Other governmental communications frequencies include:

153.860 NHDES Channel (commercial channel)

| Marine Channel | Frequency | Use |
|---|---|---|
| 21A | 157.050 MHZ | USCG Sector Working |
| 22A | 157.100 MHZ | U.S. Coast Guard Operations |
| 23A | 157.150 MHZ | USCG Sector Working |
| 83A | 157.175 MHZ | USCG Sector Working |
| 18A | 156.900 MHZ | Working channel for some marine terminals<br>Fleet Environmental |
| 81A | 157.075 MHZ | USCG Working<br>[working channel for Piscataqua River Cooperative] |

General Port Operational Frequencies (Informational only; do not use for oil spill response)

| Marine Channel | Frequency | Use |
|---|---|---|
| 7A | 156.350 MHZ | Ship to Shore<br>[working channel for Casco Bay tugboats] |
| 9 | 156.450 MHZ | Ship to Ship<br>[common working channel for marinas] |
| 13 | 156.650 MHZ | Navigational – Bridge to Bridge<br>[limited to navigational communications and meeting/passing situations |
| 16 | 156.800 MHZ | Hailing & Distress |
| | | |

**5406 Other Communications**

Cellular telephone use is common in the ports of Maine and New Hampshire; however there are isolated areas where reception is weak or unavailable. Clean Harbors Environmental Services, Inc. uses NEXTEL for Portland Harbor and the Piscataqua River. The company uses cellular telephone communications otherwise.

**5500 Inventories (Incorporate into Annex)**
**5600 Reserved**
**5700 Reserved**
**5800 Reserved**
**5900 Reserved for Area/District**

# 6000 Finance/Administration

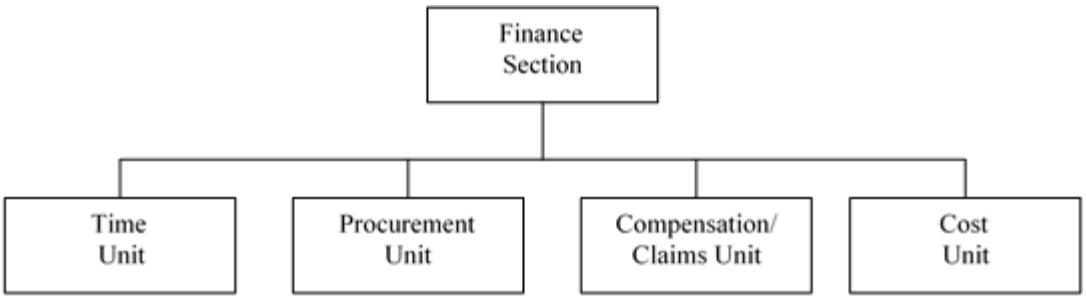
## 6100 Finance/Administrative Section Organization

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

Additional information regarding this section can be found in the Coast Guard Incident Management Handbook COMDTPUB P3120.17B dated May 2014

Figure 6-1

Finance Section Organization




### 6101 Roles and Responsibilities

The Finance Section Chief is responsible for all financial, administrative and cost analysis aspects of the incident.

- Implement and manage the Finance Section Units needed to proactively accomplish Finance Section actions.
- Provide, manage, coordinate, document, and account for access to response funding sources, including the Oil Spill Liability Trust Fund (OSLTF), state of Maine and New Hampshire funding sources, and other sources or response funding.
- Coordinate and ensure the proper completion cost accounting documentation.
- Coordinate and manage response ceiling, budgets and cost estimates.
- Provide financial support for contracting services, purchases and payments.
- Serve as the primary contact to the National Pollution Funds Center (NPFC) and the NPFC case officer to coordinate response cost recovery actions.
- Identify additional financial services resources or logistics support needed.

Please refer to the Finance Section Chief Job Aid and the Coast Guard Incident Management Handbook for a detailed description of roles and responsibilities.

**6200 FOSC Access to Funds**

The National Pollution Fund Center (NPFC) User Reference Guide (eURG) is designed to serve as a reference tool during an oil or hazardous materials spill response for Coast Guard and EPA Federal On-Scene Coordinators (FOSCs). It includes all relevant Federal regulations, technical operating procedures (TOPs), forms and sample letters, and other documentation designed to make funding of recovery operations and recovery of Federal expenditures as efficient and easy as possible.

When responding to an oil pollution incident, and when deemed appropriate, the FOSC assigns a Federal Project Number (FPN) and assigns a dollar ceiling.

**In the case of oil,** The FOSC accesses the Ceiling And Number Assignment Processing System (CANAPS) via the Internet and requests issuance of an FPN and a corresponding ceiling amount. CANAPS will confirm via email and issue all necessary notifications by priority message. The message format is generated by CANAPS and sent via the Coast Guard Message System (CGMS). Authorized users of CANAPS can act as surrogates to request a ceiling on behalf of other authorized users when their access to CANAPS is disrupted. District Operations Centers have this authority/capability for units within their AOR, including EPA Federal On-Scene Coordinators (FOSCs). EPA Regions are also able to act as surrogates for their FOSCs when available. The National Pollution Funds Center (NPFC) has the ability to act as a surrogate for any authorized CG or EPA field user of CANAPS. NPFC can also issue numbers manually in the event CANAPS is completely unavailable. All ceiling messages, POLREPS, or other messages related to the incident where the OSLTF has been accessed shall include the FOSC, NPFC, CG Finance Center (FINCEN), and cognizant Coast Guard contracting branch as information addees, in addition to current reporting requirements. If no funding has been expended against an FPN for the removal, the FOSC can request cancellation of the FPN via CANAPS. The FOSCR ensures that obligations from the OSLTF remain within the authorized ceiling, and if necessary, promptly obtains additional ceiling via CANAPS.

**In the case of a CERCLA response**, the CG FOSC accesses CANAPS via the internet and requests issuance of a CERCLA Project Number (CPN) and a corresponding ceiling amount. CANAPS prepares all record message traffic via CGMS and delivers it to the appropriate units. Initial CERCLA ceiling requests will not exceed $250,000. NPFC receives CERCLA funding authority in limited amounts from the EPA each year and all ceilings are drawn from it. Funding requests that are equal to or greater than $250,000 must be supported by an Action Memorandum prepared by the FOSC. The NPFC shall be consulted for further guidance on CERCLA Action Memorandums. If the nature of the emergency requires a higher initial ceiling, the NFPC will coordinate such requests with the CG FOSC, CG District, Commandant, and the EPA on a case-by-case basis. All messages, POLREPS, or other messages related to the incident where CERCLA/ SUPERFUND has been accessed shall include the FOSC, NPFC, CG FINCEN,

cognizant Coast Guard District (p), and cognizant Coast Guard contracting branch as information addees, in addition to current reporting requirements.

The FOSC ensures that obligations from CERCLA remain within the authorized ceiling, and if necessary, promptly requests increased ceiling authorizations via CANAPS. The FOSC shall request the increase sufficiently in advance to avoid exceeding the ceiling at any point during response activities.

**Special FOSC Requirements for CERCLA Incidents:** The CG/EPA Memorandum of Understanding and its resulting funding agreement place special requirements on the FOSC. If a response requires less than $250,000 in funding, the FOSC must document a finding of imminent and substantial endangerment. This finding may be included in the situation description section of POLREP One, and at a minimum must include:

• The hazardous substance(s), pollutant(s), or contaminant(s) involved;

• Description of what is affected or threatened (people, animals, crops, drinking water, etc.)

• A statement indicating that this situation presents an imminent and substantial threat to public health, welfare, or the environment;

• Description of the response action necessary to neutralize the threat.

As removal activities proceed, if it appears costs will exceed the original ceiling the FOSC requests an increase to the ceiling. The costs of all purchases, contracts, services, and authorizations of activity are applied against the ceiling. Each contractor or government agency is responsible for keeping track of their costs during the removal and for staying inside the limits given them by the FOSC, or requesting more if needed.

Note that FOSCs do not document or report costs for the assessment phase, except for "out of pocket" costs. The "assessment phase" is defined as the phase between notification of a discharge or substantial threat of a discharge, by whatever means, and the determination by the FOSC that further action or presence is required. Even where "out of pocket" assessment phase costs are documented and reported, it is to support charges to the OSLTF, and not for cost recovery from the Responsible Party.

**6201 Contracting**

A contractor with a Basic Ordering Agreement (BOA) establishing set rates in place with the Coast Guard must be selected over one with no BOA. BOA contractors are initially hired by verbal order followed by a written contract (Optional Form 347) for each incident, which will include the specific number of personnel and equipment needed, estimated cost, and the FPN. The FOSC-authorized ceiling for a BOA contractor is set at $25,000 per incident, per BOA contractor selected (two or more BOA contractors can be hired to perform different tasks on one incident at a maximum of $25,000 each). Contractor services which will exceed the FOSC's limit must be approved by the Contracting Officer.

Unless the BOA contractor cannot provide a timely and adequate response, selection of a non-BOA contractor by an FOSC is not authorized. The Contracting Officer is generally the only person authorized to hire a non-BOA contractor. If the Contracting Officer cannot be reached in a timely manner, the FOSC is authorized to issue non-BOA purchase orders, on an emergency basis only, with a limit not to exceed $25,000 per incident. The FOSC must contact the Contracting Officer within 24 hours after exercising this emergency authority. If the FOSC determines that another agency (federal, state, local, or Indian tribe) can assist in a removal effort, the FOSC may authorize that agency to perform removal actions, by executing a Pollution Removal Funding Authorization (PRFA) which specifies who is authorized to do what, when, and at what cost.

**6202 Oil Spill Liability Trust Fund (OSLTF)**

The Coast Guard administers the OSTLF, also known as the Revolving Fund, established by Section 311(k) of the FWPCA. Title 33 CFR 153 outlines the uses of the Fund. The Coast Guard Marine Safety Manual, Commandant Instruction M16000.11, Section 7.B.7 addresses additional topics with regard to the fund.

**6203 CERCLA**

A Memorandum of Understanding between the USCG and the EPA allows the USCG to access the Hazardous Substance Response Trust Fund when the USCG undertakes response activities pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), Executive Order 12316, and the provisions of Subpart E of the NCP. When EPA provides the FOSC, the EPA Regional Administrator has authority to approve Trust Fund expenditures not to exceed $2,000,000. Expenditures exceeding $2,000,000 must be approved by EPA Headquarters. When the USCG provides the FOSC, the USCG FOSC has authority to approve Trust Fund expenditures not to exceed $50,000. USCG FOSCs can receive approval for CERCLA Trust Fund expenditures up to $250,000 through the Commander, First Coast Guard District. For additional expenditures, approval from the EPA Emergency Response Division is necessary. To access the fund, an account number must be obtained from EPA Headquarters.

Other Federal agencies have authority to expend Trust Fund money in accordance with Interagency Agreements (IAG) and Memoranda of Understanding (MOU) with EPA. Reimbursement of agency expenditures will be in accordance with the procedures specified in these IAGs and MOUS.

The Trust Funds may be used to undertake immediate removal actions when the agency providing the FOSC determines that such action will prevent or mitigate immediate and significant risk of harm to human life/health or the environment from such situations as:

- Human, animal, or food chain exposure to acutely toxic substances.
- Contamination of a drinking water supply
- Fire and/or explosion

- Similar acute situations

**6204 Other Access to Funds**

***6204.1 State Access to the Fund- Direct and Indirect***

OPA '90 authorizes the President, upon request of the governor of a state, to obligate the OSLTF for payments not to exceed $250,000 per incident, for removal costs consistent with the National Contingency Plan, required for the immediate removal of a discharge, or the mitigation or prevention of a substantial threat of a discharge, of oil. The responsibility for implementing this section of the Act has been delegated to the NPFC. The NPFC has published "Technical Operating Procedures for State Access under Section 1012(d)(1) of OPA 90", and promulgated regulations at 33 CFR Part 133 entitled, "State Access to the Oil Spill Liability Trust Fund for Removal Costs Under the Oil Pollution Act of 1990 in their Electronic User Reference Guide" (eURG)

There are three methods available to states and/or political subdivisions thereof for payment of removal costs:

- Direct State Access to the OSLTF;
- Execute a Pollution Funding Authorization Agreement with the federal FOSC; or
- File a claim after the fact with either the Responsible Party or the NPFC.

Requests to directly access the Fund must be made by Governors or their designated representatives to the FOSC. The FOSC reviews the request for eligibility under the Act and applicable regulations, then approves or denies the governor's request. The regulations provide minimum standards to guide the FOSC in making eligibility decisions. States are required to coordinate their removal actions with the FOSC and retain records of expenditures. The provisions of the Federal Grant and Cooperative Agreement Act and the regulations of the U.S. Department of Transportation regarding Federal assistance programs apply to payments from the Fund, and are described in the "Technical Operating Procedures for Resource Documentation" (TOPS).

As an alternative, States may execute a Pollution Funding Authorization Agreement with the FOSC, which effectively acts as a contract between the State and the FOSC. Under this agreement, both parties agree certain types of removal activities are authorized and costs associated with each are spelled out. Lastly, States may pay for their activities themselves, then file a claim for reimbursement with either the FOSC or the Responsible Party, as appropriate.

***6204.2 Trustee Access to Federal Funds***

Federal Natural Resource Trustees may submit an Initiate Agreement to the NPFC to fund the Initiation of Natural Resource Damage Assessments (NRDA), and can submit claims for NRDA costs not paid by the RP. NPFC Instruction M5402.1 provides the Interagency Agreement for providing funding to Natural Resource Trustees to conduct the Initiation of an Assessment of Natural Resource Damages under the Oil Pollution Act of 1990 (OPA). Access to the OSLTF is through the Federal Lead Administrative Trustee (LAT). Also see Section 2405 for additional

information on Natural Resource Trustees and the Natural Resource Damage Assessment process, including the designation and responsibilities of the LAT.

**6205 Military Interdepartmental Purchase Requests**

Military Interdepartmental Purchase Requests (or MIPRs) allow military agencies the opportunity to obligate funds from a finance and accounting office to federal agencies for the purpose of purchasing products and services. In the unique situations in which a MIPR is used to fund a spill response the National Pollution Funds Center (NPFC) Case Officer should be kept in the loop and can provide additional guidance.

**6300 Cost Unit**

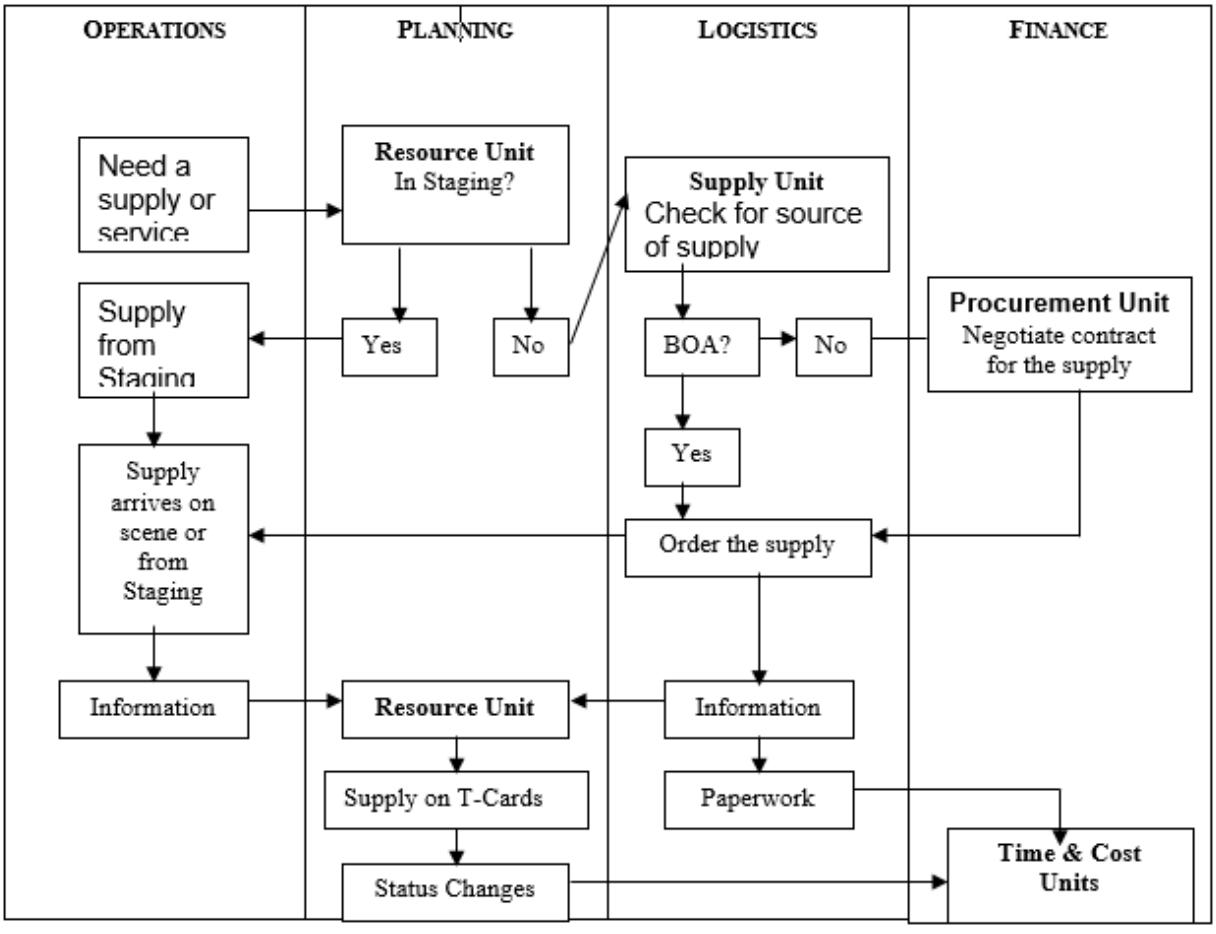
The Cost Unit is responsible for providing for cost reporting of labor, materials, and supplies used during the incident. The Cost Unit will:

- Manage, coordinate and perform cost documentation in accordance with OSLTF and state requirements to account for response costs.
- Identify additional resources and logistics support needed to perform cost documentation and time keeping services.

**6301 Resource Tracking and Cost Accounting Flow Chart**
**6302 Cost Documentation Procedures**

Responsible parties are liable for damage claims and removal costs resulting from discharges or substantial threats of discharges of oil into or upon the navigable waters of the U.S. For cases where the responsible party is either unknown, or is unable or unwilling to meet this obligation, the Oil Spill Liability Trust Fund (OSLTF) will pay for removal costs and claims. The OSLTF is administered by the Coast Guard's National Pollution Funds Center (NPFC) in Arlington, VA, whose concurrent missions are to provide FOSCs with the financial resources to ensure timely and effective response, to ensure legitimate damage claims are liquidated expeditiously, and to ensure proper documentation of expenditures to facilitate cost recovery from responsible parties.

Government expenses must be properly documented in order to recover costs. This will serve to provide the responsible party with an accurate accounting and, in the event litigation is




necessary, to provide concise, accurate, and admissible evidence. (NPFC's "Technical Operating Procedures for Resource Documentation" (TOPS)) manual was written to assist FOSCs, and contains all required forms and reports. This Appendix will summarize the most important spill funding issues; readers are referred to TOPS for details.

**6303 Documentation**

Properly completed resource documentation facilitates timely reimbursement to government agencies and contractors involved in a removal, and should be completed as soon after the time of an activity as possible, preferably daily. When completed, resource documentation must provide a complete audit trail so that compliance with applicable regulations and procedures can be verified.

Complying with documentation requirements can become complex, but two methods have been identified by the NPFC to help ease the burden: the Pollution Incident Daily Resource Reporting System (PIDRRS); and an NPFC approved alternate record keeping system.

PIDRRS is a series of forms, instructions, and submission schedules, described in detail in the TOPS. It is based on the use of Standard Rates, which are published dollar rates for particular personnel resources, services, or products.

- Contractors use rates as prescribed in their BOA or as agreed to with the Contracting Officer;
- Coast Guard Units use standard rates found in Commandant Instruction 7310.0 (series);
- Other Government agencies may have a publication listing their standard rates, and if so should provide this to the FOSC. If not that agency should execute a Pollution Funding Authorization Agreement with the FOSC.

An NPFC-approved alternate system for government agencies must be an existing system for documenting activities and costs, and must be approved by the NPFC in advance.

**6304 Response Levels**

A three-level system has been developed to help determine the complexity of a case and its required resource documentation. The FOSC will determine which level best applies to an incident. The following criteria are designed to assist the FOSC in making this determination:

Level I - Routine

- Total government costs will not exceed $50,000;
- Removal activities will probably be completed within one to two weeks;
- Removal activities are localized.

Level II - Moderately Complex

- Total costs are between $50,000 and $200,000;
- Removal activities occur at several locations;

- Several external resources such as a strike team, a state agency or other government units are involved; and
- Removal activities will take longer than two weeks to complete.

Level III - Significantly Complex

- Total costs exceed $200,000;
- Removal activities involve numerous contractors;
- Removal activities occur at several locations; and
- As in Level II, there are several external resources involved.

The FOSC is responsible only to verify that the work or services were in fact authorized and received, and not necessarily to verify every line item. Although this does not relieve the FOSC of the responsibility for ensuring that ceiling limits are not exceeded, it does help ease the burden of auditing each cost.

In each level, the contractors and other government agencies are responsible for submitting their invoices on a timely basis. Other government agencies should submit an SF-1080 and the contractors use their normal invoicing procedures as prescribed in their BOA. The FOSC will review resource documentation submitted, compare the daily resource documentation against the SF-1080's and invoices, and certify the receipt of services as reflected on the documentation.

**6305 Claims**

Persons and government agencies which incur damages as a result of discharges or substantial threats of discharges of oil are entitled to compensation and OPA '90 provides for a mechanism to expedite this process. The Responsible Party is primarily liable for satisfying legitimate claims expeditiously. If the Responsible Party is either unknown, or is unable or unwilling to meet this obligation or the claim is denied or remains unpaid for 90 days the NPFC will pay the claim from the OSLTF. This applies to both uncompensated removal costs and uncompensated damages resulting from the discharge. Section 1002 of OPA 90 describes damages as including natural resources, real or personal property, subsistence use, revenues, profits and earning capacity, and public services. The responsible party, as designated by the FOSC, is required to advertise, in a manner directed by the NPFC, the name, address, telephone number, office hours, and work days of the person(s) to whom claims are to be presented and from whom claim information can be obtained.

If the responsible party denies responsibility, proves unwilling or unable to deal with claims, or refuses to advertise, the NPFC will assume the role of responsible party for the purpose of receiving and paying claims. As such, the NPFC will advertise as described above, listing either their offices in Arlington, VA, or a locally established claims office, as deemed appropriate by the FOSC and NPFC for the case.

**6306 Cost Documentation Forms and Instructions**

Documentation for enforcement and cost recovery is an essential part of any pollution investigation and response. The pollution investigator must establish that all elements of the pollution violation are present and are well documented. The elements of a violation are:

- There was a discharge;
- of oil;
- upon the Navigable Waters of the U.S., the adjoining shorelines or into or upon the waters of the Contiguous Zone; or in connection with activities under the Outer Continental Shelf Lands Act or the Deepwater Port Act of 1974; or which may affect natural resources belonging to, pertaining to, or under the exclusive management authority of the United States;
- in a harmful quantity (sheen / discoloration);
- by the facility or vessel suspected.
- A series of documents is issued to potential responsible parties that relate to cost recovery including a Notice of Federal Interest, Letter of Federal Assumption, Letter of Designation and Administrative/Directive Order. These documents are further discussed in Section 4700 and NPFC Technical Operating Procedures.

**6400 Time Unit**

The Time Unit is responsible for providing for time reporting of labor, materials and supplies used during the incident.

In addition, the time unit plans, coordinates, documents and accounts for response costs based on the time personnel, equipment and other resources are accountable to the response. Specific questions regarding procedures for accurately reporting of time for personnel and equipment can be directed to NPFC case managers.

**6500 Compensation and Claims Unit**

The Compensation Unit is responsible for initiating investigations and documentation on all claims other than personal injury and arranges for damage surveyors and adjusters. The compensation unit will:

- Receive, coordinate, document and process claims against the OSLTF, NRDA or state funding sources.
- Coordinate evaluation of personal property damage claims.
- Identify additional resources and logistics support needed to process claims.
- Cost documentation is captured on an Electronic 5136 Cost Documentation form following guidance provided in the National Pollution Funds Center Job Aid.

The NPFC case manager for the region will help ensure an appropriate process is put in place for accurately handling compensation for claims.

**6600 Procurement Unit**

Procurement Unit is responsible for administering and establishing, as necessary, vendor contracts for operational support-related supplies, services and technical consultants. The following are procurement unit responsibilities:

- Manage, coordinate, document and account for all procurement orders needed to support response operations.
- Manage, coordinate, document and account for all payments made to support response operations.
- Negotiate, coordinate, document and manage all contracts needed to support response operations.
- Identify additional resources and logistics support needed to accomplish contracting and procurement services.
- If major contracts need to be negotiated under the OSLTF or CERCLA or MOUs need to be established than the NPFC case manager should be consulted.

**6700 Natural Resource Damage Assessment (NRDA) Procedures**

CERCLA required the Department of the Interior to develop and promulgate regulations for use by trustees in establishing damages for injuries to natural resources for the purposes of CERCLA and Section 311 (f)(4) and (5) of the Clean Water Act. These regulations have been promulgated as Type A and Type B procedures and are codified at 43 CFR Part 11.

The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, 42 U.S.C. 9601 et seq., and the Clean Water Act (CWA), 33 U.S.C. 1251-1376, provide that natural resource trustees may assess damages to natural resources resulting from a discharge of oil or a release of a hazardous substance covered under CERCLA or the CWA and may seek to recover those damages. This part supplements the procedures established under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, for the identification, investigation, study, and response to a discharge of oil or release of a hazardous substance, and it provides a procedure by which a natural resource trustee can determine compensation for injuries to natural resources that have not been nor are expected to be addressed by response actions conducted pursuant to the NCP. The assessment procedures set forth in 43 CFR 11 are not mandatory. However, they must be used by Federal or State natural resource trustees in order to obtain the rebuttable presumption contained in section 107(f)(2)(C) of CERCLA.

Also see Section 6204.2 and Section 2405.

**6800 Reserved**
**6900 Reserved for Area/District**

## 7000 Hazardous Materials (HAZMAT) Plan

For this Annex, hazardous materials includes; hazardous substances, hazardous waste, noxious substances, Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) and certain petroleum products.

### 7100 Purpose and Objectives

This Annex has been written to provide initial response guidance during a response to a hazardous materials release in the coastal zone which may have actual, potential or perceived consequences to public health or the environment.

There are a number of HAZMAT response plans, often mandated by law, already existing, or being developed, at all levels of jurisdiction. This Annex does not supersede any plan prepared by another agency or response organization and will be coordinated with other contingency plans.

The framework of this plan was developed with input, from local, county, state and federal government agencies, fire departments and environmental agencies.

If the hazardous substance release is suspected or confirmed to be the result of a terrorist act, response to the incident should be initiated using this Annex and the Area Maritime Security Plan.

#### 7101 Notification

- Local first responders should be contacted immediately (call 911).
- The National Response Center (NRC) will be contacted (800-424-8802).
- For releases in Maine: Report all discharges in Maine to the Department of Public Safety (800-452-4664), "which shall notify the Maine Department of Environmental Protection (DEP) and the public safety agency of the municipality". All spills are reportable, and the Federal Reportable Quantities do not apply to spill reporting in Maine unless a Spill Prevention Control & Clean-up Plan (SPCC) has been filled with the Department.
- For releases in New Hampshire: during normal business hours call the New Hampshire Department of Environmental Services (DES) Spill Response and Complaint Investigation Section at (603) 271-3899. After hours call the State Police dispatch at (603) 223-4381. The State Police dispatch will notify the NH DES on call spill responder. Spills of hazardous waste, or hazardous materials that may become a hazardous waste after they are released, and which threaten human health or environment, must also be reported.
- For possible WMD or terrorism releases contact the appropriate WMD Civil Support Team (CST). The 11th CST serves Maine and the 12th CST serves New Hampshire.

**7102 Information Required at Notification**

In the event of an oil or hazardous materials spill, it is helpful to obtain as much of the following information as possible from the person reporting the incident. The information shall be recorded on the appropriate agency forms.

- Date and time of the incident; or when it was first discovered;
- Location of incident;
- Name and telephone number of person making the report;
- Name of suspected spiller or responsible party, company name, address and telephone number (if applicable);
- Name and telephone number of other parties who have been informed;
- Name/type of alleged material spilled;
- Estimate of total volume spilled;
- Is more spillage possible, and if so, estimate the maximum potential amount and duration;
- What response actions have already taken place and are currently taking place.
- What resources are at risk; and
- Specific directions to the spill site.

## 7200 Command

### 7201 Response Organization- ICS

#### *7201.1 Command Structure*

Any response undertaken shall implement the National Response structure and the NIMS ICS system as outlined throughout this ACP. An overview of the response structure is presented in Section 1400 and 1500, while more specific NIMS ICS guidance is included in each of the ACP sections.

Further information on the ICS structure can be found in the U.S. Coast Guard Incident Management Handbook COMDTPUB P3120.17B (USCG IMH)

#### *7201.2 Operational Command*

The Response Organization during a HAZMAT incident is highly dependent on both the severity of the incident and size of the responding force. The initial Incident Commander is usually the Senior Fire Official from the municipality in which the incident occurred, except as modified in 2160 and 2170 of this Annex. As federal, state and local government agencies, the Responsible Party and response contractors become involved; the response organization will transition into a Unified Command.

*7201.3 Unified Command*

The members of the Unified Command (UC) shall include: the Federal On-Scene Coordinator (FOSC), the State On-Scene Coordinator (SOSC), the designated Senior Fire Official from the municipality in which the spill originated and the Affected/Responsible Party.

- The designated FOSC for incidents located in the Coastal Zone is the U.S. Coast Guard and for incidents located inland is the US Environmental Protection Agency (EPA). A description of the USCG/EPA boundary is contained in Section 1200 of the ACP.
- The SOSC will be a designated representative from Maine DEP, New Hampshire DES, or both in the event of a cross border incident. Participation by state agencies is dependent on location and/or nature of the incident.
    - In Maine, the Maine DEP will be a lead agency and will work with the local "Regional Response Team". Maine DEP's Response Services Division is the State's hazardous Material (Haz Mat) Team with 25 responders trained to technician level for Oil and Hazardous Materials, including WMD, with four responders and one supervisor on call 24 hours/day. In the event a responsible party does not respond to a release, or is not responding to the satisfaction of DEP, the DEP may, in consultation with federal authorities, initiate and direct all actions necessary to respond to the incident.
    - In New Hampshire, the NH DES is the primary agency responsible for the support of State and local operations during a hazardous materials incident. The State Fire Marshall's office works in conjunction with DES to mitigate the effects of hazardous materials releases.

      See Section 1100 of the ACP for more information on State authorities.
- The Unified Command may include more than one Senior Fire Official if more than one municipality or both States are impacted. Maine and New Hampshire laws apply regarding the Senior Fire Official's authority and potential role in the Unified Command.
- Other agencies may also be included in the Unified Command, such as; the Federal Bureau of Investigation, the Federal Emergency Management Agency, NOAA Scientific Support Coordinator, state emergency management agencies, county emergency management agencies and local law enforcement.

**Unified Command Priorities:** The following priorities should be considered for all hazardous materials incidents.

- Responder safety;
- Public safety/hazard mitigation;
- Rescue decontamination, transportation, and treatment of victims of the incident;
- Source Control/Incident Stabilization;

- Protection from direct exposure, possible evacuations (evacuation determinations are generally a local government decision);
- Protection of water intakes;
- Protection of underground drinking water aquifers;
- Use of neutralizing agents prior to cleanup;
- Removal, decontamination and treatment of injured or potentially exposed animals;
- Environmental cleanup/restoration;
- Proper transportation, storage and disposal of contaminated debris and waste.

For more information refer to the USCG IMH Chapter 21 Hazardous Substance.

**7202 Safety Officer**

The Safety Officer (SOFR) for a HAZMAT incident must be qualified for the position. At a minimum the SOFR shall be a certified Hazardous Materials Technician. The SOFR shall also be able to carry out the duties of the SOFR as listed in the Coast Guard Incident Management Handbook.

***7202.1 Site Safety Plan***

At a minimum, the Safety Officer for a hazardous substance incident should include the following when preparing the initial Site Safety Plan:

- Identification of the material spilled
- Material Safety Data Sheets to help characterize site hazards;
- Control zones: exclusion, contamination reduction, and support;
- Training requirements and check HAZWOPER cards if required;
- Personal protective equipment (PPE): Level A, B, C, or D;
- Decontamination stations.

**7203 FOSC Considerations**

In most hazardous materials incidents the FOSC will not serve as the Incident Commander. The FOSC's role is to:

- Determine if the incident requires the initiation of the Coast Guard Critical Incident Communications procedures; and
- Determine if the incident response is being properly managed by appropriate state, or local authorities, or responsible party in a timely manner and assess their need for federal assistance.

- If the incident response is being managed properly, provide Federal support as necessary to the on-scene Incident Commander through:
  - Opening the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) fund ;
  - Activating Basic Ordering Agreements with contractors;
  - Providing technical support; and/or
  - Deploying resources as needed (Atlantic Strike Team, vessels or aircraft).
- If the incident response is not being managed properly by the Responsible Party or is not managed in a timely manner, one of the following orders may be issued:
  - An Administrative Order issued under CERCLA for "hazardous substance" releases when the FOSC has determined that there may be an imminent and substantial endangerment to the public health and welfare or environment. The FOSC must be reasonably certain that the party to whom it is issued is in fact the Affected Party.
  - Captain of the Port Order issued to insure the safety of vessels and waterfront facilities, and the protection of the navigable waters and the resources therein.

- Determine the need to federalize the removal actions if the Affected/Responsible Party:
  - Cannot be identified, located, or contacted in a timely manner;
  - Is either unwilling or unable to take responsibility and initiate removal actions;
  - Is conducting removal actions which are inadequate, unsafe, and/or pose a hazard to public health and/or the environment; or
  - Other agencies have not responded or are not available.

  If it is determined that the incident must be federalized, then the following actions may be taken:
  - Engage in a coordinated and prompt response (The general rule of CERCLA is "First make it safe, then determine the extent of the hazard and federal removal authorities");
  - Contact local/state authorities to secure the scene and establish exclusion zones;
  - Access CERCLA funding;
  - Consult the Base Plan Section 2100 for further Incident Commander actions;
  - Conduct a removal site assessment to include:
    - Identification of the source;
    - Determination of the threat to public health (resources that can assist with this determination include):

- NOAA SSC
- EPA OSCs or Environmental Response Team
- Agency for Toxic Substance Disease Registry (ATSDR); and
- Maine DEP or New Hampshire DES
- Local, County or State public health officials;

  - Evaluation of the magnitude of the threat;
  - Determination if actions have been taken to mitigate the release,
  - Determination if there is potential of further release;

- Determine the Potentially Responsible Party(s);
- Determine when removal actions are complete in consultation with state and local agencies; and
- If the site requires continued cleanup under the remediation phase, AND IS NOT A VESSEL, transfer the role of FOSC to EPA, as appropriate.

**7204 Incidents Offshore**

If a HAZMAT release occurs outside the jurisdiction of any County or Municipality the FOSC, SOSC and Responsible Party shall comprise the UC. County and Municipal plans will be consulted if a shore side evacuation or other impact is anticipated. If any HAZMAT is anticipated to impact the shore the appropriate local Senior Fire Official(s) shall be included in the UC.

The State of Maine's jurisdiction extends 12 miles from the coast line, and New Hampshire extends 3 miles from the coast line.

**7205 Incidents on Department of Defense Facilities/DOE**

If a HAZMAT release occurs on a DOD/DOE facility, the sponsor of that facility is the FOSC for the incident and will participate in the response as part the Unified Command.

**7206 County and Municipal Plans**

The response to any HAZMAT incident shall be in accordance with the existing contingency plan for the area in which the incident occurred. The UC shall provide for the review of any existing municipal and county plans within the jurisdiction at the incident site and any plume resulting from the incident, as needed.

**7207 Radiological Response**

For guidance on radiological weapon response procedures, please refer to Surface Ship Survivability-Chapter 6 as well as CBRN Initial Response- Chapter 2 (please note that this is for official use only.)

## 7300 Operations

### 7301 General

The nature of the response to HAZMAT releases is extremely diverse in comparison to responses to oil spills. In addition to the ICS branches discussed in Section 3000 of the ACP, the Operations Section should include a Hazardous Substance Branch which may include: the specialized Entry, Decontamination, Disposal, Site Access, and Sampling Groups and Technical Specialists. This Branch should include experienced representatives from federal, state, local and industry hazardous materials teams that have been trained to hazardous materials technician level. This section will outline considerations that must be addressed for all incidents and describe the Operational organization. The ICS structure must remain flexible and can incorporate differing Groups depending upon the need of the incident.

**ENTRY –** The Entry Group is responsible for the overall operations within the exclusion zone, and may also include source control, cleanup and sampling groups. All personnel assigned to enter the exclusion zone by the Entry Group leader must be trained to appropriate HAZWOPER standards.

Tasks may include:

- Ensure patients are moved to the decontamination area.
- Ensure that information regarding the hazardous material (s) and patient symptoms are passed to the Medical Group.
- Secure the source of the release such as plugging and patching tanks.
- Recommend and implement actions to mitigate the situation within the exclusion zone.
- Ensure the implementation of appropriate defensive mitigation practices.
- Sample air, water, and/or soil within the exclusion zone or perimeter as indicated.

**TECHNICAL SPECIALIST –** May include toxicologists, chemists, industrial hygienists, engineers, and product experts.

## 7400 Planning

In addition to the ICS units discussed in Section 4000 of the ACP, the Planning Section should include experienced technical experts specializing in hazardous materials response, particularly for the material in question. Sources of these technical experts include: the USCG's Strike Team, Civil Support Teams, EPA's Emergency Response Team and National Decontamination Team and NOAA's Scientific Support Team. The Planning Section should also include experienced representatives from both state and local agencies and/or local HAZMAT teams.

The Environmental Unit may need to:

- Conduct risk analysis.
- Investigate approaches to mitigating the hazardous substance released.
- Determine contamination movement.
- Develop site specific cleanup/clearance standards for people, workers, homes, and the environment.
- Determine technical feasibility or cost benefit of plans.
- Determine screening methods and monitoring equipment.
- Determine decontamination methods
- Prioritize tasks.

**7401 Area Threat Assessment**

The geographic area covered by this plan (Maine and New Hampshire) is not a major destination or point of origin for large shipments of hazardous materials other than LPG or petroleum products. However, it is recognized that large shipments of hazardous materials could be passing through the area en route to or from Canada by sea and that small amounts of many hazardous materials are transported within the area via rail, truck and other modes.

## 7500 Logistics

### 7501 Area Resources

#### *7501.1 List of Area HAZMAT Teams*

A list of teams for the State of Maine can be found here.

**State of Maine First Response Teams**

*RRT = Regional Response Team*
*DST = Decontamination Strike Team*

| | |
|---|---|
| 11th Civil Support Team | 877-9623 |
| *Androscoggin County* | |
| Androscoggin Valley COBRA Team, *RRT* | 784-6421 |
| *Aroostook County* | |
| Houlton Fire Department, *DST* | 532-1320 |
| Madawaska Fire Department, *RRT* | 728-3624 |
| Presque Isle Fire Department, *DST* | 769-0881 |
| *Cumberland County* | |
| Bridgton Fire Department, *RRT* | 647-8814 |
| Brunswick Fire Department, *RRT* | 725-6572 |
| Fairchild Semiconductor, *HazMat Team* | 775-8445 |
| NAS Brunswick Fire Department, *HazMat Team* | 921-3333 |
| Portland Fire Department, *RRT* | 874-8576 |
| Presumpscot Valley HazMat Team, *RRT* | 892-2525 |
| South Portland Fire Department, *RRT* | 799-3311 |
| *Franklin County* | |

| | |
|---|---|
| Franklin County HazMat Team, *HazMat Team* | 778-2680 |
| Verso Paper, *HazMat Team* | 897-6766 |
| *Hancock County* | |
| Ellsworth Fire Department, *RRT* | 667-8666 |
| *Kennebec County* | |
| Augusta Fire Department, *DST* | 626-2420 |
| Central Maine Emergency Response Team, *RRT* | 872-5551 |
| *Knox County* | |
| Rockland Fire Department, *RRT* | 594-9386 |
| *Lincoln County* | |
| Brunswick Fire Department, *RRT* | 725-6572 |
| Lincoln County DST, *DST* | 882-8056 |
| *Oxford County* | |
| New Page/Rumford Fire Department, *RRT* | 364-7992 |
| Oxford Hills Decon Strike Team, *DST* | 800/733-1421 |
| *Penobscot County* | |
| Orono ERT (Lorin LeCleire) | 866-4000 |
| *Sagadahoc County* | |
| Brunswick Fire Department, *RRT* | 725-6572 |
| *Somerset County* | |
| Madison/Anson Fire Department, *HazMat Team* | 696-3307 |
| SAPPI Somerset Emergency Response Team, *HazMat Team* | 238-3175 |
| Skowhegan Fire Department, *DST* | 474-3400 |
| *Waldo County* | |
| *Washington County* | |
| Domtar HazMat Team, *RRT* | 427-3311 |
| West Washington County Strike Team, *DST* | 800/432-7303 |
| *York County* | |
| Ogunquit Fire Department, *DST* | 646-4947 |
| Portsmouth Naval Shipyard, *RRT* | 438-2333 |
| York County ERT, *HazMat Team* | 985-6123 |

| **State of NH First Response Teams** | |
|---|---|
| New Hampshire National Guard – 12th CST | 603-227-1555 |
| Central NH HazMat Team | 603-224-2545 |
| Keene Fire/HazMat Team | 603-357-9861 |
| Manchester Fire/HazMat Team | 603-669-2256 |
| North Country Emergency Response Team | 603-466-2334 |
| Seacoast Technical Assistance Response Team (START) | 603-926-3316 |
| Souhegan Mutual Aid Response Team (SMART) | 603-594-3636 |
| South Eastern NH Hazardous Materials Mutual Aid District (SENHHMMAD) | 603-432-6121 |
| Midwestern NH Regional HazMat Team | 603-448-1212 |
| Carroll County HazMat Team | 603-539-2261 |
| NH State Police Explosives Unit | 603-271-1671 |
| New Hampshire Department of Health and Human Services | (603) 271-9200 |

| | |
|---|---|
| HazMat Support Team (HST) | 603-271-5431 |
| | |

## 7600 Finance

### 7601 NPFC User Reference Guide

The primary reference for the Finance Section Chief should be the National Pollution Funds Center, User Reference Guide. A check-off list for the Finance Section Chief can be found in Section 9000.

### 7602 CERCLA/The Superfund

The primary Federal fund for the response and remediation of a HAZMAT release is the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) fund, also known as "the Superfund". Use of this fund is activated by the FOSC when the following three elements are present in a response:

1. There is a release or threatened release of a hazardous material;

2. The release poses an "imminent and substantial" threat to public health and/or safety; and

3. The Responsible Party fails, or is unable to take appropriate action.

The FOSC is responsible for determining if these elements exist.

### 7603 Access to the Fund

The FOSC should take the following steps in order to activate the CERCLA fund:

1. Notify a NPFC Case Officer by the most expeditious means possible and request issuance of a CERCLA Project Number (CPN) and corresponding ceiling amount. The following information must be provided to the NPFC Case Officer:

A. Incident name;

B. Coast Guard Sector conducting response operations;

C. FOSC point of contact, phone number and email address;

D. Location of the incident (including latitude and longitude);

E. Date/time the incident occurred and/or was discovered and the date that FOSC action commenced;

F. Description of the threat;

G. Ceiling amount requested;

H. List of hired contractors and the amount obligated to each.

2. The NPFC will respond, by the following day, to all requests. Information and confirmation will be provided via Coast Guard message traffic or other means.

3. A FOSC determination that there is an "imminent and substantial" threat is required in order to access the CERCLA fund. This determination should be stated in the initial Coast Guard generated Pollution Report (POLREP 1). The POLREP should include the following information:

A. Hazardous material, pollutant or contaminant involved;

B. Description of the affected or threatened area (people, animals, crops, drinking water, etc.);

C. Statement indicating that this situation presents an "imminent and substantial" threat to the health and safety of the public and/or the environment;

D. Description of the response actions necessary to neutralize the threat.

**7604 CERCLA Limitations**

The CERCLA fund initial ceiling amount for a HAZMAT release response is a maximum of $250,000. Requests to raise the limit amount are considered on a case-by-case basis. A request to raise the limit amount must be supported by an Action Memorandum from the FOSC to the NPFC. Directions for completing an Action Memorandum are included in Chapter 4, Section K of the NPFC User Reference Guide.

***7604.1 Documentation***

FOSCs shall follow NPFC Resource Documentation Technical Operating Procedures (TOPs) as outlined in the NPFC User Reference Guide. The forms used are equally applicable to both HAZMAT release and oil spill responses. The FOSC shall retain all documentation generated during a CERCLA funded response for 10 years.

**7700 Reserved**
**7800 Reserved**
**7900 Reserved for Area/District**

# 8000 Marine Firefighting Plan

## 8100 Introduction

### 8101 Authority

Among the provisions of the Ports and Waterways Safety Act of 1972 (PWSA) (33 U.S.C. 1221 et seq.) is an acknowledgment that increased supervision of port operations is necessary to prevent damage to structures in, on, or adjacent to the navigable waters of the U.S., and to reduce the possibility of vessel or cargo loss, or damage to life, property, and the marine environment. This statute, along with the traditional functions and powers of the Coast Guard to render aid and save property (14 U.S.C. 88(b), is the basis for Coast Guard firefighting activities. Nevertheless, the Coast Guard is not trained or equipped to fight marine fires and will typically assume a support role to local Fire Departments. 42 U.S.C. 1856-1856d provides that an agency charged with providing fire protection for any property of the United States may enter into reciprocal agreements with state and local firefighting organizations to provide for mutual aid. This statute further provides that emergency assistance may be rendered in the absence of a reciprocal agreement, when it is determined by the head of that agency to be in the best interest of the United States.

### 8102 Purpose

This document provides for a coordinated response by the U.S. Coast Guard and other federal, state, local, and civilian forces to major fires on board vessels or waterfront facilities. It provides policies, responsibilities, and procedures for coordination of on-scene forces. It is designed for use in conjunction with other state, regional, and local contingency plans.

### 8103 Scope

This document is the primary firefighting instruction for the coastal region of Maine and New Hampshire for fires at facilities and/or on vessels. This plan further describes the responsibilities of all agencies involved. It is to be used to coordinate agency responses and actions. This plan also sets forth a command structure and a list of resources.

This document is not intended to be a marine firefighting technical handbook.

### 8104 Marine Firefighting Task Force (MFTF)

This task force will be comprised of subscribers to the ACP. The Task Force shall recruit and identify members of the port and firefighting community that will be pre-designated and accepted as technical experts. This group should include qualified firefighters, experts in shipboard systems, naval architects, marine engineers, and port operators with skills in public safety and regional communications. This group shall be called upon from time to time to support the planning process including inter-agency coordination. At the time of a marine disaster this group would assume an advisory role at the incident commander's command post.

**8105 Policy**

***8105.1 Federal Policy***

The Federal Fire Prevention and Control Act of 1974 (P.L. 93-498) states that fire prevention and control is and should remain a state and local responsibility, although the Federal government must help to reduce fire losses.

***8105.2 Coast Guard Policy***

Coast Guard firefighting policy is established in the Coast Guard Marine Safety Manual Vol VI, chapter 8. It states that, where an organized fire department exists, the local Fire Chief is in charge of the firefighting operations on vessels in port and at facilities. The Coast Guard will render assistance as available, equal to each unit's level of training and adequacy of equipment. This is not intended to convey the impression that the Coast Guard is prepared to relieve local Fire Commanders of firefighting responsibilities.

***8105.3 Captain of the Port Policy***

The Coast Guard Policy on firefighting does not relieve the Coast Guard Captain of the Port (COTP) of the responsibility for the overall safety of the port. It also does not restrict the lawful authority of the COTP to act in the best interest of the safety of life, property and the environment. Federal law gives the Captain of the Port authority to take full or partial control or direct the operation of any vessel within the territorial waters of the United States under his jurisdiction. This is done whenever it appears to the COTP that such action is necessary in order to secure such vessel from damage or injury, or to prevent damage or injury to any vessel or waterfront facility. The COTP, or his representative, will respond to assist as necessary, with waterside traffic control, minimum waterside firefighting assistance, and personnel familiar with shipboard construction, layout, common firefighting systems, and stability. Firefighting and other unique responses involving fire departments in the Port of Portland will also use Standard Operating Guides as appropriate.

***8105.4 State Policy***

According to State Laws, the local fire chief or his/her designee (NH law) has sole and exclusive power to perform all duties for the government pertaining to the management and extinguishment of all fires occurring within the jurisdiction of their department. The decision to declare a local fire disaster, necessitating the response of the local/county Response Plan remains with the local fire chief based on his evaluation of the situation.

Within the limits of the fire department's jurisdiction, it will respond to all notifications of fire as manpower, equipment, and training allow. This includes marine facilities located within its boundaries and vessels moored alongside those facilities. Further, it may involve fighting a vessel fire occurring in portions of the harbor within their jurisdiction.

**8106 Responsibility**

***8106.1 USCG COTP Sector Northern New England Responsibilities***

The COTP exercises primary federal responsibility for the safety and security of the port. This responsibility is discharged by enforcing dangerous cargo regulations, marine terminal safety regulations, and pollution prevention regulations. In emergencies, the COTP may control the movement of ships and boats, establish safety zones and provide on scene forces. Responsibilities of the COTP include:

- Coordinate firefighting activities with the Incident Commander (IC).
- Assume Incident Commander for a burning vessel underway or at anchor when:
    - the fire department with jurisdiction is unable to respond,
    - no fire department has jurisdiction.
- Coordinate all Coast Guard firefighting forces and equipment responding to the incident.
- Coordinate harbor safety and harbor traffic management with the Incident Commander. Control harbor traffic as necessary in the incident area to minimize the adverse impact of the fire on marine traffic and to facilitate firefighting operations. Establish safety or security zones as necessary.
- Provide information on any involved waterfront facilities or commercial vessels
- Assist with coordination between impacted the master of impacted vessels and local fire departments, as needed.
- Provide information on the location of hazardous materials on the vessel or facility, if available.
- Provide technical data and recommendations on ship's construction and stability.
- Respond to oil or hazardous materials discharges. Actual removal may be delayed until the firefighting operations are complete.
- Obtain tugs to assist in relocating moored or anchored vessels.
- Alert owners/operators of terminals or vessels at risk.
- Support standup and staffing of an Incident Command Post as needed.
- When a fire has been extinguished or hazard mitigated the COTP shall advise of proper removal or movement of the vessel.

***8106.2 Local Fire Department***

Local fire departments are responsible for fire protection within their jurisdictions. Fire department responsibilities include:

- Assume the position of Incident Commander. In this capacity, exercise overall control of firefighting operations for the incident.
- Establish an Incident Command Post.
- Establish and maintain communications between the Incident Commander and all participating units.
- Request necessary personnel and equipment, and appropriate medical aid.
- Determine the need for, and request mutual aid.
- Make all requests for Coast Guard/federal personnel, equipment, and waterside security through the COTP.
- Establish liaison with local police departments for land-side traffic and crowd control, scene security and evacuation.

***8106.3 Vessel Master***

This plan is not intended to relieve the Master of his command nor restrict his authority concerning normal shipboard operation. However, it must be recognized that the local fire chief normally has more experience in the art of firefighting. In addition, the fire chief has the responsibility for the safety of his firefighters, equipment and to the community to contain and extinguish any fires. The success of the operation is contingent on one person being in charge of all the firefighting aspects. In the case of shipboard fires, the local fire chief will be the person in charge of the firefighting operation. The master plays a very important role in lending his experience and assisting the fire chief to insure a successful operation. The presence of the fire chief in no way relieves the master of command of his vessel.

However, the master shall not countermand any orders made by the fire chief in the performance of the firefighting operation. The master, officers, and crew of the vessel shall assist in the firefighting operation. The master shall be liaison between the fire chief and his crew. He shall furnish, if possible, the fire chief with any information requested. He should provide the fire chief with members of his crew to act as guides. The master shall control the actions of his crew. In the absence of the Master, the Chief Mate or Chief Engineer is expected to represent the vessel.

***8106.4 Joint Responsibilities***

The Coast Guard and local fire departments should cooperate and assist each other in carrying out their respective duties. This includes, but is not limited to:

- Sending representatives of both organizations to meetings and other functions relating to marine firefighting within the port area.

- Review the Marine Firefighting Plan maintained by USCG COTP Sector Northern New England at least once every 4 years. Provide input as necessary to update and revise this plan.

- Coordinating a periodic operation to exercise components of the Marine Firefighting Plan.

- Use Standard Operating Guides (SOG) where appropriate as implemented.

**8107 Procedures for Reviewing, Updating, and Exercising**

***8107.1 Responsibility***

To ensure the validity of this plan, the Maine and New Hampshire Area Committee will appoint a working group to periodically review all arrangements, jurisdictional relationships, and information contained within the plan. Coastal fire departments will review the plan and provide input as necessary to update and revise this plan.

***8107.2 Exercises***

Drills will be conducted to test the adequacy of the plan. The working group will propose a scenario for each drill, as well as a timetable for drill events. The exercise will, at a minimum, test response communications and pose challenging situations which might prove to be major problem areas. Possible scenarios might include a passenger vessel fire involving the evacuation and medical treatment of a large number of people; a fire on a bulk petroleum carrier; a fire on a vessel at anchor, and drills on less accessible facilities. Exercises shall be conducted generally during the day, but night time exercises will be considered. The exercises and real-life events will be the basis for updating of this plan, generally through a post-event critique.

***8107.3 Fire Department Training***

Each fire department, which is responsible for fighting shipboard fires, should establish a training program within their unit. To the extent possible, familiarization training and exercises should be conducted on vessels that call on the port. USCG Sector Northern New England and its Marine Safety Detachments should coordinate familiarization training in conjunction with routine vessel inspections to allow fire department crews to tour vessels and become familiar with various vessel layouts.

**8108 Abbreviations**

| | |
|---|---|
| CFR: | Code of Federal Regulations |
| COMDT: | Commandant, U.S. Coast Guard. Head of this federal agency. |
| COTP: | Captain of the Port; the Coast Guard officer responsible for the enforcement of port safety and security and marine environmental protection regulations. |
| CWA: | Clean Water Act |
| DCM: | Dangerous Cargo Manifest |

| | |
|---|---|
| EPA: | Environmental Protection Agency. |
| MSM: | Marine Safety Manual. |
| NRC: | National Response Center |
| OCMI: | Coast Guard officer who is responsible for the inspection of U.S. vessels to assure compliance with applicable laws and regulations relating to safe construction, equipment, manning and operation. |
| OPA 90: | Oil Pollution Act of 1990 |
| OSC: | On Scene Coordinator; designated official who coordinates all Coast Guard forces and equipment during an emergency response. |
| PWSA: | Ports and Waterways Safety Act |
| SOLAS: | The International Conference on Safety of Life at Sea. |

**8109 Definitions**

| | |
|---|---|
| After (aft): | The direction towards the stern of the vessel. |
| Athwartship: | Side to side, at right angles to the fore and aft centerline. |
| Ballast: | A weight, liquid or solid, added to a ship to ensure stability. |
| Barge: | Means any non-self-propelled vessel. |
| Bilge: | The lowest inner part of a ship's hull. |
| Bottom Clearance: | The depth of water under the vessel's keel. |
| Break Bulk Terminal: | A terminal where commodities packaged in bags, drums, cartons, and crates are commonly palletized and loaded and unloaded. |
| Bulk Terminal: | A terminal where unpackaged commodities carried in the holds and tanks of cargo vessels and tankers are handled. |
| Bulkhead: | Upright vertical partitions dividing a ship into compartments (wall). |
| Bunkering: | A vessel taking on fuel oil or lube oil from a facility, truck, or barge. |
| Companionway: | An interior stair or ladder usually enclosed. |
| Cargo Vessel: | Any of the following self-propelled vessels:<br>• Bulk Cargo Ship<br>• Container Ship<br>• Tank Ship |
| Damage stability data: | Data required by Regulation 7, Chapter II, SOLAS 1960 or Regulation 23, Chapter II-1, SOLAS 1974. |
| District Commander: | Coast Guard officer who has final authority for the performance of Coast Guard functions and missions within district boundaries. The COTP Sector Northern New England zone lies within the jurisdiction of the First Coast Guard District office in Boston, MA. |
| Dry Bulk Terminal: | A terminal equipped to handle dry goods that are stored in tanks and holds on the vessel. |
| Dunnage: | Loose packing material (usually wood) protecting a ship's cargo from damage or movement during transport. |
| Fantail: | The stern overhang of a ship. |
| Fire Control Plans: | Plans required by Regulation 70, Chapter II, SOLAS 1960 or Regulation 20, Chapter II-2, SOLAS 1974. |
| Gangway: | Access to a vessel by means of a ladder meeting the requirements of 29 CFR 1918.11 (OSHA). |
| Gas-free: | Spaces certified by a recognized Marine Chemist as being gas free. |

| | |
|---|---|
| Gunwale: | The upper edge of a side of a vessel designed to prevent items from being washed overboard. |
| Incident Commander: | The local Fire Chief in charge of the firefighting operation. |
| International Shore Connection: | The fitting required by Regulation 55(h), Chapter II, SOLAS 1960 or Regulation 19, Chapter II. |
| Lay-up Status: | A vessel which is idle, awaiting orders, repairs, etc., and not in active operation. |
| Length: | Registered length of the vessel. |
| Lightering: | The offloading of petroleum cargo from a tank vessel or tank barge. |
| Local Key Technical Advisors: | Firefighters or emergency response coordinators that may be designated by a state, county or city organization who are familiar with this plan and have been trained as directed by the organization they represent. These people will be available to the local fire departments incident commander. |
| Master: | Captain of a merchant ship. |
| Mate: | A deck officer on a merchant vessel ranking below the master. |
| Nesting of Vessel: | Tying up a vessel offshore to a vessel which is moored to a berth. |
| Passageway: | A corridor or hallway. |
| Passenger Vessel: | Any vessel which carries passengers for hire. |
| Roll-on/Roll-off (Ro/Ro): | A form of cargo handling utilizing a vessel designed to load or unload cargo that rolls, such as autos or tractor trailer units. |
| Safety Watch: | Crewmember or other persons knowledgeable of the vessel with keys or other devices to open all locked spaces. |
| Shaft Alley: | A narrow, watertight compartment through the propeller shaft passes from the aft engine room bulkhead to the propeller. |
| Side Ports: | An opening in the vessel's hull below the main deck. |
| Stability data: | Data required by Regulations 19, Chapter II, SOLAS 1960 or Regulation 22, ChapterII-1, SOLAS 1974. |
| Stern: | The after end of the vessel. |
| Ullage hole: | An opening in a tank hatch that allows measuring of liquid cargo. |
| Waterfront Facility: | All piers, wharves, docks and similar structures to which vessels may be secured. This includes buildings on or contiguous to such structures and the equipment and materials on such structures. |

## 8200 Command

### 8201 Introduction

A major waterfront or shipboard fire will probably involve response teams from federal, state and local agencies. The nature of the fire will be the deciding element in determining which agency assumes overall command or lead agency in a unified command. Overall command or lead agency must be determined as early as possible in the incident to ensure the effective and safe use of personnel and equipment.

**8202 Command and Control**

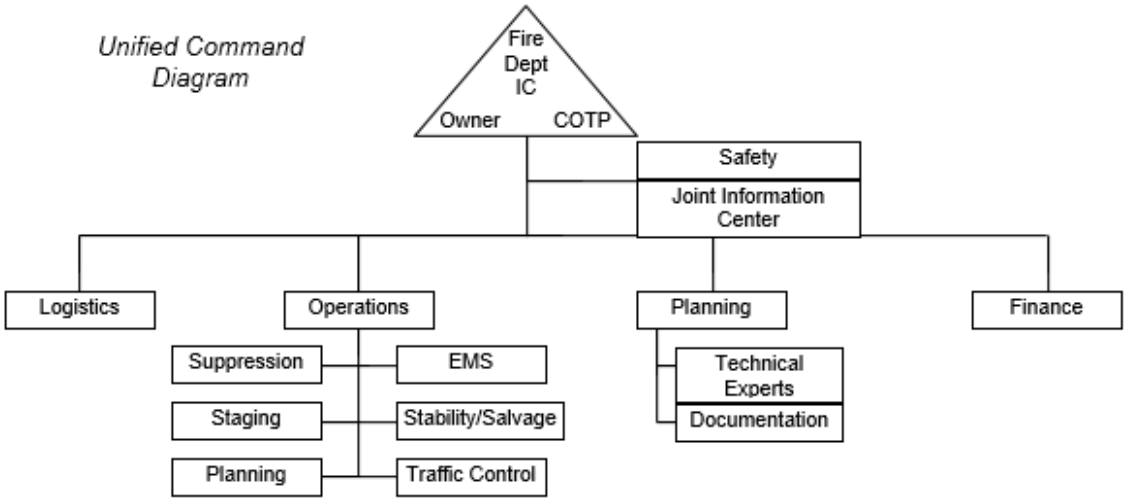
Under the Incident Command System (ICS), the Incident Commander assumes overall command and control of the incident response. Other responding agencies will, within limits of operational capabilities and internal policy, provide support to the Incident Commander by providing personnel, equipment and technical expertise. The location of the fire will be the primary determining factor in determining who shall be Incident Commander or the lead agency in a unified command,

If the fire is at a facility, or on a vessel at a facility, the local fire department shall be Incident Commander or lead agency. If the vessel is underway or at anchor, Incident Commander is the Coast Guard COTP, until such time the vessel is brought to and secured at a pier, then Incident Command shall shift to the local fire department with concurrence between COTP and the fire department. If a vessel at a pier is subsequently moved, Incident Command shall shift from the fire department to COTP, or to the receiving fire department, again with concurrence between COTP and the fire departments.

**8203 Unified Command**

In instances when several jurisdictions are involved or several agencies have a significant management interest or responsibility, a unified command with a lead agency designation may be more appropriate for an incident than a single command response organization. Generally, a unified command structure is called for when:

- The incident occurs within one jurisdiction but involves several agencies with management responsibility for it due to the nature of the incident or the resources needed to combat it. Such a circumstance would pertain for almost any fire at a facility or a vessel at pier side or anchorage in this area because of the similar responsibilities of fire departments and the Coast Guard for the protection of public health and safety.
- The incident is multi-jurisdictional in nature because it effects or has the potential to affect several jurisdictions. Shifting a burning vessel from one jurisdiction to another is such an example.
- Typically a unified command will be made up of representatives from Federal, State, and local agencies as well as representatives from key vessels or waterfront facilities involved in the fire. These representatives may include the COTP, State On-Scene Commander, local fire chief, and vessel/facility master or terminal manager or their authorized representatives.




**8204 Coordination of Special Forces**

State and local special forces, including Mutual Aid responses, shall normally be requested by, and report to Incident Command. Federal Special Forces shall normally be requested through the COTP and shall come under the direction and control of the COTP and fire department Incident Commander.

**8205 Termination of Response Actions**

Once response operations have begun, they shall not be terminated until the fire is extinguished and the situation is under control. Termination of resources shall be by mutual agreement between the fire department Incident Commander and the COTP.

Should there be a pollution incident, or threat of one, along with the fire, fire department resources may be released once the fire is extinguished and their assistance is no longer needed and the State On-Scene Coordinator will likely then serve as one of the Incident Commanders in the Unified Command. This termination should also be a mutual agreement between the fire department IC and the COTP.

## 8300 Operations

**8301 Vessel Actions**

The four main concerns for a vessel experiencing a fire on board while in port are injury to personnel, extinguishing the fire, vessel sinking, and the fire spreading to other ships or facilities. Basic shipboard firefighting theory is to contain, cool adjacent spaces including above and below, and extinguish. This theory is considered valid by many firefighters, especially when dealing with fires on passenger vessels or other vessels with a large number of compartments. The following action should be taken (this list is not all inclusive):

- Sound crew alarm. Summon crew to the scene with emergency equipment. Commence firefighting operations as warranted by the situation.
- Alert passengers, if any on board. Make announcement on public address system. Commence evacuation of passengers.
- Stop all ventilation, mechanical and natural, as well as air conditioning units.
- Close and seal all ports and other openings which may create a draft.
- Close all unneeded open side ports.
- Close all or selective fire screen doors.
- Close all watertight doors.
- Set up fire watch in compartments adjacent to the space on fire. This should include the spaces above and below the affected area.
- Close all fire dampers to ducts which may transmit flame, heat or smoke to other compartments.
- Shut down all electrical systems to affected area prior to the use of water and/or other electrical conductive matter.
- Evacuate unnecessary personnel (while having regard for the possible necessity of backup firefighting teams).
- Make announcement for persons not to use elevators.
- Account for the whereabouts of all passengers and crew members as soon as possible to determine if there are injured or trapped persons on board. Send out search parties IF APPROPRIATE.
- Activate fixed firefighting systems. INSURE COMPARTMENT IS EVACUATED AND SEALED BEFORE ACTIVATION!
- Notify local fire department and provide the following information:
  - Name and telephone number of person reporting.
  - Nature of the emergency/extent of fire.
  - Intended destination.
  - Location of the incident.
  - Exact locations of the fire, by compartment and deck.
  - Whether or not there is anyone trapped or injured.
  - Details as best as possible as to class of fire (what is burning?)
  - Is there any hazardous cargo in or near the fire?
  - What, if any, firefighting efforts are in progress?
  - What is the vessels capability to maneuver?

- Amount and type of bunkers.

- Notify Coast Guard/Captain of the Port.

***8301.1 Entry Restrictions***

Any vessel at sea experiencing a fire on board while under the jurisdiction of the COTP Sector Northern New England is not allowed to enter the navigable waters of the United States unless prior permission is granted by the COTP.

**8302 USCG Sector Northern New England (SNNE) Notifications**

Once SNNE receives a report of a fire, the following agencies shall be notified:

- Appropriate Fire Department or Departments
- Maine Department of Environmental Protection and/or NH Department of Environmental Services– oil pollution
- Maine Emergency Management Agency and/or New Hampshire Homeland Security and Emergency Management Division
- Vessel/Facility Owner/Operator
- Local Police agencies
- First Coast Guard District
- NRC
- Any other agency deemed necessary by IC or COTP.

**8303 Coast Guard Initial Actions**

Upon receipt of this information, the COTP will notify and consult with other interested parties, determine the movement of the vessel to be allowed and initiate a plan of action. The COTP's duties will include the following:

- Responsible for the overall safety of the port.
- Continuous monitoring of the entire incident.
- Provide a liaison or On-Scene Commander, in order to coordinate efforts with the fire chief and provide the necessary assistance.
- Provide a portable means of communications (i.e., hand held radios, cellular phones, etc.)
- Support operation with appropriate marine inspection staff to aid with structure analysis, stability review and general assistance.
- Notify and consult with the Coast Guard Salvage Emergency Response Team (SERT)

**8304 Fire Department Actions**

Upon arriving at the scene, the fire chief assumes charge of all aspects of the firefighting operation. This action does not relieve the master of his command of his vessel. However, the master shall place himself and his crew at the disposal of the fire chief. At no time shall the vessel's crew or other agencies or groups, either from shoreside or waterside, engage in independent firefighting activities without the consent of the fire chief. The fire chief's duties include the following, as appropriate:

- In charge of all firefighting operations, both from the shoreside and waterside.
- Formulate Incident Action Plan for fighting the fire that also addresses the safety of personnel and property.
- Determine need to evacuate personnel from burning vessel/facility or adjacent vessels/facilities.
- Procure needed firefighting equipment, material and manpower.
- Direct the activities of all personnel and equipment engaged in firefighting.
- Obtain damage control plans, damage stability data and stability information from the vessel.
- Request assistance from local police for traffic and crowd control.
- Request assistance from the local bridge authority to control bridge openings during the transport of injured persons.
- Request assistance of local hospitals and doctors for medical requirements.
- Request assistance of Red Cross units for aid to survivors.
- Request ambulance service, and activate mass casualty plans as appropriate.
- Consider the adverse effects to the vessel’s stability due to the introduction of firefighting water into the vessel’s interior.
- Establish a workable communication system with units engaged in firefighting operations, police department, civil defense and other agencies directly engaged in the overall operation.

**8305 Firefighting Alternatives**

A major vessel fire may occur at anchor, away from the resources necessary to combat it. On the other hand, a vessel fire may get out of control and endanger the facility where it is moored. Vessels, other than those aground or involved in a collision, may be maneuvered away from further damage or brought to a location that will optimize access for firefighting equipment. It is prudent to consider as a planning step, the selection of several areas to fight a vessel fire. Both marine terminals and anchorages should be considered so as to cover the possibility of a vessel fire getting out of hand, necessitating the moving of the vessel to an isolated area. The Captain of the Port is the controlling authority for permitting or directing the movement of a vessel and will, when feasible, work with impacted municipalities on positioning burning vessels within the harbor.

**8306 Initial Fire Response Checklist**

The following checklist is not all inclusive. It should be used as a guide for initial considerations at an incident.

- ☐ Establish and identify Incident Command Post location.
- ☐ Establish Incident Command System (ICS). Establish an effective communications plan to include an ICS 205 form.
- ☐ Establish security perimeter (waterside and shoreside).
- ☐ Determine if hazardous materials are involved
- ☐ Identify and communicate Offensive or Defensive tactical considerations.

*Offensive Plan:*

- Fire can be controlled or extinguished
- Fire can be confined to part of the vessel
- Property can be protected or saved on the vessel
- Lives can be saved, persons can be rescued on the vessel

*Defensive Plan:*

- Fire out of control
- Incident situation drastically changes and forces a move to Defensive Plan:
- Explosion, rapid fire spread
- Hazardous Materials involved
- Drastic stability situation
- Death or serious injury to response personnel
- Surround and drown
- Let incident stabilize itself
- Move vessel to a less impacted location
- Beach, ground or scuttle vessel - consult Coast Guard, Corps of Engineers

- ☐ Identify Objectives.
- ☐ Rescue endangered persons.
- ☐ Perform actions to keep incident from enlarging, and protect exposures.
- ☐ Stop cargo transfer, bunkering or dangerous cargo operations.
- ☐ Contact responsible persons for information and assistance.
    - Master/Chief Mate/Chief Engineer
        - General arrangement of vessel
        - cargo situation
        - stability

  - operation of ship's systems
  - fire protection equipment and systems
  - fuel/ballast tanks
  - utility shutoffs
  - generators
  - dewatering
- Terminal Manager/Owner

☐ Obtain sources of information about the vessel.

- Fire Plan (found near top of gangway in water-tight container or in Master's/Chief Mate's office)
- General Arrangement Plan
- Capacity Plan
- Dangerous Cargo Manifest (found near bridge or in Chief Mate's office)
- Cargo Stowage Plan
- Trim and Stability Booklet
- Stability and liquid cargo computer programs
- Obtain Baseline Draft – Mark Readings
- Crew and passenger lists
- Material Safety Data Sheets for Hazardous and Dangerous Cargo
- Vessel Response Plan

☐ Investigate fire and gather needed information to deal with the incident.

☐ Determine life hazard situation.

☐ Determine if stability, flooding or related damage control problems exist.

☐ Determine fire situation.

☐ Maintain Adjacent Space Temperature and Air Quality

☐ Monitor Vent Stacks

☐ Determine status and condition of ship's fire protection systems and equipment

- Fire Main
- International shore connection and manifold location
- Supplement ship's fire main system with shoreside water and pressure
- Fire station location and equipment (types of couplings/threads)

- Compatibility with fire department's equipment
- Fire pumps
- Water spray or sprinkler systems
- Foam systems
- HALON localized and total flooding systems
- Carbon Dioxide localized and total flooding systems
- Dry Chemical systems, twin agent systems
- Steam smothering
- Fixed monitors
- Emergency gear and Damage Control lockers and contents
- Heat detection systems, Smoke detection systems
- Fire rated bulkheads, zones, doors
- Identify locations of control valves, agent storage containers
- Determine methods of operation of fire protection systems
- Remote water-tight and fire doors
- Inert Gas systems

☐ Take control of ship's fire protection systems.

☐ Determine status and take control of ship's other systems (Ventilation, propulsion, cargo)

☐ Contact outside additional resources for assistance and expertise.

☐ Review cargo considerations, if applicable.

☐ Expand Incident Command System as needed to handle incident.

☐ Continually reevaluate operations and make changes as required.

**8307 Firefighting Operations**

- Establish water supply to vessel
- Set fire boundaries
- Use minimum amount of water to accomplish task
- Take actions to remove/dewater firefighting water
- Continually investigate all areas of fire boundary for fire spread
- Consider using thermal imagers and taking temperature readings
- Secure ventilation and all openings to fire area
- Secure utilities, electrical and any fuel supplies to fire area

- Install floating booms around vessel or incident scene to contain debris and pollution
- Monitor vessel stability throughout incident
- Note changes in draft marks, inclinometers, etc.
- Beware of large accumulations of water above vessel's waterline
- Secure openings in hull to prevent water entering vessel should list occur
- Obtain technical assistance to determine stability situation and recommend corrective actions
- Begin adequate dewatering operations
- Develop Suppression and Salvage Plan simultaneously
- Mobilized and position sufficient personnel and hose lines, appliances, and extinguishing agents to control and extinguish fire
- Coordinate ventilation of fire area with fire attack
- Provide for sufficient rotation of personnel to maintain continuous extinguishing effort
- Beware of pressure buildup in secured spaces and maintain escape routes
- Begin necessary salvage operations
- When possible, set fire watch and begin overhaul and fire cause investigation
- If at anchor, establish secure operations platform

**8308 Machinery and Engineering Space Fire**

These types of spaces and compartments usually have extensive amounts of fuel piping, lubricating oils, and electrical systems and wiring. There are also numerous sources of ignition and re-ignition. These spaces also may have large, open areas that can encompass several decks.

- Determine cause of fire
  - Leaking fuel
  - Electrical
  - Other
- Shut off all fuel flow to the space
- Secure electrical power to the space
- Close and secure all doors, hatches, ventilation ducts, dampers, and other openings to the space
- Determine fire conditions
- Interview the crew
- Visual indicators
- Actual investigation

- *Quick Attack*: fire is small enough to extinguish with portable extinguishers, large fixed extinguishers and/or 1-2 hose lines. Conditions include minimum smoke, heat, and adequate visibility.
- *Fire too large for Quick Attack*:
    - Rescue any trapped persons, if possible
    - Secure all openings to space until minimal smoke is escaping
    - Establish primary and secondary fire boundaries
    - Activate Fixed Fire Extinguishing System for involved space, if available:
        - Carbon Dioxide, HALON, Foam, Sprinklers, etc.
        - May involve several valves in different locations to discharge the agent
        - Use a vessel engineering officer, if available, or other experienced person from marine community to activate the system
        - If any smoke is escaping from the involved space, so will the extinguishing agent
        - Consider supplementing the fixed system with shore-side supplies of extinguishing agent

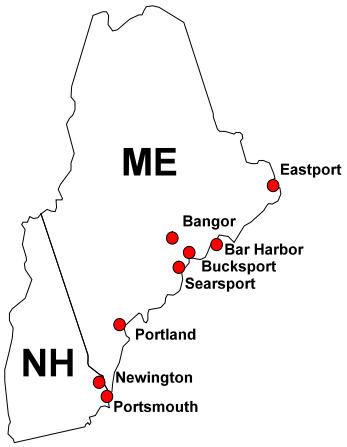
## 8400 Planning

### 8401 Area Summary

#### *8401.1 Transportation Patterns*

There is a considerable amount of foreign and domestic traffic in the ports within the Maine and New Hampshire area, including petroleum products, seafood products, wood and wood pulp, paper, various freight and manufacturing materials, passenger, and pleasure and recreation traffic. A vessel traffic summary for a typical year (2009 for tank barges and 2013 for other vessel types) is as follows:

| | | | |
|---|---|---|---|
| **Eastport** | | **Searsport** | |
| Freight Vessels: | 96 | Freight Vessels: | 24 |
| Cruise Ships: | 2 | Cruise Ships: | 0 |
| Tank Barges: | 0 | Tank Barges: | 29 |
| Tank Vessels: | 0 | Tank Vessels: | 55 |
| **Bar Harbor** | | **Portland** | |
| Freight Vessels: | 0 | Freight Vessels: | 74 |
| Cruise Ships: | 108 | Cruise Ships: | 55 |
| Tank Barges: | 0 | Tank Barges: | 105 |
| **Tank Vessels:** | **0** | **Tank Vessels:** | **240** |
| **Bangor** | | **Newington** | |
| Freight Vessels: | 0 | Freight Vessels: | 7 |
| Cruise Ships: | 0 | Cruise Ships: | 0 |
| Tank Barges: | 0 | Tank Barges: | 25 |
| Tank Vessels: | 0 | Tank Vessels: | 5 |
| | | LPG | 2 |
| **Bucksport** | | **Portsmouth** | |
| Freight Vessels: | 0 | Freight Vessels: | 33 |
| Cruise Ships: | 0 | Cruise Ships: | 1 |
| Tank Barges: | 46 | Tank Barges: | 22 |
| Tank Vessels: | 13 | Tank Vessels: | 57 |




***8401.2 High Risk Areas***

The port areas of Portsmouth, Newington, Portland, Searsport/Bucksport and Eastport pose the highest level of risk due to the higher amount of vessel traffic and the concentration of waterfront facilities.

***8401.3 Historical Considerations***

On August 22, 1996 a major fire struck the Portland Welding facility in South Portland, ME. Even though this facility was not located on the waterfront, it had an impact on Portland Harbor. Due to the hazardous nature of the contents of the building, oxygen, acetylene, and other bottled gases, COTP Portland closed Portland Harbor during the height of the fire. COTP and USCG Station South Portland established safety zones. Evacuations of civilian personnel from residences and boats were conducted from the waterside by Station South Portland. Portland FD's fire boat was placed in service at Portland Pipe Line.

On September 22, 1996, the T/V Julie N struck the south side of the Million Dollar Bridge. The Julie N was carrying 8.8 million gallons of # 2 fuel oil. Even though no fire resulted, Portland and South Portland fire departments responded quickly and were on scene before CG units arrived.

On February 5, 1997, the T/B BFT 39 overfilled while at Gulf Oil Terminal in South Portland, spilling an estimated 26,000 gallons of gasoline into Portland Harbor. Again, even though no fire resulted, the fire department responded due to the extreme hazard of the gasoline fumes.

On August 22, 1997, the fishing vessel CELTIC PRIDE II caught fire while conducting hotwork while moored at the Fish Pier in Portland. The Portland Fire Department initially fought the vessel fire and quickly determined the fire posed a threat to the facility and nearby vessels, and, with COTP approval, the vessel was towed and beached on a mudflat in South Portland. The South Portland Fire Department continued firefighting efforts until the fire was extinguished after 9 hours of combined firefighting efforts.

2008, major fire at Washburn and Doughty in Boothbay.

2008, fire on asphalt barge and tug Norman McLeod. Used Unified Command with Portland Fire.

2008, 8-12 fishing vessel fires, likely intentional.

**8402 Locations to Fight a Shipboard Fire**

The first consideration should be to ensure that the pier is noncombustible. Consideration should also be given to the location, so as to not place adjacent areas in danger. A large area should be available for staging equipment and briefing firefighters. Public access should be easily controllable. The depth of the water alongside the pier should be sufficient at low tide to allow for the navigation of all vessels involved. The depth should however, not be so deep as to cover the burning vessel's main deck in the event of sinking. The bottom contour should be level or nearly so, and if possible be of a sandy composition. A sloping bottom may allow a sunken vessel to slide off into deeper water, where it might capsize. Pre-designated locations have not yet been developed but are intended to be in later revisions of this plan.

**8403 Considerations in Selecting Firefighting Anchorages**

The considerations for the selection of a shoreside firefighting location may also be applied to a firefighting anchorage. Additional requirements include that the anchorage be located outside of shipping channels so as not to constitute a hazard to navigation if the burning vessel sinks and proximity and shelter so that firefighting resources can reach the anchorage and fight the fire. A main objective is to select a location which will be as accessible as possible and will facilitate salvage operations, yet not place port facilities in jeopardy if the burning vessel sinks and becomes a potential hazard to navigation.

**8404 Vessel Information**
***8404.1 Lay-up Status***

Vessels which fail to depart within the normal time frames and vessels requesting entry to port for repairs or for other reasons not involving cargo operations may be treated as a vessel in a "lay-up" status. Vessels in this category will need the approval of the COTP to remain in port or to enter port. They must meet the requirements for a vessel in a "lay-up" status. The

requirements include contingency plans pertaining to firefighting, tugboat assistance and emergency communications plans between shore and ship keeping crews. Profiles of all vessels that are categorized as vessels in lay-up status are located at USCG Sector Northern New England.

***8404.2 Plans and Vessel Data***

Passenger ships of over 100 gross tons which have staterooms for more that 50 passengers must have plans available for the following:

- Damage Stability, as required by Regulation 7, Chapter II, SOLAS 1960 or Regulation 8, Chapter II-1, SOLAS 1974.
    - Stability Information, as required by Regulation 19, Chapter II, SOLAS 1960 or Regulation 22, Chapter II-1, SOLAS 1974.
    - Damage Control Plans, as required by Regulation 20, Chapter II, SOLAS 1960 or Regulation 23, Chapter II-1, SOLAS 1974.
    - Fire Control plans, as required by Regulation 70, Chapter II, SOLAS 1960, or Regulation 20, Chapter II-2, SOLAS 1974.

In all ships, a duplicate set of fire control plans or a booklet containing such plans shall be permanently stored in a prominently marked weather tight enclosure outside the deckhouse for the assistance of shore side firefighting personnel as required by Regulation 20, Chapter II-2, SOLAS 1974.

***8404.3 International Shore Connection***

All passenger ships of 100 gross tones and more and/or more than 250 feet in length, when moored to a berth, shall have sufficient length of fire hose to reach from the ship to the pier. One end of the hose shall be connected to the ship's fire main system at all times and, in accordance with Regulation 55(h), Chapter II, SOLAS 1960, shall be equipped with an international shore connection.

***8404.4 Passenger Ship In-Port Fire Watch***

The need for prompt reaction to the presence of smoke or fire on board passenger ships requires that critical systems be capable of immediate use. The bridge and engine room control spaces are the main centers of communications (internal and external) throughout the vessel. While passengers are on board, the bridge and engine room control spaces will be manned by qualified individuals of sufficient training and experience to initiate a prompt and effective response to the detection of smoke and/or fire on board the vessel which includes the sounding of crew and passenger alarms.

## 8500 Logistics

### 8501 Local Response Resources

#### *8501.1 Captain of the Port*

The COTP is responsible for the safety of the harbor and waterfront facilities. The COTP can mobilize Coast Guard resources to control vessel traffic, provide limited waterside firefighting capability, assist in firefighting planning and hazardous material assessment and conduct stability assessment in the case of a vessel fire. Coast Guard representative will control all Coast Guard forces and maintain liaison with the fire chief. The Captain of the Port is the controlling authority for the movement of a vessel and firefighting activities which may affect the stability of vessel or present a greater threat to the port.

#### *8501.2 Police Department (Law Enforcement)*

The police are responsible for crowd and traffic control, maintaining law and order and assisting in shore side evacuations, shore side safety zones and intelligence gathering.

#### *8501.3 Vessel Master*

The vessel master is ultimately responsible for the vessel and, as such, must assist the fire department in every way possible. He/she can provide vessels stability information, damage stability data and fire control plans. The vessel crew can potentially assist with firefighting.

#### *8501.4 Terminal Manager*

The terminal manager is ultimately responsible for his/her facility, and as such, must assist the fire department in every way. The Terminal Manager can provide detailed information on layout, location of cargo, facility firefighting plans/capabilities and provide additional personnel to assist firefighters.

#### *8501.5 Vessel Agents*

The vessel agents arrange for pilots and tugs, environmental protection, equipment or other assistance when directed by the vessel owner or master.

#### *8501.6 Marine Chemist*

Marine Chemists are consultants paid for health and safety advice. They have the equipment and expertise to obtain temperature readings, check for the presence and concentrations of gases and, in some instances, provide needed advice to the firefighting forces concerning the nature of chemical related hazards encountered.

#### *8501.7 Corps of Engineers*

The Army Corps of Engineers is responsible for maintaining navigable channels for commerce. A representative will be consulted if plans are made to position a distressed vessel within the

harbor. The Corps of Engineers and Captain of the Port will consult in the placement of the vessel so as not to create a hazard to navigation.

***8501.8 Naval Architect***

A naval architect may determine the stability and conditions of a burning ship in consultation with the Master, Chief Mate and/or Chief Engineer. When there is a question of stability the Captain of the Port may recommend that operations be curtailed and require the ships master to have the ship inspected by a Naval Architect/Surveyor before allowing resumption of firefighting operations.

***8501.9 Pilots Association***

Pilotage laws require that a pilot be on board for all large vessel movements. Local pilots associations should be contacted to determine the best method of ship handling and the possible location for firefighting staging areas, given current weather conditions.

**8502 Firefighting Equipment Summary**

| **New Hampshire** |
|---|

Mutual Aid agreements
- 10-15 Engines (750-1500 gpm)
- 4 Aerials (75-100 ft)

USCG Station Portsmouth Harbor
- 47’ MLB (200 gpm fire pump)
- 47’ MLB (200 gpm fire pump)

Portsmouth Naval Shipyard
- Firefighting tug and crew

External Foam supply
- Essex County Foam Bank, Danvers, MA

| **York County, Maine** |
|---|

County-wide Mutual Aid agreement
- 10-15 Engines (750-1500 gpm)
- 4 Aerials (75-100 ft)

Kennebunk Fire Boat
- 26 ft (300 gpm)

Biddeford Fire Boat
- 22 ft (125 gpm)

Note: Portsmouth Naval Shipyard Tug and Crew on Mutual Aid Agreement

| **Cumberland County, Maine** |
|---|

County Task Force
- 20 Engines (1000-1500 gpm)
- 6 Aerials (75-100 ft)
- 13 Tankers (2000-5000 gallons)

Portland Fire Boat
- 68 ft (7000 gpm)

USCG Station South Portland
- 47’ MLB (200 gpm fire pump)

USCGC SHACKLE
- 65 ft (300 gpm pump)

USCGC SITKINAK
- 110 ft (two - 250 gpm pumps)

Foam
- 9000 gallons AFFF available at terminals in South Portland
- 12000 gallons of AR-AFFF for ethanol (4) Foam pumpers to deliver foam to vessel or fire boat.

| **Sagadahoc County, Maine** |
|---|

Mutual Aid agreements
- 8-10 Engines (750-1000 gpm)
- 4 Aerials (75-100 ft)
- 2 Tanks (2000 gallons)

USCG
- Coverage from units listed under Cumberland and Lincoln Counties

| **Lincoln County, Maine** |
|---|

Mutual Aid agreements
- 10-15 Engines (750-1250 gpm)
- 2 Aerials (75 ft)
- 5 Tankers (2000-3000 gallons)

USCG Station Boothbay Harbor
- 47’ MLB (200 gpm fire pump)

| **Knox County, Maine** |
|---|

Mutual Aid agreements
- 10-15 Engines (750-1250 gpm)
- 3 Aerials (60-100 ft)
- 4 Tankers (2000-3000 gallons)

Foam
- Rockland Fire Department (115 gal)
- South Thomaston FD (105 gal)
- Thomaston FD (140 gal)

USCG Station Rockland
- 47’ MLB (200 gpm fire pump)

USCGC TACKLE

USCG
- Coverage from Portsmouth Harbor Station and Portland resources listed under Cumberland County

- 65 ft (300 gpm)

USCGC THUNDER BAY
- 140 ft (300 gpm)

**Waldo County, Maine**

Mutual Aid agreements

USCG Station Southwest Harbor
- 41’ UTB (250 gpm fire pump)
- 47’ MLB (200 gpm fire pump)

USCGC BRIDLE
- 65ft (300 gpm)

**Washington County, Maine**

Mutual Aid agreements

USCG Station Eastport
- 41’ UTB (250 gpm fire pump)
- Coverage listed under Hancock County

**8503 Communications**

***8503.1 Marine Communications***

All Coast Guard forces employed in support of a firefighting effort, whether afloat or ashore, will be equipped with radios to communicate on VHF-FM channels. Channel 81A (157.05) will be the primary working channel between Coast Guard units. Channel 12 VHF-FM, primary, and Channel 21 VHF-FM, secondary, shall be used between Coast Guard, Navy, commercial vessels fighting fire, and FD's Fire boat. Note that Channel 12 and Channel 21 VHF-FM are non-secure channels.

***8503.2 Harbor Traffic Control***

Coast Guard units will direct vessel traffic on Channel 21 and/or Channel 22 VHF-FM.

***8503.3 Shore Communications***

The on-scene frequency will be that of the controlling fire department. Inter-department communications will initially result from existing mutual assistance agreements, for example, the statewide mutual aid frequency for Maine is (154.310).

**8504 Additional Resources**

Additional resources from aerial photography to wildlife rehabilitation can be identified via the online Marine Resources Inventory maintained on Maine DEP's website.

**8405 Dead ship Movements**

For guidance on dead shift movements and moving a burned vessel, please refer to chapter 3 and sample tow plan (appendix E) of Waterways Management (WWM): Dead Ship Movements TTP.

## 8600 Finance

**8601 General**

In most cases, each responding agency will be responsible for funding their own efforts. This may include a fire department billing the owners of the vessel or terminal for resources used during the response. In situations where the fire poses a threat or causes a release of oil or hazardous materials, the Coast Guard can access federal funds to mitigate the pollution threat. Depending on the situation, mitigation may include funding firefighting efforts.

**8602 Federal Funds**

In the event that the fire involves a threat or release of oil or hazardous materials, the Coast Guard COTP, acting in his role as the pre-designated Federal On Scene Coordinator (FOSC) for oil and hazardous material spills for the coastal zone, may access federal funds to mitigate the pollution threat. Federal funds can be accessed if the FOSC determines that the vessel or terminal owner/operator lacks funding to provide response resources or refuses to fund

resources. In such a situation, the FOSC will access the Oil Spill Liability Trust Fund (OSLTF) for oil or the CERCLA Fund, otherwise known as "the Superfund" for hazardous material releases.

Once a federal fund is opened, it can be used to fund other agency efforts. A Pollution Removal Funding Authorization will be established with that agency which will provide them a ceiling amount for the agency to work under. Forms will be provided to the agency for processing billing invoices.

**8700 Reserved**
**8800 Reserved**
**8900 Reserved for Area/District**

**9000 Appendices**

**9100 Initial Emergency Notification**

**9101 Initial Incident Checklist and Quick Response Card**

Emergency notifications are received by the Sector Northern New England Command Center. The following Initial Incident Checklist will aid in ensuring essential response tasks are completed and information necessary to assist in the response is collected. Spill response Quick Response Cards maintained by the SNNE Command Center will also help with these tasks.

## Initial Incident Checklist

## 0 - 1 Hours

Conduct Initial Assessment

_____ Review information captured in initial report/Quick Response Card
_____ Review hazards/public and responder safety
_____ Assess environmental impact, spill potential, vessel stability and initial response
_____ Examine all possible means to secure the source of the discharge
_____ Examine means to contain oil/substance and recover in open water
_____ Identify priority protection areas (consult state, ESI maps & ACP GRSs)
_____ Rapidly determine whether the responsible party is responding promptly and adequately
_____ Obtain forecasted weather
_____ Obtain spill trajectories and tidal/current projections – from NOAA SSC.
_____ Initiate air monitoring – if potential risk to public or responders
_____ Deploy initial Rapid Assessment Teams/ response teams – by land and/or boat
_____ Obtain spill and source samples. Take on-scene photos and share with IMT
_____ Establish overflight (w/photo/video) and boat surveillance. Consider need for TFR
_____ Assign SITL to display situation info and scribes to record key decisions/response actions

Initiate Response Actions

_____ Secure the discharge and plug vents
_____ Contain spill with boom or other means
_____ If full containment is not possible, minimize impacts
_____ Ramp up with additional responders including CC Watchstanders and SNNE IMT
_____ Request additional resources: NOAA SSC, D1 Public Affairs, IMAT, AST, PIAT
_____ Establish Public Affairs mechanism and speaker – draft initial press release
_____ Open OSLTF/CERCLA Fund
_____ Ensure Drug/Alcohol testing conducted

_____ Initiate standup of Initial ICP (if required) including IT Support

_____ Provide initial tasking to Command and General Staff

Complete Notifications

_____ Complete notifications per Quick Response Card in SNNE Command Center

_____ Complete notifications of D1 reps and CIC as needed

_____ Notify local water intakes, vessels and facilities that may be impacted

_____ Establish initial comms with NOAA SSC, Unified Command (FOSC, SOSC, QI), OIC

_____ Issue Broadcast Notice to Mariners

_____ Complete notifications to local/state responders and Area Committee members

_____ Initiate MISLE case

## 1-3 Hours

Additional Response Actions

_____ Arrange initial UC Conference call/meeting with USCG, State, RP to establish initial goals/objectives. Establish frequency and format of follow-on calls or meetings.

_____ Establish Safety zones and means to enforce them. Address Waterways issues.

_____ Form team to examine potential use of dispersants and insitu burning.

_____ Issue NOFI, NOFA, Notice of Designation

_____ Consider deploying buoy tender to set mooring anchors for securing boom

_____ Determine salvage needs (salvage master, pumps, lightering vessel, SERT, divers)

_____ Develop and implement resource protection and spill containment strategies

_____ Conduct required investigations

_____ Identify any wildlife issues/concerns. Initiate wildlife hazing and/or collection as needed

_____ Draft ICS 201 form with situation, objectives, priorities, organization and resources

_____ Draft ICS 202 with expanded objectives, incident name, op periods, critical reporting criteria

_____ Implement use of ICS 234 and ICS 233 to track open actions and implement objectives

External Affairs/Notifications

_____ D1 (d) Conduct Congressional/Gubernatorial notifications

_____ D1 (drm) Conduct RRT/JRT notifications

_____ Conduct State EMA, local political official's local marine industry/waterway user notifications

_____ Issue press release. Standup JIC and Liaison Officer. Schedule and prepare for press conference

Logistics

_____ Designate, setup and staff ICP – dispatch initial logistics teams to setup ICP, comms, berthing, messing, parking, staging areas, suppliers, transportation, site security

_____ Develop and implement Comms and Info Management Plans (provide computer/phones)

_____ Secure adequate staffing, consider 24 hour needs. Provide for berthing, messing, transportation

_____ Identify incident funding sources and track burn rate

_____ Establish and implement documentation and record keeping protocols

_____ Request contracting officer from MLC and National Pollution Fund Center rep (if needed)

Safety

_____ Learn the hazards of the pollutant and/or its by-products

_____ Obtain Safety Data Sheet (SDS) on product

_____ Develop and implement safety plan

_____ Conduct air monitoring, establish limited access zones, if needed

_____ Contact local hospitals, emergency medical services personnel

Plans

_____ Begin to develop and implement: site security plan, waterways management plan, stakeholder engagement plan, public information plan, wildlife response plan, salvage plan, volunteer management plan, ephemeral sampling plan, decanting plan, demobilization plan and decontamination plan.

## 3-6 Hours

Additional Response Actions

_____ Forge Unified Command – assign appropriate personnel to fill key ICS roles

_____ Implement Planning Cycle and develop Incident Action Plan

_____ Establish daily meeting and communications schedules and reporting requirements

_____ Complete Dispersant or Insitu Burning Worksheets (if appropriate)

_____ Consider needs and plans for night field operations and ICP activities (if any)

_____ Establish incident website and social media strategy

_____ Establish wildlife cleaning and recovery stations (as needed)

_____ Develop and implement waste disposal plan

Logistics

_____ Set up command post, organize staff, assign watch routine (including watch reliefs)

_____ Consider Coast Guard Reserve, National Guard resources, augmentation from other D1 and USCG units or volunteers (including CG Aux)

## 6-12 Hours

Additional Response Actions

_____ Establish claims number

_____ Complete initial twice daily SITREP/ICS 219 Incident Status Summary

Logistics

_____ Establish medical plan for response personnel

_____ Order additional personnel and equipment as needed for augmentation and relief

## 12-24 Hours

Additional Response Actions

_____ Based on specifics of the incident

_____ Begin considering cleanup end points

_____ Establish cleanup progress monitoring system and use throughout

_____ Address other issues as necessary

Logistics

_____ Develop Demobilization Plan

_____ Develop plans for equipment cleaning stations

_____ Address other issues as necessary

**9200 Personnel and Services Directory**

**9201 Coast Guard Resources**

***9201.1 Coast Guard Sector Northern New England***

Sector Northern New England (SNNE) handles virtually all Coast Guard functions in Maine, New Hampshire, Vermont and a portion of New York along the coast of Lake Champlain through eight small boat stations, Marine Safety Detachments in Belfast, ME and Portsmouth, NH and the sector's main offices in Portland and

South Portland, ME . Access to any SNNE personal including Active Duty, Reserve, Civilian, and Auxiliary can be obtained through the unit's Command Center anytime via the below phone numbers.

USCG Sector Northern New England
259 High St.
South Portland, ME 04106
(207) 741-0465/(207) 767-0303

To supplement state, local, and private response resources, Coast Guard Sector Northern New England maintains five "first aid" boom trailers along the Maine and New Hampshire coast. These trailers are located in Eastport, Southwest Harbor, Bucksport, South Portland, and Portsmouth. These trailers contain hard and sorbent boom, anchors and line, and sorbent pads to provide immediate, "first aid" response to minor pollution incidents. These trailers enable the Coast Guard to maintain some organic response resources to retain proficiency and ensure a basic, timely response capability in remote locations where significant commercial OSRO or state/local resources do not exist. Due to the infrequent use of this Coast Guard equipment, the decreasing frequency and severity of spills in coastal Maine and New Hampshire, and the capacity of state, local and private agencies, the Coast Guard consolidated its eight boom trailers down to five in the summer of 2014.

In accordance with Coast Guard doctrine, the equipment in these trailers is exercised annually, often in interagency booming exercises. These trailers are listed in the Regional Response Inventory (RRI), along with detail on the equipment and capabilities they can provide.

***9201.2 National Strike Force***

The National Strike Force (NSF) was created in 1973 as a Coast Guard staffed "Special Force." This special force assists On-Scene Coordinators (OSCs) responding to potential and actual oil and hazardous material spills as directed by the National Contingency Plan (NCP). The National Strike Force is composed of four units including three, 35-member Strike Teams.
The three Strike Teams are:
USCG Atlantic Strike Team (AST)
5614 Doughboy Loop,
Fort Dix, NJ 08640-0068
(609) 724-0008
https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/AST/

USCG Gulf Strike Team (GST)
USCG Aviation Training Center
Mobile, AL 36608-9690
(251) 441-6601
https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/GST/

USCG Pacific Strike Team (PST)
Hangar 2, Bldg. 390 - Hamilton Field
Novato, CA 94949-5082
(415) 883-3311
https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/PST/

A fourth unit, the National Strike Force Coordination Center, manages the three Strike Teams. The National Strike Force Coordination Center, can be contacted at:
USCG National Strike Force Coordination Center
1461 U.S. Route 17, North
Elizabeth City, NC 27909-3241
(252) 331-6000
https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/NSF-Coordination-Center/

The NSF is a unique, highly trained cadre of Coast Guard professionals who maintain and rapidly deploy with specialized equipment in support of Federal On-Scene Coordinators. They prepare for and respond to oil and chemical incidents in order to prevent adverse impacts to the public and reduce environmental damage.

***9201.3 Public Information Assistance Team***

The Public Information Assist Team (PIAT) is an element of the Coast Guard's Incident Management Assist Team, and is available to assist FOSCs to meet the demands for public information during a response or exercise. Public affairs assistance is also available through the Coast Guard First District's Public Affairs office at (617) 223-8515. Use of the PIAT is encouraged any time the FOSC requires outside public affairs support. Requests for PIAT assistance may be made through the NSFCC or National Response Center.
The Public Information Assistance Team can be reached at:

(757) 448-5572
Or through the NRC at:
1-(800) 424-8802
Visit PIAT's website at: https://www.dco.uscg.mil/Our-Organization/National-Strike-Force/PIAT/

***9201.4 D1 DRAT Resources***

The closest District Response Advisory Team (DRAT) is located at the First Coast Guard District office in Boston, MA. It provides expert oil and hazardous substance pollution response preparedness and response capability and access to the district's equipment assets. The DRAT's mission is to assist the FOSC through activities in preparedness and response aimed at minimizing the consequences of pollution incidents and other significant emergencies in which the Coast Guard has jurisdiction.

In accordance with 40 CFR 300.145, the Coast Guard FOSC shall use DRAT personnel to access district resources outside their jurisdiction, and DRAT personnel may also provide assistance to EPA FOSCs. The DRAT serves as the primary contact to access the Coast Guard's Spilled Oil Recovery System (SORS) and other district emergency response resources. DRAT personnel may be contacted 24-hours a day through the First District Command Center (617) 223-8555.

***9201.5 D1 Response Equipment***

The First Coast Guard District maintains two Spilled Oil Recovery Systems (SORS), one onboard the USCGC WILLOW and one onboard the USCGC JUNIPER located in Newport, RI. SORS are specific to the Coast Guard's 225 foot WLB seagoing buoy tenders and cannot be used on other vessels. Therefore, the SORS are a duel response resource in the district comprised of two WLB cutters and two identical systems of two skimmers, two outrigger arms and oil collection booms, two "sea slug" type temporary storage devices and two control stands that make use of the WLB cutter's onboard hydraulic supply.

INFLATABLE BOOM – The First District maintains a 42 foot trailer with 4 boom reels.
Each reel contains 656 feet of inflatable boom divided into 82-foot sections of 45 inches wide boom with a total length of 2,624 feet located in Quonset, RI. The flatbed trailer has an auxiliary box of spare parts, hydraulic prime mover that powers the boom reels, lifting spreader bars, and an anchoring system for deployment of the boom.

***9201.6 Marine Safety Center***

The Marine Safety Center (MSC) can provide technical assistance to the OSC during pollution response evolutions. The MSC can provide the following services:

- Evaluation of stability, structural strength and salvage proposals.
- Estimations of oil quantities spilled based on vessel tankage provided sufficient data is available.
- Provide personnel on-scene with lap top computers linked to the MSC.
- MSC may have or can/will obtain US Flag vessel plans.
- Provide advice regarding typical questions such as whether to pull a vessel off a reef, amount of horsepower required for a salvage operation, unloading techniques, and options for enhancing vessel stability.

They can be reached during normal working hours at:
(202) 366-6480
After hours, contact the National Response Center at:
(800) 424-8802
For additional information, please visit their website at: https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Commercial-Regulations-standards-CG-5PS/Marine-Safety-Center-MSC/

***9201.7 Incident Management Assistance Team***

The Coast Guard Incident Management Assistance Team (IMAT) provides Incident Commanders with a highly trained, readily deployable, team to assist with management support, and Incident Command System expertise, for any major Coast Guard response.
IMAT members have been chosen from the Operational, Support and Marine Safety communities due to their ICS skills, service experience, and proven ability to work in a dynamic situation. To ensure effective integration into existing command structures, the team has been trained with a support-oriented disposition. The primary value of the IMAT is the high level of expertise it provides in managing major responses. The IMAT is designed to be as self-supportive as possible, and since they have been trained and exercised together, the

IMAT will be able to quickly establish effective communications, and ICS processes, within the command post. While the team has been given position titles to provide a fully functional general staff to an Incident Commander, the team is very flexible in deployment. The IMAT is foremost an "assist" team for the Incident Commander and may be used in many ways including:

- Filling their assigned position within the unified command
- Serving as a deputy
- Serving as relief for 24-hour operations
- Acting as a coach or mentor for local personnel

Once deployed, the IMAT members work directly for the IC's staff. The team is available 24 hours per day, 365 days a year, for any type of contingency. Each member has a nationwide pager for immediate recall. The Incident Commander may request full or partial activation, of the IMAT by calling the LANTAREA Command Center at:
(757) 398-6700 or the NRC at (800) 424-8802.
Additional information on the IMAT is available at: https://www.atlanticarea.uscg.mil/Our-Organization/Area-Units/CG-IMAT/

***9201.8 National Pollution Funds Center***

The U.S. Coast Guard's National Pollution Funds Center (NPFC), is committed to protecting America's environment and provides protection up-front by certifying that oil-carrying vessels have the financial ability to pay in the case of an oil spill. When spills do occur, the NPFC provides funding for quick response, compensates claimants for cleanup costs and damages, and takes action to recover costs from responsible parties. Contact information is as follows:

USCG National Pollution Funds Center
(202) 493-6700
4200 Wilson Blvd., Suite 1000
Arlington, VA 22203-1804

The core business areas for NPFC are:

- Vessel Certification (COFRs)
- Spill Financial Management
- Claims Adjudication
- Natural Resource Damages

**9202 EPA Emergency Response Team (ERT)**

The EPA's Environmental Response Team (ERT) has expertise in treatment technology, biology, chemistry, hydrology, geology, and engineering. The ERT can provide the OSC access to special equipment to deal with chemical releases and can provide the OSC with advice concerning hazard evaluation, multimedia sampling and analysis, risk assessment, on-site safety, cleanup techniques, water supply decontamination and protection, use of dispersants, environmental assessment, degree of cleanup required, and the disposal of contaminated materials. The ERT also offers various training courses to prepare response personnel.

To obtain additional information about ERT or on various training courses visit their web site at: http://www.ert.org or send e-mail to webmaster.edert@epamail.epa.gov

EPA Region I Boston, MA
Customer Call Center:
New England States (888) 372-7341
Outside New England (617) 918-1111
US EPA, Region 1
5 Post Office Square - Suite 100
Boston, MA 02109-3912
https://www.epa.gov/aboutepa/epa-region-1-new-england

**9203 National Oceanic and Atmospheric Administration (NOAA)**

***9203.1 Scientific Support Coordinator***

NOAA Scientific Support Coordinators (SSCs) are the principal advisors to the FOSC for scientific issues, communication with the scientific community, and coordination of requests for assistance from State and Federal agencies regarding scientific studies. The SSC leads a scientific team and strives for a consensus on scientific issues affecting the response but ensures that differing opinions within the community are communicated to the FOSC. The SSC can also assist the FOSC with information relating to spill movements and trajectories. The NOAA SSC serves as the FOSC's liaison between natural resource damage assessment (NRDA) data collection efforts and data collected in support of response operations. (The connection between NRDA activities and the FOSC may also be handled directly by the Lead Administrative Trustee or Federal Lead Administrative Trustee.) The SSC leads the synthesis and integration of environmental information required for spill response decisions in support of the FOSC, coordinating with State representatives, appropriate trustees and other knowledgeable local representatives. Contact information for the NOAA SSC that covers New England (Region 1), except for Connecticut, is as follows:

Mr. Willie Whitmore, PhD, Northeast Region, NOAA SSC/Regional Preparedness Coordinator
National Marine Fisheries Regional Office
55 Great Republic Drive
Gloucester, MA 01930
Office: 617-877-2806
Cell: 617-877-2806
Email: william.whitmore@noaa.gov
24/7 Watchstander: 206-526-4911

***9203.2 Spill Forecasting Tools***

The National Oceanic and Atmospheric Administration has many tools to gauge the movement and fate of spilled oil. Two of the most widely used tools, the Automated Data Inquiry for Oil Spills (ADIOS2) and the General NOAA Oil Modeling Environment (GNOME) are available for download from NOAA at:

For more information about ADIOS2, please visit:
http://response.restoration.noaa.gov/adios

For more information about GNOME, please visit:
http://response.restoration.noaa.gov/gnome

For real-time modeling of oil spills, please contact the NOAA SSC

***9203.3 Oceanic and Atmospheric Modeling***

Additional modeling tools, including satellite and bathymetric imagery may be obtained from the following web sites:

National Environmental Satellite, Data and Information Service:
http://www.nesdis.noaa.gov/

National Ocean Service:
https://oceanservice.noaa.gov/

***9203.4 Department of Commerce, NOAA Federal Trustee***

The Department of Commerce serves as a Federal Trustee for federal marine resources under its jurisdiction for both spill response actions and during the Natural Resource Damage Assessment process. The NOAA SSC serves as a point of contact and helps coordinate the role of other NOAA staff in these processes.

***9203.5 Local Weather Forecasts***

Local weather forecasts can be obtained through the National Weather Service's Portland - Gray, ME forecast office at:

Gray Weather Forecast Office
P.O. Box 1208
1 Weather Lane, Route 231

Gray, ME 04039
207-688-3216

Or, visit the following website for additional information: https://www.weather.gov/gyx/

**9204 Other Federal Agencies**

***9204.1 Federal Emergency Management Agency (FEMA)***

FEMA Region I works closely with state, local and tribal emergency management partners in New England to prepare for, protect against, respond to and recover from all hazards including natural disasters. FEMA Region I representatives can be contacted at:

Federal Emergency Management Agency
99 High Street
6th Floor
Boston, MA 02110
(617) 956-7506

http://www.fema.gov/region-i-ct-me-ma-nh-ri-vt

***9204.2 Department of Interior***

The U.S. Department of the Interior (DOI) protects America's natural resources and heritage and serves as the other Federal natural resource trustee. DOI includes the National Park Service, U.S. Fish and Wildlife Service, Bureau of Indian Affairs, Bureau of Land Management, Bureau of Ocean Energy Management, Bureau of Safety and Environmental Enforcement, and the U.S. Geological Survey. There are instances where DOI is the federal trustee for certain resources that are associated with the marine environment such as for salmon that have migrated inland to freshwater or coastal lands under the ownership of DOI (e.g. Acadia National Park). For spills that involve more than one federal trustee agency, a Federal Lead Administrative Trustee is designated to handle all administrative tasks related to NRDA.

DOI's Regional Environmental Officer can be reached at:

Andrew Raddant
Regional Environmental Officer
Office of Environmental Policy and Compliance
Interior Region 1, North Atlantic - Appalachian
5 Post Office Square, Suite 18011
Boston, MA 02109
Office: (617) 223-8565
Cell: 617-592-5444
andrew_raddant@ios.doi.gov

Alternate:
Diane Lazinsky, Regional Environmental Protection Specialist
Office of Environmental Policy and Compliance
Interior Region 1, North Atlantic - Appalachian
5 Post Office Square
Suite 18011, Boston, MA 02109
Office: (617) 223-8565
Cell: 617-686-1780

diane_lazinsky@ios.doi.gov

**DOI Bureau representatives with land and resource management responsibilities/expertise:**

U.S. Fish and Wildlife Service

Andrew Major
U.S. Fish and Wildlife Service
New England Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5087
Office: 603-223-2541, ext. 6413
Email: andrew_major@fws.gov

Margaret Byrne, MS, MPPA
Regional NRDAR and Spill Response Coordinator
North Atlantic Appalachian Region
U.S. Fish and Wildlife Service
300 Westgate Center Dr., Hadley, MA 01035
Cell: 413-406-6369
Office: 413-253-8593
margaret_byrne@fws.gov

National Park Service

Jennifer Good
Regional Environmental Coordinator
National Park Service
Interior Region 1, North Atlantic - Appalachian
Cell: 267-785-5444
jennifer_good@nps.gov

Dave L. Anderson
National Park Service Spill Response
1201 Oakridge Drive, Room 200-36
Fort Collins, CO 80525
Office: (970) 225-3539
Emergency: (240) 205-3203
Email: D_L_Anderson@nps.gov

Fax: (970) 225-3579

Bureau of Indian Affairs

Patrick Vacha
Eastern Regional Office
545 Marriott Drive, Suite 700
Nashville, TN 37124
Office: (615) 564-6810
Emergency: (202) 577-5918
Email: Patrick.Vacha@bia.gov
Fax: (615) 564-6701

Bureau of Ocean Energy Management

Sid Falk
Project & Coordination Branch
Bureau of Ocean Energy Management
Office: 504-736-2459
Cell: 571-393-4353
sid.falk@boem.gov

Bureau of Ocean Safety and Environmental Enforcement

Eric Miller
Chief - Oil Spill Preparedness Division
Bureau of Safety and Environmental Enforcement
45600 Woodland Road
VAE-OSPD
Sterling, VA 20166
Office: 703-787-1569

Bryan Rogers, Chief
Preparedness Verification Branch
Oil Spill Preparedness Division
Bureau of Safety and Environmental Enforcement
Office: 504-736-3242
Cell: 504-458-5142
bryan.rogers@bsee.gov

John Calvin, Senior Preparedness Analysist
Gulf of Mexico Oil Spill Preparedness Section

Bureau of Safety and Environmental Enforcement
Office: 504-736-2640
Cell: 504-616-0147
john.calvin@bsee.gov

Points of Contact for local DOI representatives can also be accessed through the ME/NH Area Committee Coordinator.

***9204.3 U.S. Navy, SUPSALV***

Under the U.S. Navy's Office of the Director of Ocean Engineering Supervisor of Salvage and Diving (SUPSALV), the Salvage Operations Division maintains standing worldwide commercial contracts for salvage, emergency towing, deep ocean search and recovery operations, and oil pollution abatement. Additionally, they own, maintain and operate the worldwide Emergency Ship Salvage Material (ESSM) system, which incorporates the world's largest inventory of salvage and pollution abatement equipment. They also own, maintain, and operate a large number of deep ocean search and recovery systems, with depth capabilities up to 20,000 feet. They also routinely provide salvage technical assistance to fleet salvors, as well as to other federal agencies.

Within the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), SUPSALV has been assigned as 1 of 7 "Special Teams" available to the Federal On-Scene Coordinator (FOSC). Thus, they provide assistance (personnel and/or equipment) for commercial oil or hazardous substance spills, or potential spills (i.e. salvage operations), as requested by any FOSC. Assistance ranges from salvage technical or operational assistance to mobilization of SUPSALV and other Navy resources to support a partial or full federal response to a marine casualty.

http://www.supsalv.org/00c2_home.asp?destPage=00c2

Naval Sea Systems Command
1333 Isaac Hull Avenue S. E.
Stop 1070
Washington Navy Yard, D.C. 20376-1070
Phone: (202) 781-1731
Emergency Contact NAVSEA Duty Officer
Phone: (202) 781-3889
Ship Salvage, Search & Recovery
00C2@supsalv.org
Oil Pollution
00C25@supsalv.org

***9204.4 U.S. Navy, Portsmouth Naval Shipyard***

Portsmouth Naval Shipyard's primary mission is the overhaul, repair and modernization of *Los Angeles*-class submarines. The shipyard is committed to being a leader in environmental management. The shipyard is an active member of the ME/NH Area Committee and maintains on water spill response capabilities and a 30 member oil spill response team at the Naval Shipyard.in the Portsmouth area.

Phone: 207- 438-2333

***9204.5 Agency for Toxic Substances and Diseases***

The Agency for Toxic Substances and Disease Registry (ATSDR), based in Atlanta, Georgia, is a federal public health agency of the U.S. Department of Health and Human Services. It provides trusted health information to prevent harmful exposures and diseases related to toxic substances.

800-CDC-INFO
(800-232-4636)
Contact CDC-INFO

http://www.atsdr.cdc.gov/

**9205 State Resources**

The Maine Department of Environmental Protection (ME DEP) is the lead state agency for responding to releases of oil or hazardous materials within the state of Maine. ME DEP can be contacted by calling 800-482-0777. A list of ME DEP resources is located within Appendix I of the Maine Department of Environmental Protection Marine Oil Spill Contingency Plan at: https://www.maine.gov/dep/spills/emergspillresp/marine.html

Other key State of Maine contacts can be accessed via ME DEP, the ME/NH Area Committee Coordinator, and contact lists maintained by the Coast Guard SNNE Command Center. A list of ME State Resources can be found here as well.

The New Hampshire Department of Environmental Services (NH DES) is the lead state agency for responding to releases of oil or hazardous materials within the state of New Hampshire. NH DES can be contacted by calling (603) 271-3899 (8am-4pm, M-F) or (603) 223-4381 (after hours spill reporting via NH State Police), A list of NH DES resources is also located within Appendix I at the above website. Other key State of New Hampshire contacts can be accessed via NH DES, the ME/NH Area Committee Coordinator, and contact lists maintained by the Coast Guard SNNE Command Center.

**9206 Local Resources**

Local resource/agency points of contact including trustees, fish and wildlife, environmental agencies, law enforcement agencies, fire departments, emergency planning committees and port authorities are maintained by ME DEP and NH DES, Maine Emergency Management Agency, New Hampshire Homeland Security and

Emergency Management, the ME/NH Area Committee Coordinator, and contact lists maintained by the Coast Guard SNNE Command Center.

**9207 Private Resources**

Private resource/agency points of contact including clean up companies, firefighting/salvage, media, wildlife rescue/rehab, volunteers, EMS, laboratories included in Appendix I of the Maine Department of Environmental Protection Marine Oil Spill Contingency Plan at: https://www.maine.gov/dep/spills/emergspillresp/marine.html

List of private resource/agency points of contact are also maintained by ME DEP and NH DES, Maine Emergency Management Agency, New Hampshire Homeland Security and Emergency Management, the ME/NH Area Committee Coordinator, and contact lists maintained by the Coast Guard SNNE Command Center.

The National Strike Force Coordination Center in Elizabeth City, NC maintains and updates annually a listing of current OSROs and their equipment.
Guidelines and additional OSRO listings are downloadable from the internet at:
https://cgrri.uscg.mil/UserReports/WebClassificationReport.aspx

**9208 Scientists**

Lists of agency and non-government scientists with oil spill and oil spill impact expertise can be accessed via the NOAA Scientific Support Coordinator and ME DEP, ME DMR, ME IFW, NH DES and NH FG representatives.

**9209 Key Stakeholders**

Lists of key political, environmental, fish and wildlife, economic, scientific, cultural/historical, law enforcement, hazardous substance response, port authority, cleanup company, salvage, media, and EMS stakeholders can be accessed through the Coast Guard First District External Affairs Office, Coast Guard SNNE Public Affairs Officer, ME DEP, NH DES, Maine Emergency Management Agency, New Hampshire Homeland Security and Emergency Management, the ME/NH Area Committee Coordinator, and contact lists maintained by the Coast Guard SNNE Command Center

**9210 Tribal Stakeholders**

Emergency contact information for the Penobscot Nation and Passamaquoddy Tribe Pleasant Point is as follows:

Penobscot Indian Nation
Joseph Loring
207-356-2611
joseph.loring@penobscotnation.org

Passamaquoddy Pleasant Point
Newell Lewey
207-853-2600 ext. 281
newell.lewey@gmail.com

**9300 Incident Action Plans**

An Incident Action Plan (IAP) consists of several ICS forms generated throughout the initial stages of the response. At a minimum, it should include:

An IAP coversheet

ICS 202 (Response Objectives)

ICS 203 (Organization List)

ICS 204 (Assignments Lists)

ICS 205 (Communications Plan)

ICS 206 (Medical Plan)

ICS 220 (Air Operations Summary)

Relevant Maps, Charts, and Weather Summaries

Other attachments as needed

These and other ICS forms can be obtained through the CG Homeport Website at: ICS Forms

An example template for several key ICS forms including a completed ICS 202 form and complete ICS 234 form can be accessed via Homeport under the link to Sector Northern New England's Area Contingency Plan.

**9301 Incident Action Plan for Worst Case Discharge Scenarios**

A template for a Worst Case Scenario IAP based on the Spill of National Significance Exercise held in Portland, Maine in March, 2010 can be obtained via Homeport under the link to Sector Northern New England's Area Contingency Plan. An IAP for a Worst Case Scenario along the US/Canadian border can also be accessed at this site.

**9302 Site Safety Plan**

The Site Safety Plan consists of the ICS form 208. This and other ICS forms can be obtained through the CG Homeport Website at: ICS Forms. Site Safety Plan Templates are also maintained by the SNNE Incident Management Team and via the USCG Incident Management Assistance Team (IMAT).

## 9400 Area Plans

### 9401 Spill and Discharge History

#### *9401.1 Local Area Spill History*

Since 1969, the Maine/New Hampshire Coastal Zone has experienced just over 60 pollution incidents exceeding 1,000 gallons of oil or hazardous material discharged. Fifty-two (52) of these occurred along the coast of Maine, with 10 occurring along the New Hampshire coast. While the vast majority of these incidents (79%) have been less than 10,000 gallons, three were particularly significant:

10 May, 1969: The Tanker ROBERT F. POLING allided with the Memorial Bridge in Portsmouth, New Hampshire discharging 200,000 gallons of #2 Oil into the Piscataqua River.

22 July, 1972:, The 810-foot Norwegian Tanker, TAMANO grazed Soldiers Ledge in Hussey Sound, Casco Bay, tearing a 20-foot by 8-foot hole in its starboard wing tank, which contained approximately 12,000 barrels of #6 Fuel Oil. Due in part to the delayed realization of the damage to the vessel's hull, an estimated 100,000 gallons of oil discharged into Casco Bay. Following an intensive clean-up operation under the direction of the Coast Guard Federal On-Scene Coordinator and in collaboration with Texaco (the Responsible Party), an estimated 70,000 gallons was recovered.

27 September, 1996: While inbound up the Fore River, in Portland, Maine, the Tanker JULIE N allided with the Million Dollar Bridge (at the present location of the Casco Bay Bridge), breaching its hull on the port side and discharging almost 180,000 gallons of home heating fuel (88,200 gallons of #2) and Intermediate Fuel Oil: IFO 180 (93,450 gallons of #6).

After substantial spill activity in the late 1970s, 1980s, and early 1990s, the Maine/New Hampshire Coastal Zone has experienced relatively few pollution incidents above 1,000 gallons. The table below lists all recorded pollution incidents over 1,000 gallons in the Maine/New Hampshire Coastal Zone since 1969:

**SPILLS IN NEW HAMPSHIRE AND MAINE GREATER THAN 1000 GALLONS REACHING COASTAL WATERS**

Note: Data prior to 1990 should be considered incomplete; however, larger spills were likely all recorded

**New Hampshire:**

| Town | Amount (gal) | Date | Product | Cause | Location Name |
|---|---|---|---|---|---|
| Portsmouth | 200,000 | 05/10/1969 | #2 oil | Allision with Memorial Bridge | MV ROBERT F. POLING |
| Portsmouth | 25,000 | 09/01/1979 | #6 oil | Hurricane David - compromised sea suction valve | MV NEW CONCORD |
| Portsmouth | 10,000 | 01/25/1975 | #2 oil | Cracked hull | T/V ATHENIAN STAR |
| Stratham | 8,000 | 05/06/1978 | Gasoline | Truck accident | MERRILL TRANSPORT |

| | | | | | |
|---|---|---|---|---|---|
| Portsmouth | 7,000 | 07/26/1973 | #6 oil | off shore damage to vessel - valving | T/V ARO (PSNH) NOTE 4,000 GAL.IN PISCATAQUA RIVER; 3,000 GALLONS OFF SHORE |
| Stratham | 1,800 | 02/09/1978 | #2 oil | Truck accident | ZAPPORA TRUCKING |
| Dover | 1,000 | 01/25/1979 | Gasoline | Truck accident | BULK TRANSPORT SERVICE |
| Newmarket | 1,000 | 01/17/1977 | Gasoline | Tank leak | RH FILION OIL SUPPLY (LAMPREY RIVER) |
| *Portsmouth* | *840* | *07/01/1996* | *#6 oil* | *Lines parted causing loss of product in transfer line* | *MV PROVENCE (PSNH)* |

**Maine:**

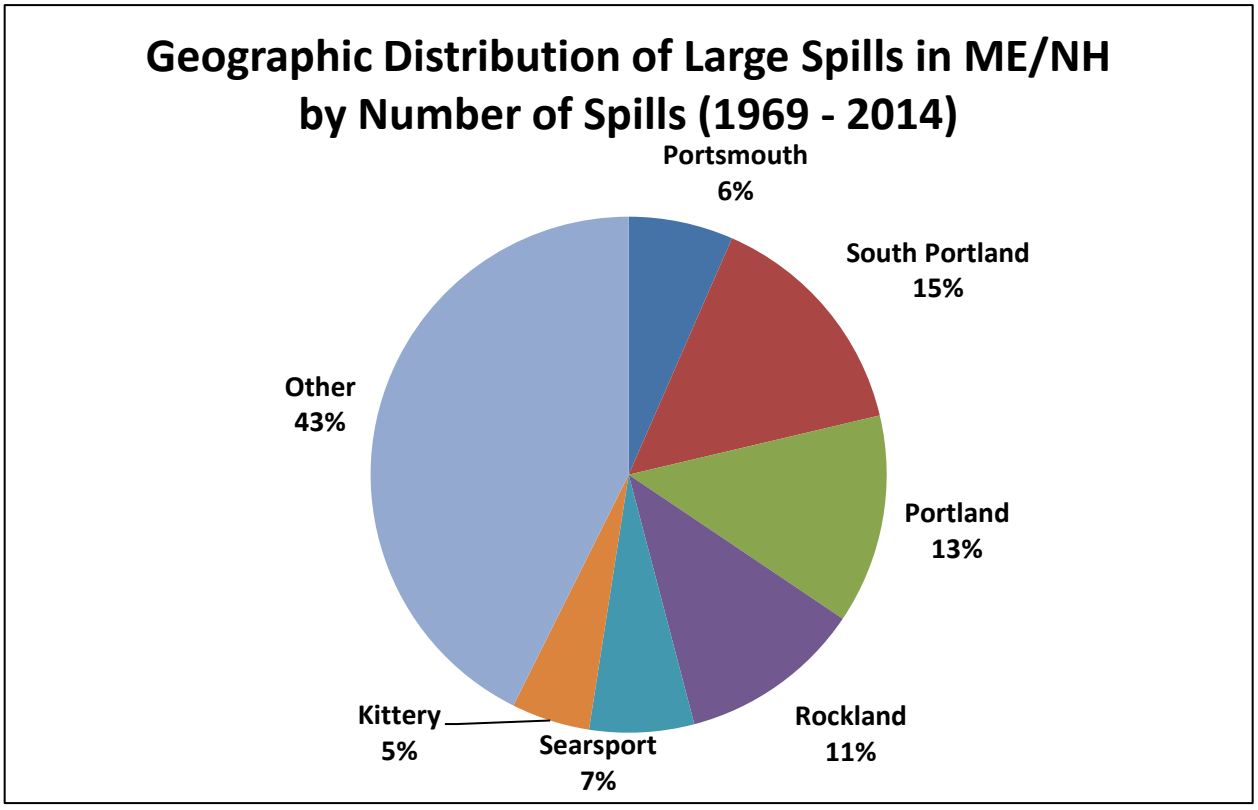
| Town | Amount (gal) | Date | Product | Cause | Location Name |
|---|---|---|---|---|---|
| South Portland | 179,623 | 9/27/96 | #2 Fuel Oil IFO 380 | Accident - Transportation | M/V JULIE N, FORE RIVER BRIDGE ALLISION |
| Portland | 100,000 | 7/22/72 | #6 Fuel Oil | Accident - Human Error | M/T TAMANO |
| Brunswick | 63,500 | 3/26/93 | Jet Fuel | Other - Unknown | BRUNSWICK NAVAL AIR STATION (FRESHWATER WETLAND) |
| Hampden | 60,000 | 9/29/92 | Unleaded Gasoline | Mechanical Failure - Piping/Hose | COLDBROOK ENERGY |
| Biddeford | 30,000 | 9/21/89 | Non-Hazardous Chemical - Unspecified | Accident - Human Error | CITY OF BIDDEFORD |
| South Portland | 23,268 | 2/5/97 | Unleaded Gasoline | Overfill | GULF OIL TERMINAL |
| Wiscasset | 17,000 | 4/29/91 | Transformer Oil | Accident - Other | MAINE YANKEE |
| South Portland | 15,000 | 3/7/82 | Unleaded Gasoline | Mechanical Failure - Piping/Hose | AMOCO TERMINAL (NOW GLOBAL) |
| Rockland | 15,000 | 2/16/95 | Hazardous Chemical - Specified in report | Accident - Human Error | FMC CORPORATI0N |
| South Portland | 10,131 | 4/7/03 | Jet Fuel | Accident - Transportation | TANKER TRUCK ACCIDENT |
| Orrington | 8,125 | 8/28/92 | Hazardous Chemical - Unspecified | Accident - Human Error | LCP CHEMICAL |

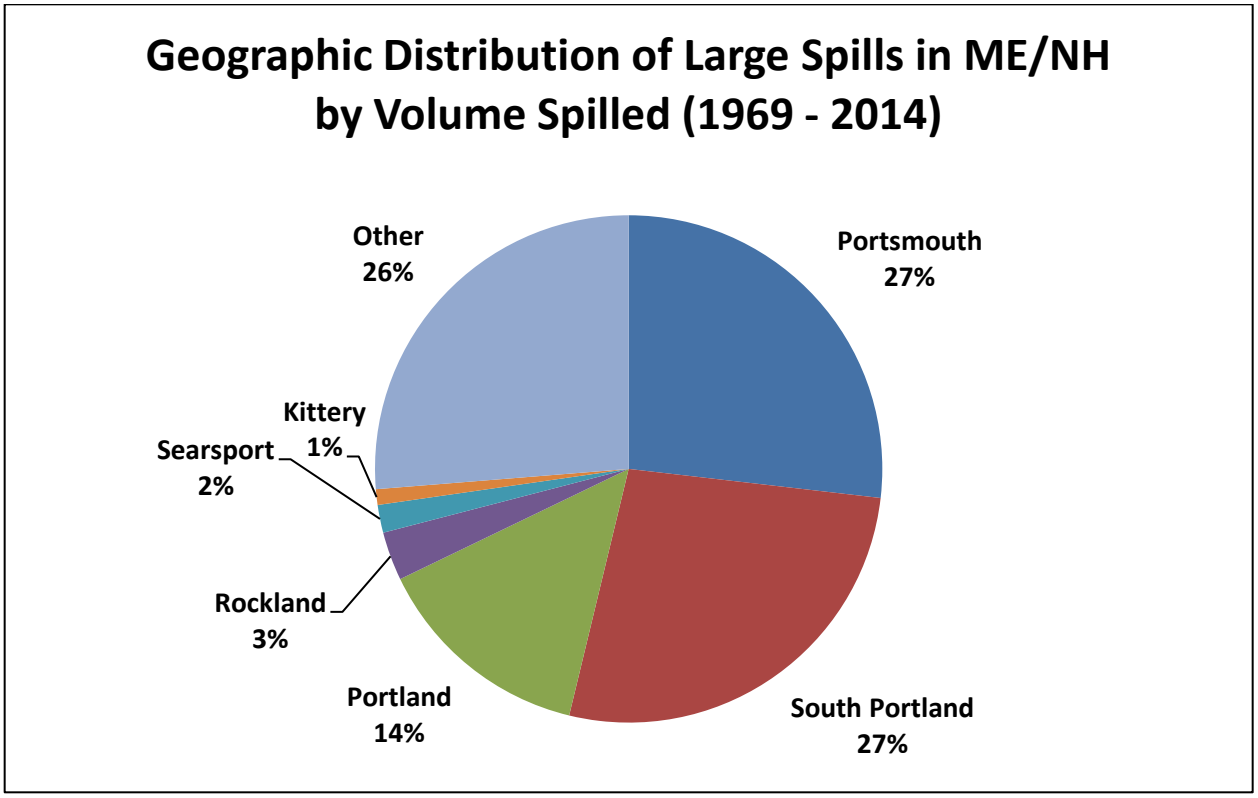
| | | | | | |
|---|---|---|---|---|---|
| Baileyville | 8,000 | 2/15/02 | Liquors | Mechanical Failure - Piping/Hose | DOMTAR INDUSTRIES CORP |
| Searsport | 6,800 | 10/7/93 | #2 Fuel Oil | Accident - Physical Breakage | IRVING OIL SEARSPORT TERMINAL |
| Portland | 6,604 | 10/30/91 | Diesel | Accident - Storm Damage | US COAST GUARD |
| Portland | 6,000 | 10/30/83 | #6 Fuel Oil | Overfill | M/T DYNAMIKOS |
| Portland | 6,000 | 6/27/87 | Diesel | Accident - Transportation | F/V ALEXANDER W |
| South Portland | 5,000 | 12/19/84 | #6 Fuel Oil | Overfill | M/T ESMERALDAS |
| Brunswick | 4,100 | 7/23/85 | #1 Fuel Oil - Kerosene | Accident - Other | BRUNWICK NAVAL AIR STATION |
| Rockland | 4,000 | 5/19/92 | #6 Fuel Oil | Corrosion - Tank | PORT CLYDE CANNING |
| South Portland | 4,000 | 3/16/94 | Unleaded Gasoline | Mechanical Failure - Piping/Hose | STAR ENTERPRISE TERMINAL |
| Searsport | 3,450 | 10/16/88 | #6 Fuel Oil | Accident - Physical Breakage | SPRAGUE ENERGY |
| Eastport | 3,300 | 3/12/89 | Diesel | Mechanical Failure - Piping/Hose | BANGOR HYDROELECTRIC |
| Searsport | 3,000 | 11/18/89 | Non-Hazardous Chemical - Unspecified | Mechanical Failure - Piping/Hose | DELTA CHEMICAL |
| Portland | 3,000 | 10/27/03 | #6 Fuel Oil | Accident - Human Error | BURNHAM & MORRILL CO |
| Bucksport | 3,000 | 9/29/97 | #2 Fuel Oil | Other - Known Cause | ABANDONED NORTHERN TERMINAL |
| Kittery | 3,000 | 1/30/77 | #6 Fuel Oil | Accident - Physical Breakage | M/T BOUCHARD 105 LEAK |
| Kittery | 3,000 | 6/14/90 | #6 Fuel Oil | Mechanical Failure - Valve | SCHILLER STATION |
| Searsport | 2,800 | 7/24/99 | #6 Fuel Oil | Accident - Transportation | CARGO VESSEL LINDENGRACHT |
| Boothbay Harbor | 2,625 | 7/21/02 | Diesel | Accident - Transportation | F/V AARON & SARAH |
| Rockland | 2,500 | 4/9/87 | Hazardous Chemical - Unspecified | Overfill | FMC CORPORATION |
| Kittery | 2,500 | 12/17/95 | #6 Fuel Oil | Mechanical Failure - Piping/Hose | PNSY |

| | | | | | |
|---|---|---|---|---|---|
| South Portland | 2,500 | 6/13/87 | Crude Oil | Accident - Human Error | PORTLAND PIPELINE |
| Scarborough | 2,366 | 11/16/94 | #2 Fuel Oil | Accident - Transportation | DEAD RIVER TRUCK ROLLOVER |
| Rockland | 2,100 | 12/28/88 | Diesel | Accident - Physical Breakage | F.J. O'HARA |
| Portland | 2,000 | 7/22/78 | Waste Oil/Used Motor Oil | Accident - Human Error | NAVY RESERVE CENTER |
| Camden | 2,000 | 9/9/92 | Diesel | Accident - Transportation | CLIPPER CRUISE LINE |
| South Portland | 2,000 | 12/9/84 | #1 Fuel Oil - Kerosene | Mechanical Failure - Valve | MOBIL OIL TERMINAL |
| Matinicus Isle PLT | 2,000 | 12/28/98 | Diesel | Other - Known Cause | FISHING PIER FIRE |
| Portland | 2,000 | 3/13/90 | Hazardous Chemical - Unspecified | Accident - Transportation | RST TRUCKING ACID SPILL |
| Falmouth | 1,700 | 2/14/08 | #1 Fuel Oil - Kerosene | Accident - Transportation | DEAD RIVER/UNION OIL TRUCK |
| Rockland | 1,500 | 11/13/94 | Hazardous Chemical - Unspecified | Mechanical Failure - Piping/Hose | FMC CORPORATION |
| Rockland | 1,500 | 8/27/85 | Non-Hazardous Chemical - Unspecified | Accident - Physical Breakage | MARINE COLLOIDS |
| Sullivan | 1,500 | 7/7/01 | #2 Fuel Oil | Corrosion - Tank | SORRENTO-SULLIVAN EDUCATION REC CTR INC |
| Portland | 1,500 | 10/15/92 | Gasoline Unspecified | Other - Unknown | MYSTERY SPILL TO CASCO BAY |
| Rockland | 1,500 | 8/27/85 | Non-Hazardous Chemical - Unspecified | Accident - Physical Breakage | MARINE COLLOIDS |
| York | 1,500 | 7/1/87 | Unspecified Oil | Accident - Transportation | EASTERN PROPANE TANK TRUCK |
| Bath | 1,500 | 11/11/87 | #6 Fuel Oil | Accident - Human Error | BATH IRON WORKS |
| Warren | 1,500 | 11/16/94 | #2 Fuel Oil | Accident - Poor Workmanship | CROWE ROPE BRAID MILL |
| Bucksport | 1,400 | 3/9/93 | Diesel | Accident - Physical Breakage | MAINE CENTRAL RAILROAD |

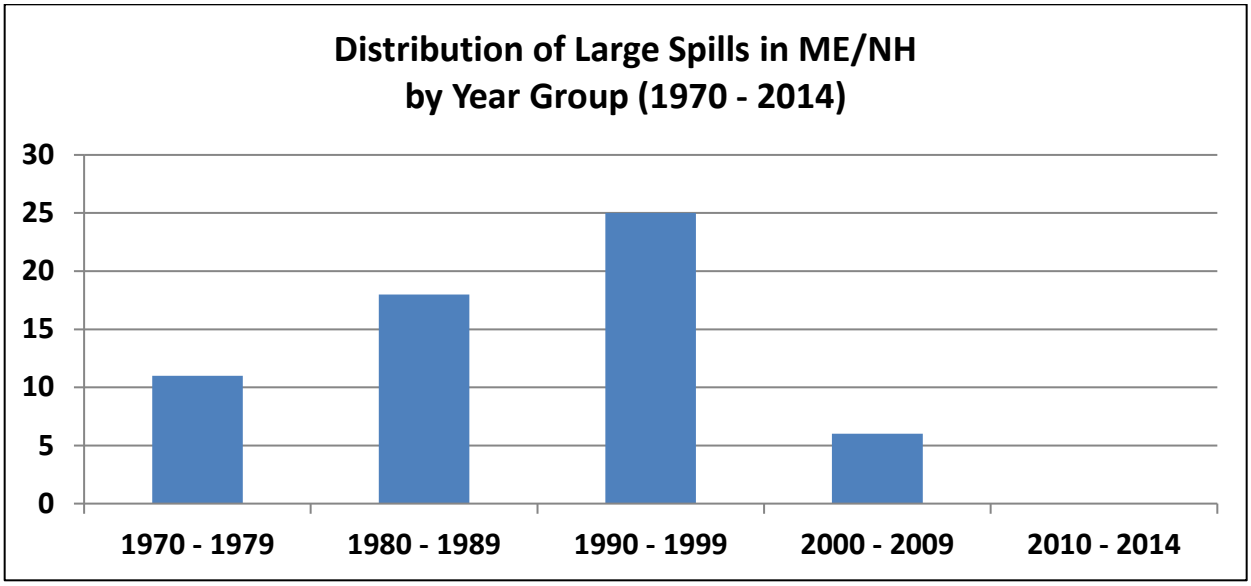
| | | | | | |
|---|---|---|---|---|---|
| South Portland | 1,350 | 2/19/91 | #2 Fuel Oil | Accident - Transportation | UNION OIL CO TANK TRUCK |
| Bath | 1,100 | 7/14/94 | Hazardous Chemical - Unspecified | Mechanical Failure - Piping/Hose | BATH IRON WORKS |
| Thomaston | 1,075 | 2/2/89 | #4 Fuel Oil | Corrosion - Piping | GEORGES VALLEY HIGH SCHOOL |
| | | | | | |

**9402 Risk Assessment**

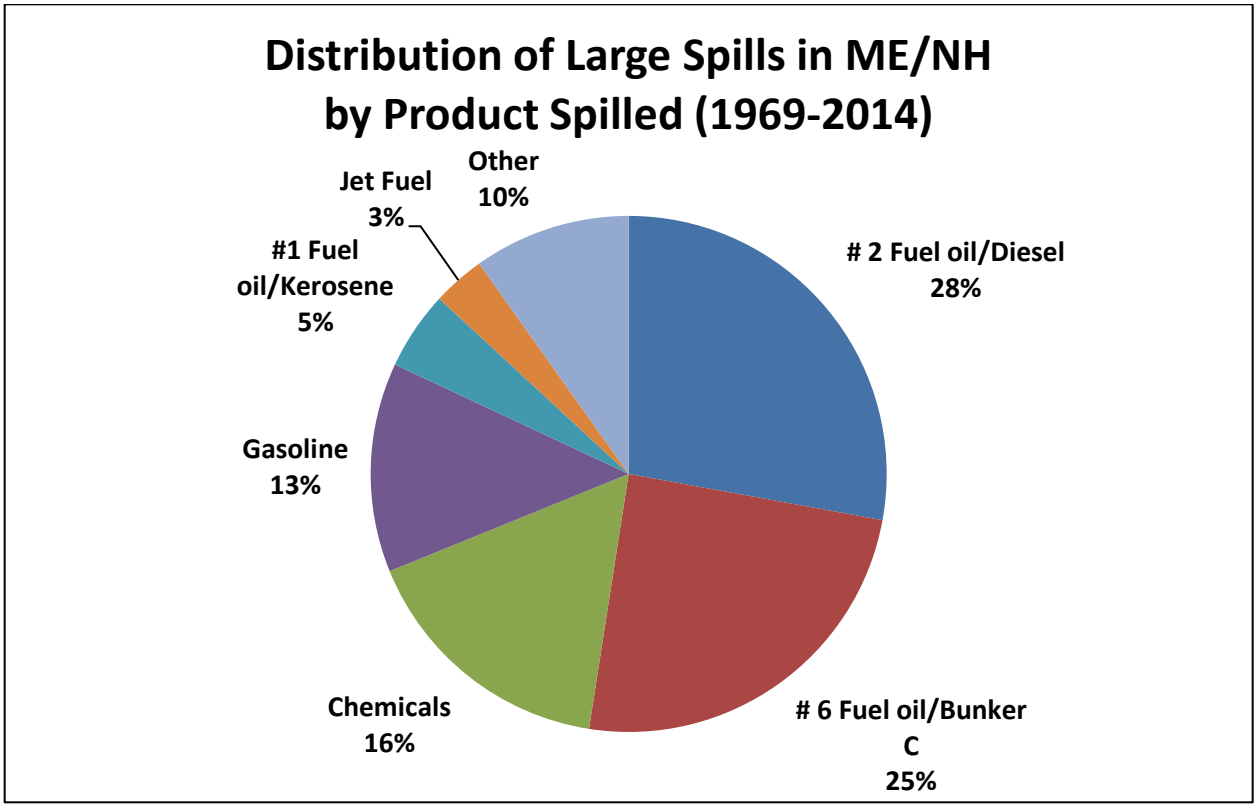





| Location | Number of spills | Volume Spilled |
|---|---|---|
| Portsmouth, NH | 4 | 242,000 |
| South Portland, ME | 9 | 243,000 |
| Portland, ME | 8 | 127,000 |
| Rockland, ME | 7 | 28,000 |
| Searsport, ME | 4 | 16,000 |
| Kittery, ME | 3 | 9,000 |
| Other | 26 | 237,000 |
| Total | 61 | 902,000 |




| Year Group | Number of spills | Volume Spilled |
|---|---|---|
| 1970 - 1979 | 11 | 167,000 |
| 1980 - 1989 | 18 | 92,000 |
| 1990 - 1999 | 25 | 416,000 |
| 2000 - 2009 | 6 | 27,000 |
| 2010 - 2014 | 0 | 0 |
| Total | 60 | 702,000 |




| Product Spilled | Number of spills |
|---|---|
| # 2 Fuel oil/Diesel | 17 |
| # 6 Fuel oil/Bunker C | 15 |
| Chemicals | 10 |
| Gasoline | 8 |
| #1 Fuel oil/Kerosene | 3 |
| Jet Fuel | 2 |
| Other | 6 |

Per the above graphs and charts, there have been 61 large coastal spills of over 1,000 gallons in Maine and New Hampshire since 1969 that discharged a total of 902,000 gallons of oil and chemicals. The three largest of these spills, the 200,000 gallon MV ROBERT F. POLING spill in Portsmouth in 1969, the 179,000 gallon MV JULIE N spill in South Portland in 1996 and the 100,000 gallon MV TAMANO spill in Portland in 1972, contributed over half of the volume spilled during the period. All three of these major spills were from tank vessels, two of which allided with a bridge and one of which grazed a ledge while underway.

By volume, a little over one-fourth of the oil spilled in large spills during the period occurred in Portsmouth, NH with a similar volume discharged in South Portland, Maine. Another 15% of the volume discharged occurred in Portland, Maine with the remainder discharged in Rockland, Searsport, Kittery and other ports. In

terms of numbers, 28% of large spills occurred in South Portland or Portland, Maine, 18% occurred in Rockland or Searsport, Maine and 11% occurred in the southern portion of the zone in either Kittery or Portsmouth.

Over time, 90% (54/60) of the large spills and 96% of the volume spilled occurred in the first three decades of the 45 year time period. There have only been six spills of over 1,000 gallons in the last fifteen years.

In terms of product spilled, half of the product spilled has been either #2 or #6 fuel oil. Sixteen percent has been hazardous or non-hazardous chemicals and thirteen percent has been gasoline.

Based on this assessment of large spills that have occurred over the past 45 years, the areas of highest risk along the Maine and New Hampshire coastline is the Portland/South Portland area followed by the Portsmouth/Kittery area. This closely mirrors the areas of greatest petroleum transportation and storage activity. The Rockland and Searsport areas have also had a significant number of large spills over this extended time period. Based on spill history over this 45 year period the risk of a spill occurring during any given year appears to have diminished over the past decade. Based on these trends, the most likely products to be spilled include #2 fuel/diesel, #6 fuel, chemicals and gasoline.

**9403 Possible Threats/Distribution of Vessel Traffic**

As outlined in Section 8400, a considerable number of commercial vessels visit Maine and New Hampshire ports including freight ships, cruise ships, tank barges, tank ships and LNG tankers. Tank ships and tank barges contain large amounts of petroleum as cargo. Freight ships, cruise ships and LNG tankers carry considerable amounts of petroleum as fuel. The chart below outlines that number of port calls made to Maine and New Hampshire ports in a typical year (2009 for tank barges and 2013 for other vessel types). The vast amount of petroleum moved in the zone travels by tank ship into Portland/South Portland which accounts for 2/3s of the tank ship port calls with Portsmouth/Newington and Searsport each accounting for approximately 1/6$^{th}$ of the annual tank ship port calls. Portland/South Portland also accounts for almost half of the annual tank barge port calls with Portsmouth/Newington and Bucksport each accounting for approximately 1/5$^{th}$ of the total and Searsport accounting for the remaining 13%. As indicated, 41% of the freight ship visits occur in Eastport with 32% in Portland, 17% in Portsmouth/ Newington and 10% in Searsport. Two thirds of the cruise ship port calls occur in Bar Harbor with almost all of the remaining third occurring in Portland. All of the 2 or so annual LPG tank ship port calls take place in Portsmouth/Newington.

| Port | Freight Vessel | | Cruise Ship | | Tank Barge | | Tank Vessel | | LPG | |
|---|---|---|---|---|---|---|---|---|---|---|
| Eastport | 96 | 41% | 2 | 1% | 0 | 0% | 0 | 0% | 0 | 0% |
| Bar Harbor | 0 | 0% | 108 | 65% | 0 | 0% | 0 | 0% | 0 | 0% |
| Bucksport | 0 | 0% | 0 | 0% | 46 | 20% | 13 | 4% | 0 | 0% |
| Searsport | 24 | 10% | 0 | 0% | 29 | 13% | 55 | 15% | 0 | 0% |
| Portland/So Portland | 74 | 32% | 55 | 33% | 105 | 46% | 240 | 65% | 0 | 0% |
| Portsmouth/Newington | 40 | 17% | 1 | 1% | 47 | 21% | 62 | 17% | 2 | 100% |
| **Total** | **234** | 100% | **166** | 100% | **227** | 100% | **370** | 100% | **2** | 100% |

Tank ships and barges transiting in and out of the major petroleum port of Saint John, New Brunswick also pose a significant potential threat to the entire Maine and New Hampshire coastline. The Irving refinery in Saint John is Canada's largest refinery. Roughly 100 crude oil tankers and several hundred refined product tankers and barges transit into and out of the port of Saint John annually. Many of these tank ships and barges transit 10-50 miles off the coast of Maine and New Hampshire in route to or from Saint John, New Brunswick.

**9404 Gasoline Spill Response**

***9404.1 General***

Gasoline is one of the highest volume products transported in the Maine & New Hampshire Captain of the Port Zone. A discharge of gasoline presents responders with different challenges and response options than a response to another type of oil product. This section outlines considerations that must be addressed for virtually all gasoline spill responses and describes the recommended response organization. Gasoline is not transported into the Port of Portsmouth at this time (2014).

In dealing with a gasoline spill, priorities must be outlined. As in all spills, the foremost priority is the safety of the public and responders. The second priority is the protection of the environment. A gasoline spill can be very dangerous and both responders and the general public need to be aware of the severe hazardous posed. During a spill response, environmentally sensitive areas need to be protected from the gasoline, but only after safety of life has been assured

***9404.2 Safety of Life and Health***

Safety Officer (SOFR) - The FOSC/IC/UC should ensure that a SOFR is assigned and established prior to any response operations involving gasoline spills. The SOFR is responsible for ensuring the safety of the public as well as the responders.

Air monitoring, both area and personal, needs to be performed prior to site entry as well as periodically during the incident response, to ensure site personnel are not over-exposed to hazardous substances. Instruments that may be utilized include combustible gas indicators (CGI's), portable gas chromatographs (GC's), photo-ionization detectors (PID's), detector tubes, organic vapor monitors (OVM's), personal air sampling pumps, personal air monitoring badges and tubes.

A hazard analysis shall include but not be limited to: ppm levels, lower explosive limits, benzene levels, and fire/explosion hazards.

LEL – Evacuate at 20% of the LEL on an open site; evacuate at 10% of the LEL in a confined space or as directed by the SOFR and/or safety plan.

Benzene - a clear, colorless, highly flammable liquid with an odor threshold of 1.5-5.0 ppm. Inhalation exposure can cause acute symptoms such as fatigue, dizziness, dryness of the mouth, nausea and shortness of breath.

Exposure route: Inhalation, absorption, ingestion, eye contact

| | |
|---|---|
| Odor description: | Aromatic sweet odor |
| Acute symptoms: | Irritation to eyes, nose and throat, dizziness, headache, nausea, fatigue |
| Ion potential: | 9.24 eV |
| Odor threshold: | 119 ppm |
| Action level: | 0.5 ppm |
| PEL/TWA: | 1 ppm |
| STEL: | 6 ppm |
| IDLH limit: | 500 ppm |

At site, personnel shall stay up wind and keep out of low areas

Cold weather will slow the rate of evaporation.

Most MSDS for gasoline recommend the following PPE:

- Eye protection
- Impervious gloves (Use of barrier cream recommended)
- Need for respirator protection should be determined by air monitoring
- Coveralls or other protective clothing (i.e., exposure suits in winter etc.)

The exact PPE shall be determined by considering the following:

- Is there a splash potential?
- Is the concentration of gasoline in the air above the action level?
- Is there potential for high levels of vapor in certain work areas or performing certain tasks?
- Is there potential for falls from heights or into a body of water?

PPE shall be upgraded or downgraded according to the following guidelines:

- Degree of hazard increasing or decreasing.
- Task changes.
- Environmental temperature changes.
- Symptoms occur from inhaling gasoline vapors.
- Additional hazards are found.

***9404.3 Site Control***

Public safety will have priority over environmental protection in the strategic response and deployment of resources.

Ignition sources must be removed, secured or protected.

The spill area must be isolated.

A decision must be made to either evacuate the public, or keep the public indoors. Local emergency/law enforcement personnel should conduct public evacuations. The COTP will establish safety zones on navigable waters.

***9404.4 Pollution Response Action***

Generally speaking, the Area Committee does not recommend containment booming of a gasoline discharge. Containment booming increases the concentration of vapors and the probability of creating an explosive atmosphere. However, it may be considered in some circumstances.

The following are other response methods to be considered:

1) Evacuation/access restriction: Either evacuate members of public at risk, or keep them indoors (shelter in place).
2) Continuous air monitoring.
3) Monitor the harbor for slicks in or under wharf areas to locate areas of pooling
4) Stay in advance of the spill and evacuating/removing equipment and personnel from downwind hazard areas
5) Disperse: Use water from fire hoses to push gasoline away from the shore.
6) Suppress: Apply foam onto gasoline to suppress the vapors.
7) Exclude: Deploy boom to protect water intakes, prevent gasoline from drifting under docks and protect environmentally sensitive areas.
8) Evaporate: Allow gasoline to evaporate so explosive vapors dissipate.
9) Isolate: Keep people and ignition sources away from the spill.

***9404.5 Remediation***

Remediation is the clean-up of a site and may involve such activities as soil removal, dredging, and ground water cleanup or other long-term projects. The FOSC/UC will ensure the site has been properly cleaned up and transferred to a remediation agency or contractor.

Suggested mitigation methods for gasoline spilled:

In open water, allow product to spread out and explosive vapors evaporate. Booming shall be limited to preventing product from drifting under piers, protect water intakes and divert from the public and sensitive areas. Contaminated materials and debris recovered (i.e. foam flotation) should be analyzed to determine if it needs to be treated as a hazardous material.

***9404.6 Conclusion***

Once the UC has determined a hazard no longer exists and that further remediation is no longer required, they will conclude the incident response.

**9405 Ethanol Spill Response**

Since 2000, the production and transportation of Ethanol has increased dramatically due to the demand for ethanol-blend fuels. Large volumes of denatured ethanol (95% ethanol and 5% gasoline) are commonly shipped from production facilities by train or barge. The high volume of ethanol transported throughout New England and the differences in the chemical properties, and the fate and transport of ethanol as compared to standard gasoline, lead to the need for additional consideration of spill response actions. A number of large number of ethanol incidents have occurred around the country. Some of these have resulted in significant fires. As a result of concerns related to the increased prevalence of rail transport of ethanol, and the potential magnitude of spills, the Massachusetts Department of Environmental Protection (MassDEP) published a document containing information on the environmental impacts of and emergency response techniques for ethanol and ethanol blends in 2011 that provides a useful Ethanol Spill Response Guide.

**9406 Group V (non-floating) Oil**

The response to non-floating/sinking oil requires specialized equipment and expertise. Tracking and mapping non-floating oil may require the use of divers, sonar, remotely operated vehicles, water-column sampling, photobathymetric techniques, grab samples, fish-net trawls, sorbent fences, bottom trawls, or in-situ detectors. Containment of non-floating oils may require use of physical barriers, silt curtains, pneumatic curtains, and collection in natural depressions. Collection of non-floating oils may require use of permeable barriers, mid-water trawls, dredges, vacuum systems, pumps, divers, and robotic systems. For more information see "Spills of Non-floating Oils: Risk and Response" by the Committee on Marine Transportation of Heavy Oils, National Research Council, 1999 at https://www.nap.edu/read/9640/chapter/1#iii

Response considerations related to a spill of Oil Sands Products (OSP) are covered in a 2015 report entitled "Response to Oil Sands Products Assessment" OSP Response Assessment

**9407 Planning Scenarios**

Average Most Probable (AMP)/Maximum Most Probable (MMP)

Most of the oil discharges along the Maine and New Hampshire coast consist of small discharges from commercial or recreational vessels. Responses to oil discharges vary based on the type of product spilled and the quantity discharged or released. On a typical oil spill response, whoever discovers the spill will contact one of the several response agencies within the area including:

U.S. Coast Guard SNNE, Maine DEP, New Hampshire DES, local Fire Department, local Harbormaster, Maine Marine Patrol, or the National Response Center (NRC) in Washington DC. Under law, all oil spills are required to be reported to the NRC. The initial incident check sheet and the quick response cards found in this section should be utilized during a response.

Once SNNE's Situational Control (SITCON) has been notified of a discharge they will notify the Response Department's Duty Petty Officer (DPO). Upon notification, the DPO will use the location of the discharge to establish jurisdiction. If the discharge is determined to be within the jurisdiction of the USCG, then the Incident Management Division (IMD) or Marine Safety Field Office will respond to the scene to assess the

situation. Upon arrival, the DPO will make an immediate assessment of the current situation; determine what's going on, what has already been done and what needs to be done next. The DPO will also determine if the discharge is an ongoing discharge or a one point source discharge. This information will assist the DPO in determining the severity of the situation; need for containment, need for cleanup and possible public, environmental, and/or economic impacts. Once the DPO has completed their initial assessment and taken any necessary immediate actions to ensure safety, secure the source of the release or protect sensitive areas, they will give the SITCON a status report (update).

Keeping in mind that every case is different, the Responsible Party (RP) may or may not be on-scene. If the RP is on-scene the DPO will obtain contact and/or vessel information from the RP including a statement regarding the incident and their response plans. The DPO will continue to gather any other pertinent case related information such as witness statements, photographs and oil samples. The collection of evidence can be essential for any potential civil or criminal cases against the RP. The Coast Guard may also use any of the referenced evidence to seek reimbursement if federal funds were used during cleanup operations.

The DPO will keep the SITCON updated as often as possible when on a spill response. The distribution of accurate information is essential to a good spill response.

***9407.1 Maximum Worst Case Discharge***

Worst Case Discharge Scenarios

References:

a) 33 U.S. Code 1321, Federal Water Pollution Control Act, as amended

b) COMDTNOTE 16471 dated 30SEP92 (Development of Hazardous Substance Response Planning Criteria within Area Contingency Plans)

*Weather*.

- Wind: N/NE 25-35 knots
- Air Temp: <50 degrees Fahrenheit
- Water Temp: < 50 degrees Fahrenheit
- Precipitation: moderate rain
- Visibility: less than 1 mile
- Sea State: choppy seas

Tide/Current.

Slack low water. The tide is transitioning to flood state. The current will be approximately 4 knots.

Calculations.

Using the tables and equations provided as planning factors the following recovery volumes are derived:

| Product Type | #6 Fuel Oil |
|---|---|
| Spill Volume | 30,000,000 gal |
| Emulsification Factor | 1.4 |
| Planned % on-water recovery | 50% |
| Planned % onshore recovery | 70% |

Planning Volumes:
On-water recovery = 30,000,000 x 1.4 x .5 = 21,000,000 gal
Onshore recovery = 30,000,000 x 1.4 x .7 = 29,400,000 gal

Actions Taken

NOTIFICATION AND FIRST RESPONSE. The initial notification of the spill would be received at Sector Northern New England from the agent representing the vessel owner/operator. Sector Northern New England would dispatch a pollution investigation team (or several teams), including a marine inspector. Notifications would be made to the New Hampshire Department of Environmental Services (NH DES), and the Maine Department of Environmental Protection (ME DEP), the NRC and other key members of the Area Committee who would likely quickly deploy field response teams. In addition, all internal unit notifications would be made, consisting of Response Department Head, Prevention Department Head, Logistics Department Head, Chief of the Planning and Readiness Staff, Marine Safety Detachment Supervisors, Station Officers in Charge, Deputy Sector Commander, and Sector Commander and the rest of the SNNE Incident Management Team (IMT). Essentially, the response to this worst case scenario would become an All Hands effort for virtually the entire Sector. The unit watch personnel would notify the Coast Guard First District Command Center, LANTAREA Command Center, Coast Guard Headquarters, the National Strike Force Coordination Center, the Environmental Protection Agency Region I Operations Center, the Department of the Interior, and the NOAA Scientific Support Coordinator. Sector personnel would attempt to contact the responsible party to determine what response efforts were being initiated and discuss response plans and capabilities. Through coordination with ME DEP and/or NH DES, and the responsible party, the Command Post would be established at a pre-designated site to serve as the initial Incident Command Post location. The initial logistics team would be dispatched to setup ICP, comms, berthing, messing, parking, staging areas, and local suppliers with support from logistics reps at SNNE and elsewhere. Sector Northern New England representatives, including the Sector Commander, or a designated individual, would proceed to the Command Post where the Unified Command would be established, comprised of at least the Federal On-Scene Coordinator (Captain of the Port Sector Northern New England) or an assigned representative, New Hampshire, Maine, local government and responsible party representatives.

RESPONSE TIMES. It will take the Sector Northern New England initial response team varying amounts of time to arrive on scene based on the location of the incident. The NH DES and ME DEP representative(s) could arrive at approximately the same time.

0-1 Hour

Take immediate actions to ensure the safety of the vessel crew, responders and the general public. Secure the source of the discharge and take actions to minimize the chances for further discharge or loss of the vessel. Complete all notifications of involved or impacted parties. Identify staffing needs and ramp up with additional responders. Request trajectory and assess likely environmental impacts and establish response tactics. If containment is not possible, take actions to minimize impact, identify priority protection areas (consult state, ESI maps and ACP). Contain spill with boom or other means to extent practical/possible. Rapidly determine

whether the Responsible Party is responding promptly and adequately. Examine all possible means to contain oil/hazmat in open water. Obtain forecasted weather, and tidal/current projections. Obtain spill and source samples. Establish over-flight and boat surveillance when visibility allows. Establish public affairs mechanism and speaker. Ensure drug and alcohol testing of crew members and other involved parties is conducted. Notify any and all local facilities, vessels and stakeholders that may be impacted. Issue Broadcast Notice to Mariners. Activate Regional Response Team, Atlantic Strike Team, Pubic Information Assist Team, USCG Incident Management Assist Team, D1 Public Affairs, D1 External Affairs.

1-3 Hours

Arrange initial UC meeting or conference call with Coast Guard, State, and Responsible Parties to establish initial goals and objectives. (Establish frequency and format of additional meeting and/or conference calls). Implement Safety Zone. Assess possible use of alternative technologies (including dispersants and insitu burning). Consider having buoy tenders available to place anchors for booms, if needed. Determine salvage needs which includes pumps, lightering vessels, salvage master, SERT, Navy SUPSALV, divers, cranes and/or work barges. Determine most effective containment and cleanup strategy. Request Contracting Officers from LANTAREA. Assess personnel needs. Request additional personnel as necessary through the First Coast Guard District, Responsible Party, states and other agencies. Examine communications system for efficiency, (including radio, telephone, copier, and computer needs). Determine transportation needs for equipment and personnel. (Site or airport offloading capability, personnel transit time, beach and dock access). Examine need for legal and investigatory assistance. (Civil investigation, criminal investigation, guidance/advice to FOSC, USCG investigator and other agency investigators).

Establish means to properly document situation and actions (situation, resources, and documentation units). Evaluate need for and enforcement of COTP orders, Safety Zones, Air Space Restrictions, Site Security, and crowd control. Determine the hazards of the pollutant and/or its byproducts and review associated public health issues. Initiate air monitoring, as appropriate. Contact local hospitals and emergency medical services, as needed (consider using state/county Emergency Management Agencies to conduct this task). Contact any other local, state and federal agencies, as needed. Contact local water officials to report the potential for contamination to their intakes and determine the current impacts on the water intakes, if any. Contact local hospitals and emergency medical services.

Assign safety officer to address worker safety which would include: obtaining Material Safety Data Sheet (MSDS) on product, develop safety plan, protective clothing requirements, and respiratory protection. Assess need for Marine Chemist, to conduct medical monitoring. Determine need for foul weather and protective gear and other specific clothing. Evaluate impact on commercial and recreational vessel traffic. Consider need for vessel inspector or survey. Identify wildlife issues. Initiate wildlife hazing and/or collection as needed. Determine location for Unified Command Post. Send advance Logistics Support Team to the site to determine: berthing availability, messing, availability of local supplies, local airfields/capacity and location, office and warehouse space, equipment staging areas, possible command post locations, communication needs, boat launching sites and dock space and site accessibility constraints.

Ramp up ICS as determined by the OSC/IC/UC. Complete ICS 201 and 202 forms including current situation, incident name, objectives, organization, resources, operational period. Complete and release initial press release, schedule press conference. Brief Congressional offices and key stakeholders and public officials. Initiate use of ICS 234 and ICS 233 to track open actions. Ensure scribes are assigned to record key decisions./actions. Form team to examine potential use of dispersants and insitu burning. Begin to develop and implement resource protection and spill containment strategies. Conduct required investigations. Begin to develop and implement site security plan, waterways management plan, stakeholder engagement plan, salvage plan, volunteer management plan, ephemeral sampling plan, decanting plan, demobilization plan and decontamination plan.

3-6 Hours

Consider using Coast Guard Reserve and National Guard resources or volunteers. Set up command post. Organize Incident Management Team and assign watch routine. Determine reference publications/databases if applicable. Ensure sufficient meeting space to contain all on scene personnel. Establish medical plan for response personnel that includes EMT on site, receiving doctor, and hospital or other medical facility, coordinate transportation, and ambulance availability. Develop Communications Plan. Send initial SITREP/POLREP. Ensure initial ICS 201 form complete. Develop media strategy, standup JIC, issue 2nd press release, schedule/conduct press conference, monitor/engage social media. Launch incident website and social media strategy and customize VIP plan. Forge Unified Command. Initiate ICS Planning Cycle. Consider needs and plans for night operations. Ensure staffing is adequate. Complete Dispersant or Insitu Burning Worksheets (if appropriate). Establish wildlife cleaning and recovery stations (as needed). Develop and implement waste disposal plan

6-12 Hours

Determine if other agency resources are needed. Establish claims number. Incorporate incoming personnel into response organization. Prepare for staff change out. Conduct press conference if not already completed. Address other issues as necessary.

12-24 Hours

Formalize ICS Planning Cycle based on incident operational periods. Consider the need to augment liaisons to ensure key stakeholders are fully informed. Implement broader media strategy. Revisit/update incident objectives and ensure strategies and tactics are being developed to meet them. Revisit staffing needs. Address other issues as necessary.

24 Hours and Beyond

As needed, coordinate with the National Weather Service/NOAA to establish site specific weather forecasts. Establish boat cleaning stations for vessels leaving spill site. Establish clean up progress monitoring system and use throughout the incident. Address other issues as necessary.

CLEANUP ACTIONS. Within the first two days, a substantial amount of oil will have impacted the coastal zone as a result of the tides and shifting winds. Oil recovery operations, particularly beach cleanup, would be extensive for several months, lasting possibly well over a year. Due to the sheer volume of the spill, potentially dramatic oil impacts could be anticipated throughout the area. The normal Gulf of Maine circulation would contribute to a southerly migration of the spilled oil, with potential beach impacts as far south as Cape Cod and beyond. Strong winds from the East would contribute to shoreline impact. Any favorable wind shifts from the North or West would assist responders in minimizing shoreline impacts along the coast. On-water recovery operations would be difficult in sea conditions represented in the scenario. It could be anticipated that little oil would be recovered in this way, with most oil recovered following shoreline impact. A massive oil collection and recovery operation would need to be mounted with substantial assets positioned at natural recovery sites. Shoreline cleanup and restoration would require immense resources and would last several months. Extensive damage to wildlife could be expected, and a commensurate effort to protect, recover, clean, and track oiled wildlife would need to be maintained for several months. Coast Guard personnel would be on hand throughout the operation to document costs and monitor or direct actions taken.

RESOURCE NEEDS.

- 125,000' of 18"/24"/36" skirt boom
- 50 vacuum trucks/skimming heads
- 20 oil recovery platforms (vessels)
- 75 work boats
- 40 portable skimmers
- 50 portable tanks
- 850 laborers
- Hot-water/high-pressure washing equipment (if authorized for use)
- Ambient-water/low-pres. washing equipment (if authorized for use)
- Dump trucks
- Front-end loaders
- Protective clothing (respiratory)

SENSITIVE AREA CONSIDERATIONS. For an overview of sensitive area considerations, refer to the Geographic Response Strategy and area specific information. The GRS information can be accessed at: https://www.maine.gov/dep/spills/emergspillresp/geogplans.html

SHORTFALLS. An oil spill of this size would stress the resources of both the Area, the region and the nation. Resources, such as response equipment, skimmer boats, and overall support equipment, may need to be identified in many states, possibly throughout the country. Sources for these resources include, in addition to the resources mentioned in the above scenario, the Coast Guard Gulf and Pacific Strike Teams, oil spill cleanup contractors, and other oil industry sources. The resource needs indicated above reflect only the anticipated needs in the Maine and New Hampshire Area. It must be understood that a spill of this size would involve multiple areas (USCG COTP zones), and the resources for any involved Areas would be reflected in their respective assessments of the incident. A list of primary short falls includes: (1) Insufficient number of trained response personnel available in a timely manner; (2) Communications resources would be stressed and Communication between contractors and

the OSC (Unified Command) may be hampered by lack of common radio frequencies (Cellular telephones may play a large role, but the volume of telephone calls made during an event of this magnitude could be expected to negatively impact the system); (3) Insufficient number of designated response work boats possessed by BOA contractors for a spill of this size, thus requiring aggressive acquisitions, and/or extensive deployment of vessels of opportunity; (4) Insufficient off-shore, near shore and inshore skimming capability immediately available in the region. (5) Insufficient berthing and messing facilities to house IMT and field workers in remote portions of the zone (particularly during busy summer/fall season and during winter season when many accommodations are not available.) (6) Shortage of immediately available large Incident Command Post facilities close to spill site to handle 300+ person Incident Management Team (IMT). (7) Insufficient dispersant application and insitu burning specific equipment in region if these strategies are approved for use.(8) Insufficient availability of cold weather gear such as boots, gloves, waders, and coats including insufficient quantities for all responders; (9) Insufficient protective clothing, particularly respiratory protective equipment; and (10) Insufficient number of trained wildlife rehabilitation personnel and wildlife rehabilitation facilities readily available.

***9407.2 Eastport***

AREA SPECIFIC ACTIONS TAKEN

Notify Canadian CG, Transport Canada and MSD Belfast, Maine DEP, National Strike Force Coordination Center, CG Station Eastport and CG Station Jonesport, Environmental Protection Agency Region 1 Operational Center, NOAA and the Department of the Interior. Implement CANUSLANT Annex for cross-border assistance..

IMPACTED AREAS

Heavy oil impact in and around Cobscook and Whiting Bays.

LOCAL AREA CONSIDERATIONS

(1) Eastport Region (See electronic Geographic Response Strategies on ME DEP's website)

(2) The downeast portion of Maine has 20-25 foot tides and strong tidal currents which would significantly impact movement of spilled oil and complicate spill response activities.

(3) The coastline of downeast Maine includes numerous remote islands, rocky ledges, and peninsulas with limited road and boat access which would complicate response activities.

(4) The water temperature in this area is typically colder than in other parts of New England and the weather can be colder, foggier and windier complicating response actions.

(5) Infrastructure including roads, accommodations, fuel, airports, messing, supplies, cell phone coverage, labor and coastal access are less available in downeast Maine.

(6) Supplies of pre-deployed pollution response equipment are very limited in downeast Maine.

***9407.3 Penobscot Bay***

AREA SPECIFIC ACTIONS TAKEN

Notify MSD Belfast. Notify CG First District Operations Center, Maine DEP, EPA Region 1, CG Station Rockland, National Strike Force Coordination Center, Environmental Protection Agency Region 1 Operational Center, NOAA and Department of Interior.

IMPACTED AREAS

Heavy oil impact in and around Penobscot Bay and River.

LOCAL AREA CONSIDERATIONS

(1) Penobscot Bay port region. (See electronic Geographic Response Strategies listed on ME DEP's website)

(2) Though conditions in the Penobscot Bay region are typically less extreme than in downeast Maine, factors such as 10-15 foot tides, numerous remote islands, rocky ledges and peninsulas with limited road and boat access would complicate response activities.

(3) The water temperature in this area is also typically colder than in other parts of New England and the weather can be colder, foggier and windier complicating response actions.

(4) Infrastructure including roads, accommodations, fuel, airports, messing, supplies, cell phone coverage, labor and coastal access are also less available in the Penobscot Bay area of Maine.

(5) Supplies of pre-deployed pollution response equipment are very limited in the Penobscot Bay region of Maine beyond inventories maintained by the Penobscot River Oil Pollution Abatement Committee and Maine DEP.

***9407.4 Portland***

AREA SPECIFIC ACTIONS TAKEN

Notify Sector Northern New England and dispatch a Pollution Investigation team, including a Marine Inspector, to the scene. Notify ME DEP/NH DES, Coast Guard First District Operations Center, the National Strike Force Coordination Center, the Environmental Protection Agency Region 1 Operational Center, and the Department of the Interior.

IMPACTED AREAS

Substantial oil penetrated Casco Bay. Heavy oil impact has occurred along the Maine coast as far southwest as Cape Neddick including Bald Head Cliff, Wells Beach, Cape Porpoise, and Old Orchard Beach.

LOCAL AREA CONSIDERATIONS

(1) Scarborough River Marsh, the Spurwink River Marsh, as well as sites in Casco Bay. (See electronic Geographic Response Strategies listed on ME DEP's website)

(2) The tidal range in the Portland area is @ 10' and the weather is often less severe than in the Penobscot Bay or downeast Maine regions. There is easier access to the coastline by vehicle and boat with the exception of the more remote islands in Casco Bay.

(3) Accommodations and messing is more available in the Portland area, though lodging can be difficult to obtain for large numbers of people during the busy summer and fall seasons.

(4) Larger inventories of response equipment is pre-deployed in the Portland area by spill response contractors, marine terminals, USCG and ME DEP. Also, additional contracted equipment is available from Portsmouth and Boston in 2-3 hours.

***9407.5 Portsmouth***

AREA SPECIFIC ACTIONS TAKEN

Notify Sector Northern New England and dispatch Pollution Investigation teams, including a Marine Inspector, to the scene from MSD Portsmouth and Sector Offices in Portland. Notify ME DEP/NH DES, Coast Guard First District Operations Center, CG Station Portsmouth, the National Strike Force Coordination Center, the Environmental Protection Agency Region 1 Operational Center, NOAA and the Department of the Interior.

IMPACTED AREAS

Piscataqua River and its tidally influenced tributaries, Portsmouth Harbor, Great Bay and Little Bay, Southern Maine, coastal New Hampshire.

LOCAL AREA CONSIDERATIONS

(1) Portsmouth Bay Region. (See electronic Geographic Response Strategies listed on ME DEP's website). Great Bay is a very important ecological habitat.

(2) The Piscataqua River has very strong currents – particularly during the spring time and during ebb tides. River currents in excess of 5 knots can make it extremely difficult to effectively and safely boom the main stem of the river. Icing conditions in the winter and early spring can make working on the river even more challenging.

(3) There are several marinas and launch sites that provide relatively good access to the Piscataqua River.

(4) Accommodations and messing is more available in the Portsmouth area, though lodging can be difficult to obtain for large numbers of people during the busy summer and fall seasons.

(5) Larger inventories of response equipment are pre-deployed in the Portsmouth area by spill response contractors, marine terminals, USCG and NH DES. Also, additional contracted equipment is available from Portland and Boston in 2-3 hours.

***9407.6 ME/NH ACP Worst Case Discharge Matrix***

| ME/NH ACP Worst Case Discharges (all transportation modes) | | | | | |
|---|---|---|---|---|---|
| FOSC Sector Northern New England | | | | | |
| Type | Owner/Operator or Vessel/Facility Name | Location | WCD Amount | Product | Notes: 1st shoreline Impact Area/Key GRSs |
| MTR Facility-South Portland | Buckeye Partners, L.P. | 170 Lincoln St, South Portland, ME 04106 | 33,778,058 gls | Oil Products | Cumberland County |
| MTR Facility- Portsmouth | Irving | 50 Preble Way, Portsmouth, NH 03801 | 14,994,000 gls | Oil Products | Rockingham County |
| MTR Facility- Searsport | Irving | 52 Station Ave., Searsport, ME 04974 | 7,350,000 gls | Oil Products | Waldo County |
| OCS Facility | Currently prohibited in Maine, but there are some facilities just North of border in Canada | | | | |
| Pipeline | Buckeye Pipeline | South Portland, ME to Bangor, ME | | Petroleum Products | South Portland, Hallowell, and Hampden |
| Vessel | T/S Umnenga | Liberia | 58,693,404 gls | Oil Products | Cumberland County |
| Rail | No oil being transported by bulk in Maine | | | | |

**9408 Volunteer Program**

***9408.1 General***

For the purpose of the Area Contingency Plan, volunteers will be referred to as uncompensated workers. There should be no distinction made between an uncompensated worker and a compensated worker for purposes of health and safety, however, the utilization of uncompensated workers must be approved by the FOSC. Due to safety concerns, uncompensated workers should have limited roles in spill response. They should not be utilized in areas that will manage waste generated from the impacted areas or in any situation that could potentially result in the person's exposure to contaminants.

If the FOSC approves a request to utilize uncompensated workers, they may participate in the following activities:

- Operating phone networks designed to address public input and concern.
- Helping to mobilize and inventory equipment (prior to use).
- Beach patrol (to monitor operations and identify equipment needs) and reconnaissance of unaffected areas.
- Operation and construction of first aid and refreshment stations for workers.
- Supporting wildlife rehabilitation.
- Other tasks, in the Command Post or uncontaminated areas, as specified by the FOSC.

If the FOSC approves the use of uncompensated workers, the responsible party or FOSC shall:

- Establish and make known a phone number to be used for managing incoming requests to volunteers.

- Designate an individual to act as the Volunteer Coordinator.
- Provide FOSC with a written plan detailing the work environments in which the uncompensated workers will be working.

Uncompensated workers **will not** be allowed to perform certain tasks such as:

- Collecting oiled wildlife.
- Assisting with the spill clean-up without proper certification and assignment to a spill response contractor.
- Operate personal watercraft in the safety zone for spill response reasons.

Training requirements for uncompensated workers will be specific to the task being performed. All uncompensated field workers will be required to complete, at a minimum, a four-hour safety training course, in compliance with 29 C.F.R.1910.120(q)(11)(ii), covering hazardous awareness, safety concerns and the site safety plan sponsored by the responsible party. Uncompensated workers tasked to perform post-emergency response operations, as delineated in 29 C.F.R. 1910.120(q)(11) and OSHA's inspection guidelines for post-emergency response operations, will be required to receive training if required by the FOSC in consultation with the OSHA RRT representative. The Volunteer Coordinator will be responsible for the maintenance of a training log to document the training that each uncompensated worker receives. The log shall be made available to the FOSC upon request, and the FOSC will ensure each worker is properly trained and placed in work environments consistent with the provisions of this plan. The FOSC may also elect to solicit the assistance of such agencies as OSHA, American Red Cross, and FEMA to assist in the training of uncompensated workers.

***9408.2 Volunteer Coordinator***

A volunteer coordinator is a person or agency responsible for managing and overseeing all aspects of uncompensated worker participation, including recruitment, induction and deployment. The scope of a volunteer coordinator is extremely vast as uncompensated workers can be assigned for numerous tasks, including supporting wildlife rehabilitation and reconnaissance of unaffected areas, at any time or location during an oil spill response.

In dealing with an oil spill, the volunteer coordinator must remain focused on the incident priorities and objectives established by the Unified Command. The foremost priority is the safety of the uncompensated workers/public. The second priority is the protection of the environment. An oil spill can be very dangerous and uncompensated workers need to be aware of how hazardous a situation this may be and must be protected from all potential harms. Both Maine and New Hampshire have areas that are environmentally sensitive. During a spill, these areas need to be protected from the oil, but safety of the uncompensated worker is paramount.

***9408.3 Operations and Strategies***

A volunteer coordinator provides a pre-published phone number supplying the general public and uncompensated workers with general and specific information to assist in the deployment of uncompensated workers.

Response to the oiled wildlife component of a large oil spill can benefit from the use of volunteers, mostly in the wildlife rehabilitation center. Both the State of Maine and New Hampshire have plans for using volunteers in limited roles. See Wildlife Response Plan as well as the Volunteer Management Plan Template.

**9409 Salvage Plan/Places of Refuge**

Information pertaining to Sector Northern New England's Salvage Plan is located in Annex 10200 of the Sector Northern New England's Area Maritime Security Plan and Section 9800 of this plan.

**9410 Marine Transportation System Recovery Plan**

Information pertaining to Sector Northern New England's MTS Recovery Plan is located in chapter 6000 of the Sector Northern New England's Area Maritime Security Plan.

**9411 Emergency Support Function (ESF) #10 Oil and Hazardous Material Response**

The purpose of Emergency Support Function (ESF) #10 Oil and Hazardous Materials Response is to:

- Describe the differences between day-to-day ops under the NCP versus post presidential disaster declaration ops at the request of a state(s) – and mission assigned by FEMA.
- Provide CG, other federal, state, and local entities a succinct overview of existing ESF policy guidance, including recommendations based on recent incidents.
- CG commands, working with their DRAT and IMPA, shall review and update this appendix annually, as necessary, and incorporate material into annual pre- hurricane season training, discussions, and exercises.

A link to the Emergency Support Function (ESF) #10 Oil and Hazardous Materials Response appendix of the ACP can be found here.

**9412 Public Information Plan**

A link to the draft Public Information Plan can be found here.

## 9500 Applicable Memorandums of Understanding/Agreement

A memorandum of understanding (MOU) or agreement (MOA) is a written statement between two or more parties that outlines the terms of a contract or negotiation. It can spell out who is responsible for what work, duties, actions, and how to resolve any disputes that occur. MOUs/MOAs between the U.S. Coast Guard and various government agencies that involve or affect the USCG's mission regarding response to discharges of oil into the environment are especially important to contingency planning. The following is a listing and brief description of the MOUs that the Coast Guard has entered into with other government agencies that are involved, or have an interest in, oil spill response. The complete MOUs are included as exhibits at the end of this Section.

**9501 USCG and EPA**

An MOU was signed on 17 August 1994 between the U.S. Coast Guard and the Environmental Protection Agency which superseded an MOU signed 4 January 1982. The MOU outlines procedures for the USCG to access the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to cover costs incurred during emergency response to releases, or threats of releases of hazardous substances, pollutants, or contaminants. This MOU establishes the accounting, contracting, and fund management control policies and procedures for USCG response actions. This MOU describes USCG procedures for

Instrument of Redelegation of Sections 2(d), 2(f), 2(g), 3(a), and 4(b) of Executive Order 12316 of August 14, 1981 from the U.S. Coast Guard to the Environmental Protection Agency on Response Actions. The EPA was given responsibility for directing remedial actions following a release of hazardous substances.

MOU between the Environmental Protection Agency and the U.S. Coast Guard concerning the Mitigating of Damage to the Public Health or Welfare Caused by a Discharge of a Hazardous Substance under Section 311 of the Clean Water Act - Signed 3 October 1979. The USCG and the EPA agree that the responsibility for the mitigation of damage to the public health and welfare caused by the discharge of hazardous substances shall be shared by the USCG and EPA. This MOU establishes policy concerning the responsibilities of the EPA and USCG regarding mitigation actions.

MOU between the Environmental Protection Agency and the U.S. Coast Guard, dated June 11, 2012, outlines procedures for EPA use of the Oil Spill Liability Trust Fund administrated by the National Pollution Fund Center.

**9502 DOI and DOT**

MOU between the Departments of Interior and Transportation Concerning Respective Responsibilities Under the National Oil and Hazardous Substances Pollution Contingency Plan - Signed 16 August 1971. In order to assure the most efficient use of resources under the National Oil and Hazardous Substances Pollution Contingency Plan, the Secretaries of the Departments agree that the United States Geological Survey has the capability to coordinate and direct measures to abate the source of pollution when the source is an oil, gas, or sulfur well. Whereas the USCG has the capability to coordinate and direct measures to contain and remove pollutants. This MOU establishes the provisions to be observed by the agencies of the two Departments in the exercise of their authority and the discharge of their responsibilities.

**9503 USCG and USF&W**

Interagency Agreement Between the U.S. Coast Guard and the U.S. Fish and Wildlife Service for Participation in Pollution Incidents - Signed 24 July 1979. The purpose of this Interagency Agreement (IAA) is to specify the conditions and procedures under which the U.S. Fish and Wildlife Service will provide USCG Federal OSCs with appropriate technical expertise as well as service in support of efforts to control and clean up oil and hazardous chemical discharges

**9504 USN and USCG**

Interagency Agreement Between the U.S. Navy and the U.S. Coast Guard for Cooperation in Oil Spill Clean-Up Operations and Salvage Operations - Signed 15 September 1980. The purpose of this IAA is to specify the conditions and procedures under which the USCG can request and the USN will provide oil spill clean-up and/or salvage equipment and services to support the USCG in non-Navy oil spills and other operations requiring salvage expertise. As well as the conditions and procedures under which the USN can request and the USCG will provide equipment and services to support the USN in salvage operations and in response to oil spills which are caused by facilities or vessels under Navy jurisdiction. Reimbursement procedures and policies are also covered.

**9505 Canada and United States**

Canada - United States Joint Marine Pollution Contingency Plan – Signed on May 22, 2003 which updated and superseded the plans signed on September 15, 1983 and in 1986. The purpose of this plan is to provide a framework for U.S.-Canada cooperation in response to pollution incidents that may pose a significant threat to the waters or coastal areas of both parties, or, although affecting only one party, are of such a magnitude as to justify a request to the other party for assistance.

**9506 USCG and New Hampshire**

MOA between the U.S. Coast Guard and the State of New Hampshire for cooperation and coordination between the Coast Guard and the NH Department of Environmental Services in implementing and exercising respective authorities regarding marine oil spill prevention, preparedness and response. The MOA ensures a coordinated response and best achievable protection from the impact of oil pollution incidents.

**9507 In Situ Burn**

Enclosed in this section is the Memorandum of Understanding on In-Situ Burning. It outlines the preauthorization agreement for use of In-Situ Burning. The figure at the end summarizes the agreement. In general, the FOSC has decision authority beyond 6 miles. In between 1 to 6 miles, it is a joint FOSC/SOSC decision. Inward of 1 mile, the decision must be made in consultation of trustees. The MOU also outlines Special Consideration Areas which may affect the decision making process. There are four Special Consideration Areas (SCAs):

State of Maine SCA

20 foot water depth SCA

NMFS SCA

National Ocean Service SCA

Finalized in 1998, this MOU outlines the pre-authorization areas and protocols for In-Situ Burning.

A Checklist for use prior to conducting an in-situ burn during a response is included in Section 9507.1

**Memorandum Of Understanding**

**Among**
**U.S. Coast Guard District 1 (USCG)**
**and**
**U.S. Environmental Protection Agency Region I (EPA)**
**and**
**U.S. Department of the Interior (DOI)**
**and**
**U.S. Department of Commerce /**
**National Oceanic and Atmospheric Administration (DOC/NOAA)**
**and**
**State of Maine (ME) Department of Environmental Protection**
**and**
**Commonwealth of Massachusetts (MA)**
**Executive Office of Environmental Affairs**
**and**
**State of New Hampshire (NH) Department of Environmental Services**
**and**
**State of Rhode Island and Providence Plantations (RI)**
**Department of Environmental Management**
**and**
**State of Vermont (VT) Agency of Natural Resources**

## PURPOSE

The USCG, EPA, DOI, DOC/NOAA and the States of ME, MA, NH, RI, and VT recognize that the effectiveness of physical removal of spilled oil may be limited by the dynamic nature of the environment in which the oil is spilled. In such circumstances, timely and effective containment, collection, and mechanical removal of the oil may not provide an adequate response. The burning of oil in place as a removal technique (*in-situ* burning), alone or in conjunction with mechanical removal methods and/or chemical countermeasures, may be considered as a means to enhance removal and reduce harm to public health and welfare, or the environment.

This Memorandum of Understanding (memorandum) is designed to implement sections of the National Oil and Hazardous Substances Pollution Contingency Plan (National Contingency Plan) [40 CFR §300.210 (c)(4)(ii)(D) and §300.115 (a)] and the requirements of 33 USC 1321 (j)(4)(B)(ii), the Federal Water Pollution Control Act, as amended by the Oil Pollution Act of 1990. This memorandum provides the primary decision makers in oil spill response (the Federal On-Scene Coordinator (OSC) and the State On-Scene Coordinator (SOSC)) with the authority to use *in-situ* burning in certain zones under the jurisdiction of the Region I Regional Response Team without additional consultation or concurrence. The Responsible Party, another key player in spill response, will also be a part of the decision making process.

Because the jurisdictional boundary between Regions I and II divides Long Island Sound, the State of Connecticut will pursue a separate agreement on the use of this technique. When developed, this agreement will be included in Appendix III, Boundary Area Guidance and Agreements. References to Region I throughout this document apply to all Region I states except Connecticut.

This memorandum constitutes consultation under the National Contingency Plan with DOC/NOAA and DOI for the use of *in-situ* burning as an oil spill removal technique in the "B" Zone and consultation with DOC/NOAA and DOI, and concurrence of the States of ME, MA, NH, and RI in the "A" Zone (both zones defined under **Scope** below). It is anticipated an ignition source will be sufficient to light oil that is inherently combustible, provided a spill receives timely response action. This memorandum applies to *in-situ* burns that are lit using ignition sources (e.g., small quantities of burning gelled gasoline or kerosene released from a helotorch or a hand-held ignition pack). This memorandum does not apply to *in-situ* burns where the combustibility of the oil must be enhanced using a burning agent (e.g., through the direct addition of a flammable hydrocarbon prior to ignition or the addition of a wicking agent to enhance combustibility). Use of burning agents to enhance the combustibility of oil is subject to the approval requirements described in Subpart J of the National Contingency Plan (§300.910(c)).

This memorandum applies only to response operations within Region I where federal assistance is required. This agreement does not expand or otherwise modify the jurisdiction of any of the signatories to this agreement in matters that are the subject of this agreement.
This memorandum will be incorporated into the Region I Regional Contingency Plan and Area Contingency Plans within Region I.

## AUTHORITY

Subpart C of the National Contingency Plan directs the Regional Response Teams to conduct regional planning and coordination of preparedness and response actions in conjunction with Area Committees in the case of oil discharges. Area Contingency Plans, written by Area Committees, should provide pre-approval of specific countermeasures or removal actions that, if expeditiously applied, will minimize adverse spill-induced impacts to fish and wildlife resources, their habitat, and other sensitive environments. (40 CFR §300.210 (c) (4) (ii) (D)).

Commandant, USCG, has designated the USCG Captains Of The Port (as defined in 33 CFR Part 3) as the OSCs for coastal oil discharges (subject to joint response boundary agreements with EPA), and has delegated to these OSCs the authority and responsibility for compliance with the Federal Water Pollution Control Act and its amendments (33 USC 1221, et seq., as amended).

The U.S. EPA Administrator has designated EPA Regional Administrators as OSCs for inland oil discharges (subject to joint response boundary agreements with USCG), and has delegated to these OSCs the authority and responsibility for compliance with the Federal Water Pollution Control Act and its amendments (33 USC 1221, et seq., as amended). EPA Regional Administrators have further delegated the duties of OSC to members of their Regional staffs.

The DOI and DOC/NOAA are designated federal trustees of certain natural resources under Subpart G of the National Contingency Plan and are to be consulted regarding appropriate removal actions in an oil spill, including the determination to burn oil *in-situ* in United States waters, and must concur with pre-approval plans for the application of specific countermeasures or removal actions (Subpart C of the National Contingency Plan).

In the State of Maine, the State Oil Spill Coordinator from the Department of Environmental Protection has the authority to approve the use of *in-situ* burning for the control of oil spills.

In the Commonwealth of Massachusetts, the Department of Environmental Protection has the authority to approve the use of *in-situ* burning for the control of oil spills.

In the State of New Hampshire, the Commissioner of the Department of Environmental Services has the authority to approve the use of *in-situ* burning for the control of oil spills.

In the State of Rhode Island and Providence Plantations, the Commissioner of the Department of Environmental Management has the authority to approve the use of *in-situ* burning for the control of oil spills.

In the State of Vermont, the Secretary of the Department of Environmental Conservation has the authority to approve the use of *in-situ* burning for the control of oil spills.

## SCOPE

This memorandum establishes decision authority for use of *in-situ* burning (absent the use of burning agents) within zones within Region I. The geographic zones and conditions are described below, and a map of the zones is attached as Appendix II.

**1) "A" Zones — OSC decision to burn**

**Geographic Scope:**
Zone "A" is defined as all waters subject to the jurisdiction of the United States located seaward of a line measured six miles from the mean low waterline along the coasts and islands of ME, MA, NH, and RI, that are not specifically defined as "Special Consideration Areas" (see paragraph 4 below).

**Approval for *in-situ* burning in Zone "A":**
Within Zone "A," the decision to use *in-situ* burning rests solely with the OSC. No further concurrence or consultation on the part of the OSC is required with EPA, DOC/NOAA, DOI, or the states of ME, MA, NH, and RI *(please refer to Special Consideration Areas that modify the "A" zone).* However, if threatened or endangered species are present in the immediate burn area, the trustee agency for that species must be consulted prior to initiating burning operations.

The OSC will immediately notify EPA, DOC/NOAA, DOI, and the applicable state(s) of a decision to conduct burning within the "A" zone via each agency's Regional Response Team representative.

**2) "B" Zones — Unified Command decision to burn**

**Geographic Scope:**
Zone "B" is defined as all waters subject to the jurisdiction of the United States located seaward of a line measured one mile and terminating six miles from the mean low water line along the coasts and islands of ME, MA, NH, and RI, that are not specifically defined as Special Consideration Areas (see paragraph 4 below).

**Approval for *in-situ* burning in Zone "B":**
Within Zone "B," the decision to use *in-situ* burning rests with the OSC and SOSC(s) within the Unified Command. Cases may arise where a state potentially affected by a smoke plume is not represented in the Unified Command because it may not be affected by the unburned oil. Therefore, the SOSC(s) from the state(s) within 6 miles of the burn source must also concur with the decision to burn (unless a Special Consideration Area has been established to reduce this distance). In Zone "B" no further concurrence or consultation on the part of the OSC is required with EPA, DOC/NOAA, DOI, or other states not within 6 miles of the burn source. If threatened or endangered species are present in the immediate burn area, the trustee agency for that species must be consulted prior to initiating burning operations. The SOSC is responsible for any additional concurrence/consultation requirements that apply at the state level.

The OSC will immediately notify EPA, DOC/NOAA, DOI, and applicable state(s) of a decision to conduct burning within the "B" zone via each agency's Regional Response Team representative.

**3) "C" Zones — Unified Command decision to burn following additional consultations/concurrence**

**Geographic Scope:**
Zone "C" is defined as waters and lands subject to the jurisdiction of the United States and within the geographic responsibility of Regional Response Team I that are shoreward of a line measured 1 mile seaward of the mean low water mark along the coasts and islands of ME, MA, NH, and RI, that are not specifically defined as Special Consideration Areas (see paragraph 4 below).

**Approval for *in-situ* burning in Zone "C":**
Within Zone "C," the decision to use *in-situ* burning rests with the OSC (USCG or EPA) and SOSC(s) within the Unified Command. The OSC must consult with DOC/NOAA and DOI on the appropriateness of *in-situ* burning as a removal action, and gain concurrence of states with land within 6 miles of the burn source (unless this distance

has been reduced in a Special Consideration Area). The SOSC is responsible for any additional concurrence/consultation requirements that apply at the state level.

The OSC will immediately notify EPA, DOC/NOAA, DOI, and applicable state(s) of a decision to initiate a burn within the "C" zone via each agency's Regional Response Team representative.

**4) "Special Consideration Areas"**

**Geographic Scope:**
Special Consideration Areas are specific geographic areas where the level of approval/concurrence granted in Zones "A," "B," and "C" is modified by the any of the following agencies/entities within their authority, jurisdiction, and areas of responsibility: Area Committees, pre-designated OSCs, DOC/NOAA, DOI, and the states of ME, MA, NH, RI, and VT. These areas will be identified in writing to the Regional Response Team co-chairs and listed in Appendix I. Upon receipt of a Special Consideration Area, the Regional Response Team co-chairs shall solicit comments from signatories to this memorandum with jurisdiction over the area and any areas within 6 miles of the Special Consideration Area. Absent objection, Special Consideration Areas are effective 30 days from their receipt by the Regional Response Team co-chairs.

**Approval for *in-situ* burning in Special Consideration Areas**
Each defined Special Consideration Area shall contain specific restrictions or permissions that alter pre-approval or pre-consultation otherwise defined by this memorandum in Zones "A," "B," or "C". The restriction placed or authority granted by a Special Consideration Area may be defined to apply only under certain conditions, such as certain wind directions or in certain seasons. Special Consideration Areas shall specify what additional or lesser action, consultation, or concurrence is necessary to proceed with *in-situ* burning in that area. Means of contacting primary or alternate points-of-contact for Special Consideration Areas should be identified for work and non-working hours.

**5) Boundary Areas - Region I Boundary**
In areas where burning will have an impact across a Region I border into Canada or Region II (e.g., within 6 miles of the border), the concurrence of the applicable parties on the opposite side of the border must be obtained prior to use of *in-situ* burning. Specific cross-border guidance documents and agreements regarding near-border *in-situ* burning, when developed, will be included in Appendix III.

## PROTOCOLS

The signatories to this memorandum agree that the decision to use *in-situ* burning lies with either the OSC or the OSC and the SOSC, based on the location of the burn as detailed in **Scope**. The SOSC is responsible for any additional concurrence/consultation requirements that apply at the state level. The decision to use *in-situ* burning should be made with guidance from the Region I *In-situ* Burning Policy (Information Section) and applicable Area Contingency Plans and is subject to the following conditions:

1. The OSC may authorize the use of *in-situ* burning on a discharge of oil to prevent or substantially reduce the hazard to human life without obtaining concurrence from EPA, DOI, DOC/NOAA, or the affected states, without following protocols established in this memorandum, and without following the guidelines in the Regional Contingency Plan and Area Contingency Plan. If *in-situ* burning is used in this manner, notification of EPA, USCG, DOC/NOAA, DOI and the affected state(s) via Regional Response Team representatives shall be made as soon as practicable. Once the risk to human life has subsided, this exception no longer applies.

2. The decision to use *in-situ* burning shall rest solely with the pre-designated OSC or jointly with the SOSC in certain zones as described under the **Scope** of this memorandum. This responsibility of the OSC may not be delegated.

3. If a decision has been made to use *in-situ* burning under the provisions of this memorandum, the OSC will immediately notify EPA, DOI, DOC/NOAA and the applicable state(s) of that decision via Regional Response Team representatives. This initial notification should include, but is not limited to, the following information to the extent available:

Type and amount of oil discharged
Area affected
The projected area of impact of the oil if not burned
Reasons why *in-situ* burning has been selected as a mitigation technique
On-scene weather

4. *In-situ* burning will be conducted by trained professionals using recognized techniques and technology. Burning will be conducted in a way that allows for safe and effective control of the burn to the maximum extent feasible, including the ability to stop the burn if necessary. Containment and control using fire-resistant boom is recognized as the preferred method of *in-situ* burning in open-water situations. In this situation, all practical

efforts to limit the potential for igniting the source or adjacent, un-contained, or uncontrollable slicks will be made.

5. *In-situ* burning is advised only when the meteorological and sea conditions are operationally favorable for a successful burn. The OSC will give due consideration to the direction of the wind and the possibility of the wind blowing the smoke plume over population centers or sensitive resources onshore.

6. Health and Safety Concerns

(a) OPERATORS: Worker health and safety is of paramount concern. Each employer and OSC must comply with all applicable Occupational Health and Safety Administration regulations. Prior to any *in-situ* burn operations, a site safety plan must be prepared.

(b) GENERAL PUBLIC: Burning should be stopped if it becomes an unacceptable health risk to the general public. If at any time during burning operations exposure limits are observed to exceed National Ambient Air Quality Standards in nearby populated areas as a result of the burn, the OSC shall modify or suspend the burn operation as appropriate. Additionally, the OSC and the Unified Command should consider the potential effects of short term exposure of the public to high levels of particulates which may still meet National Ambient Air Quality Standards. Specifically, the OSC should consider the current short term *in-situ* burning exposure guideline recommended by the National Response Team (at the time of signature, the NRT guideline for short term particulate exposure from *in-situ* burning is 150 $\mu g/m^3$ of particulates less than 10 µm diameter (PM-10) averaged over one hour; the current National Ambient Air Quality Standard for particulates is the same concentration averaged over 24 hours. The NRT guideline will be revised when more stringent particulate standards are adopted). OSCs in Region I shall factor this guideline on public exposure to *in-situ* burn emissions into burn initiation and continuation decisions. Public notification is advisable prior to initiating a burn.

7. The OSC shall ensure *in-situ* burning is conducted in accordance with any biological opinions rendered under Section 7 of the Endangered Species Act. Seasonal, spacial, or other similar restrictions identified in biological opinions shall be listed as Special Consideration Areas and placed in Appendix I. If threatened or endangered species are present in the immediate burn area, the trustee agency for that species must be consulted prior to initiating burning operations.

8. The OSC will make every reasonable effort to continuously evaluate the decision to burn, and allow Regional Response Team agencies and affected states the opportunity for comment. The OSC shall provide a mechanism to receive information from authorized representatives of the following entities that may necessitate termination of an *in-situ* burn: EPA, affected states, natural resource trustee agencies, and cognizant health agencies. Any verbal recommendations to terminate an *in-situ* burn must be followed up immediately in writing.

9. Representatives of the OSC shall monitor *in-situ* burning operations. The trustee agencies, the affected states, the Occupational Safety and Health Administration, and the responsible party may monitor *in-situ* burning operations, when feasible.

(a) Monitoring to establish "continue / modify / discontinue" information for input to the OSC shall accompany a burn. Visual monitoring may be sufficient provided the smoke plume is not predicted to affect human populations or highly sensitive areas. If smoke plumes are predicted to or may cross over populated areas, real-time PM-10 monitoring (a protocol is identified in Regional Response Team I *In-situ* Burning Policy — Information Section) is advisable and, when practicable, should be in place prior to the start of burn operations to gather baseline data.

(b) All burns must incorporate observations (typically visual) to monitor smoke plume behavior. A trial burn may be conducted to better estimate plume behavior prior to operational burning. Conditions under which the burn should be stopped, such as a threat of plume contact with the ground in populated or environmentally sensitive areas, shall be clearly identified to the maximum extent practicable to those conducting burn operations prior to starting the burn.

12. Mechanical recovery equipment shall be mobilized on-scene when feasible for backup and complimentary response capability. Provisions should be made for collection of burn residue following the burn(s).

13. If *in-situ* burning is used, a post incident debriefing will take place within 45 days to gather information concerning its effectiveness and to determine whether any changes to this memorandum are necessary. The debriefing will be chaired by the OSC, who will also arrange the time, place, and date of the debrief.

## AMENDMENTS

This Memorandum of Understanding may be amended in writing in whole or in part as is mutually agreeable to all signatories.

Special Consideration Areas submitted to the Regional Response Team as outlined in paragraph 4 of the **Scope** of this memorandum will be promptly distributed to signatories and included in Appendix I.

## CANCELLATION

Each signatory to this Memorandum of Understanding may withdraw their agreement to the memorandum in whole or in part by submitting a letter of withdrawal to the Regional Response Team co-chairs; withdrawal from this memorandum will take effect no earlier than 30 days after receipt of this letter. The Regional Response Team co-chairs shall promptly notify other document signatories. Withdrawal by signatories shall not have any effect on this agreement with respect to remaining signatories.

## SIGNATURES

/s/ May 19, 1998

Captain Thomas M. Daley — Date
First Coast Guard District (m)
Acting Regional Response Team Co-Chair

/s/ May 19, 1998

Ms. Dennisses Valdés — Date
US EPA Region I
Regional Response Team Co-Chair

/s/ May 19, 1998

Commander Burton Russell, USCG — Date
Captain of the Port Portland
Federal On-Scene Coordinator

/s/ May 20, 1998

Captain John Grenier, USCG — Date
Captain of the Port Boston
Federal On-Scene Coordinator

/s/ May 19, 1998

Captain Peter A. Popko, USCG — Date
Captain of the Port Providence
Federal On-Scene Coordinator

/s/ Jan 26, 1999

_____ _____

Mr. Andrew Raddant Date
Regional Environmental Officer / Northeast
U.S. Department of Interior
Regional Response Team Representative

/s/ May 19, 1998

Commander Gerald Wheaton Date
NOAA/Hazmat
U.S. Department of Commerce
Regional Response Team Representative

/s/ May 19, 1998

Mr. David C. Sait Date
State of Maine
State Oil Spill Coordinator

/s/ Oct 6, 1998

Ms. Trudy Coxe Date
Commonwealth of Massachusetts
Secretary of Environmental Affairs

/s/ Jan 25, 1999

Mr. Robert W. Varney Date
State of New Hampshire
Commissioner, Department of Environmental Services

/s/ July 9, 1998

Mr. Andrew H. McLeod Date
State of Rhode Island and Providence Plantations
Director, Department of Environmental Management

**

Ms. Barbara Ripley Date
State of Vermont
Secretary, Agency of Natural Resources

**: Pending as of 1/26/99. If approval will be protracted, VT will send a letter to co-chairs stating that they have no objection to use of MOU in areas that do not affect Vermont.

## Appendix I: Special Consideration Areas

**State of Maine Special Consideration Area** **Year-round**

The OSC shall gain concurrence of the Maine State On-Scene Coordinator for *in-situ* burns within 12 miles of the Maine coast.

**20 foot water depth Special Consideration Area** **Year-round**

The OSC must consult with DOI and NOAA Regional Response Team representatives when using *in-situ* burning in waters where the depth is less than 20 feet at mean low water. (Such consultation is already required in Zone C, which is inside 1 mile, so this only applies to any areas that may be less than 20 feet deep that are beyond 1 mile from shore.)

**National Marine Fisheries Service Special Consideration Area Summary**

Details of boundaries and conditions detailed in NMFS Northeast Section 7 consultation letter to First Coast Guard District dated November 18, 1997.

Case-by-case consultation with NMFS Northeast Region required for *in-situ* burning in:

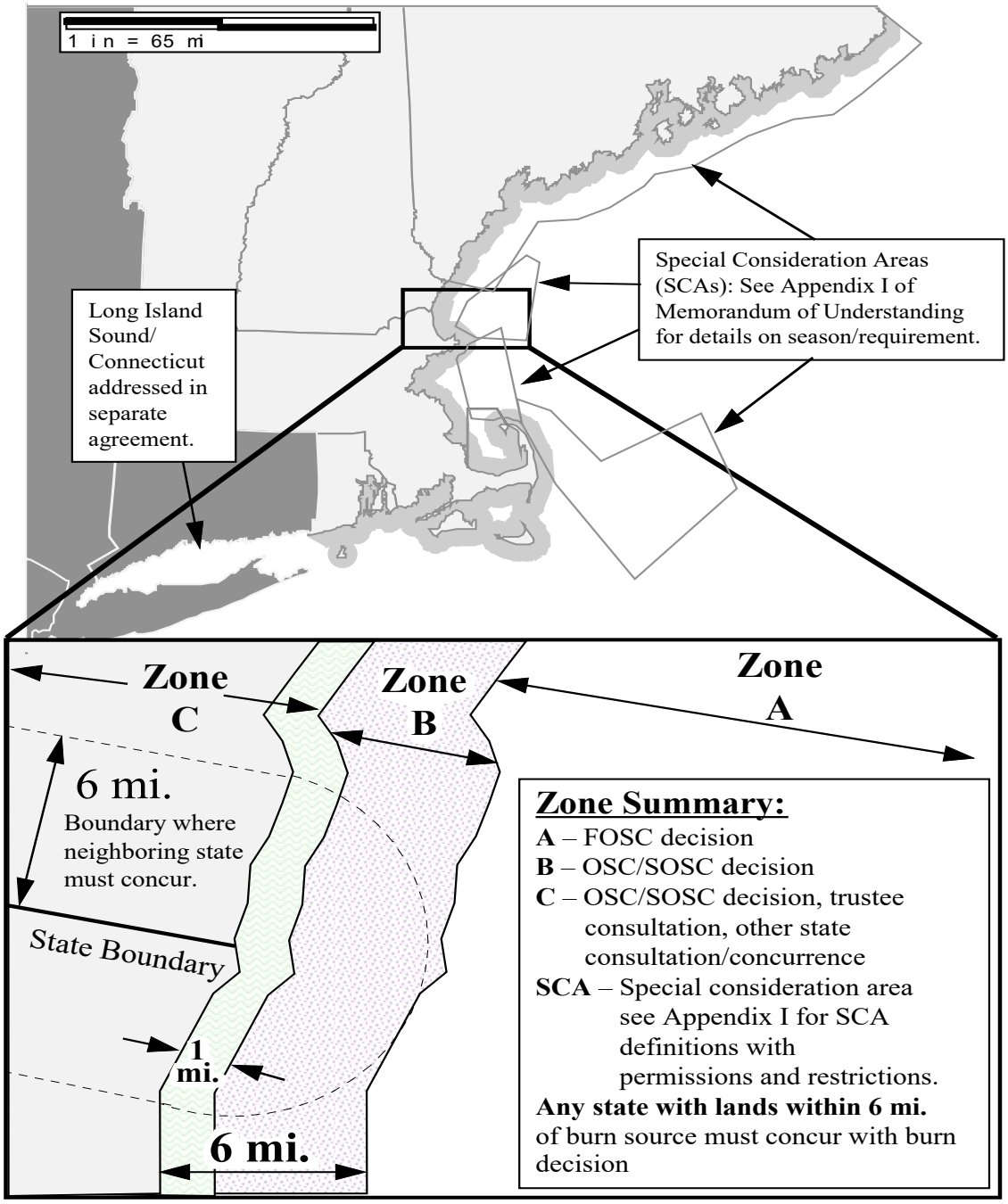
| | |
|---|---|
| *Jeffreys Ledge* | *April 1—September 30* |
| *Great South Channel* | *April 1—June 30, October 1—November 15* |
| *Cape Cod Bay* | *February 1—May 15* |

**National Ocean Service Special Consideration Area**

Case-by-case consultation with sanctuary manager required for *in-situ* burning in:

| | |
|---|---|
| *Stellwagen Bank National Marine Sanctuary* | *Year-round* |

## Appendix II: Zone Boundary Map and Diagram



***9507.1 In Situ Burn Unified Command Checklist***

A checklist for use prior to conducting an in-situ burn during a response is appended herein:

**Purpose: *In-Situ* Burn Unified Command Decision Verification Checklist**

The following checklist, created with input from the Region I RRT, provides a summary of important information to be considered by the Unified Command (consisting of the Federal On-Scene Coordinator (OSC), State On-Scene Coordinator (SOSC), and responsible party representative (RP)) when planning for the use of *in-situ* burning to respond to an oil spill in Region I that requires federal assistance. This checklist is intended to serve as Unified Command's verification and documentation of an *in-situ* burning decision, rather than as an information distribution sheet or an approval form.

Each section of the checklist provides a series of "limiting factors" questions for each of the decision points on the Region I *In-Situ* Burning Decision Flowchart. Some sections also contain a "worksheet" for important information that may be necessary to answer limiting factor questions; the user is encouraged to attach forms that contain this information, if available. The final section of the plan should be completed (in addition to the rest of the checklist) only for burns at the shoreline, in marshes, or on land.

Questions in the limiting factors section that are answered with a "Yes/Optimal" support the decision to conduct an *in-situ* burn. However, spill response involves numerous tradeoffs, and any less-than-ideal conditions that are represented by a "No/Sub-Optimal" answer may be balanced by other benefits of *in-situ* burning in a given situation. Not every question of the worksheet must be answered. It is acceptable for the Unified Command to **ma**ke a decision based on incomplete information, provided the information gaps are understood and considered.

***In-situ* Burn Decision:**

| | | |
|---|---|---|
| **Federal On-Scene Coordinator Decision**: | __ Approve | Signature: _____ |
| **State On-Scene Coordinator Decision**: | __ Concur | Signature: _____ |
| **Responsible Party Decision:** | __ Concur | Signature: _____ |

* In Zone C and where elsewhere applicable. Under Region I MOU, additional consultation or concurrence is

| | | | |
|---|---|---|---|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

| **Recommendation by checklist preparers:** |
|---|
| |

| **Points of Contact for checklist** | **Name** | **Position** | **Telephone** |
|---|---|---|---|
| Federal | | | |
| State | | | |
| Responsible Party | | | |
| Scientific Team | | | |
| Other: | | | |
| Other: | | | |

## Common Section (All Burns)

### Incident information

| | |
|---|---|
| Incident Name | |
| Current date/time | |
| Anticipated burn date/time | |
| Location of spill (descriptive) | |
| Location of burn (descriptive) | |

### Spill Location/Trajectory *(Resource for section: Scientific Support Team)*

| | |
|---|---|
| Trajectory (Graphic Attached) | Yes No |
| -or- Text: | |
| Overflight Map (Graphic Attached) | Yes No |
| -or- Text: | |

| *Resource for section: Scientific Support Team:* | Optimal Condition | Sub-Optimal Condition | |
|---|---|---|---|
| **Oil Burnability** | Yes or Probable | No or Unlikely | Comments |
| Anticipate oil to remain ignitable (fresh, not highly emulsified)? | | | |

| Attachments/Additional Information: |
|---|
| |

| *Resource for section: Requesting Party:* | Optimal Condition | Sub-Optimal Condition | |
|---|---|---|---|
| **Operational feasibility** | Yes or Probable | No or Unlikely | Comments |
| Is an operational plan written or in process? (if available, attach) | | | |
| Is needed air support available? | | | |
| Are personnel properly trained, equipped with safety gear, and covered by a site safety plan? | | | |
| Are all necessary communications possible (i.e. between aircraft, vessels, and control base in an open water burn)? | | | |
| Can all necessary equipment be mobilized during window of opportunity? | | | |
| If present, are ice and debris factored into plan? | | | |
| Can undesirable secondary fires be avoided? | | | |
| Can burn be safely extinguished or controlled? | | | |
| Can aircraft pilots/mariners be adequately notified, as necessary? | | | |
| Is equipment and personnel available for residue recovery? | | | |
| If ignition from a helicopter, FAA approved equipment? | | | |
| Attachments/Additional Information: | | | |

**Operational worksheet:**

Product Type: _____

Easily emulsified? _____

Volume to be burned: _____

Volume of product released: _____

Estimated Burn Duration _____

Burn method (at source, containment and towing to safe distance, onshore ignition): _____

| *Resource for section: OSC/SOSC staff in consultation with meteorologists/modelers as appropriate:* | Optimal Condition | Sub-Optimal Condition | |
|---|---|---|---|
| **Human and Environmental Impacts** | Yes or Probable | No or Unlikely | Comments |

| | | | |
|---|---|---|---|
| Public exposure to PM-10 (particulates <10µm) not expected to exceed 150 µg/$m^3$ averaged over 1 hour as a result of burn? (current NRT planning **guideline**) | | | |
| Can burning be conducted at a safe distance from other response operations, and public, recreational, and commercial activities? | | | |
| Is particulate (hour-averaged PM-10) monitoring available if plume may cross over populated areas? | | | |
| Can public be adequately notified of burn? | | | |
| Is burn outside of identified Special Consideration Areas? (if no, additional restriction or permission exists inside area) | | | |
| Trustees consulted if endangered species in immediate burn area? | | | |
| Attachments/Additional Information: | | | |

**Public Health/Plume Worksheet:**

Distance/direction to nearest population relative to burn: _____miles to the_____(direction)
Distance/direction to nearest downwind population:_____miles to the_____(direction)
Forecast wind direction/speed (24 hour): _____mph from the _____(direction)
Forecast wind direction/speed (48 hour): _____mph from the_____(direction)
Estimated plume trajectory (text or attached graphic):

Visibility comments and forecast:

Other comments/issues: _____

*Resource for section: OSC representative:*

| **Decision to Initiate ISB (Consultations/Concurrence)** | Yes | No | Comments |
|---|---|---|---|
| Have MOU Zones been reviewed and zone of burn location determined (A, B, C, Special Consideration Area)? | | | |
| Are consultations/concurrence called for by zone complete or in process? (Zone A=OSC, B=OSC/SOSC, C=OSC/SOSC/ Trustee consultation and others required by state (i.e. fire official), Special Consideration Areas=specific requirement) | | | |
| Has SOSC received concurrence from or consulted/notified any additional agencies, if required by the state for *in-situ* burning? | | | |
| Have adjacent state(s) SOSC(s) concurred (land within 6 miles of burn) or been consulted (no land within 6 miles, but interested in decision)? | | | |
| If applicable, are other boundary concerns pre-planned/resolved by consultation/concurrence (Canadian, Region II, tribal)? | | | |
| Is oil to be lit only with ignition source (i.e. helotorch), without the use of a burning agent to improve combustibility of oil? | | | |
| *Only if no:* Concurrence of State RRT representative? | | | |
| Concurrence of EPA RRT representative? | | | |
| Consultation with natural resource trustees? | | | |
| Notifications planned as described in MOU (EPA, DOI, NOAA, State(s))? | | | |
| Attachments/Additional Information: | | | |

## Inshore Burn Section (Complete this section only for inshore burns):

*Resource for section: Scientific Support Team:*

| **Environmental Impacts** | Optimal Condition<br>Yes or Probable | Sub-Optimal Condition<br>No or Unlikely | Comments |
|---|---|---|---|

| | | | |
|---|---|---|---|
| Does season or water/ice level minimize damage to oiled area (i.e. dormant plants and/or flooded root systems)? | | | |
| Does information in worksheet below and additional information available indicate that proposed inshore burn will result in net environmental benefits when compared to other alternative response countermeasures or no action? | | | |

*Resource for section: SOSC representative:*

| **Decision to Initiate ISB (Consultations/Concurrence)** | Yes | No | Comments |
|---|---|---|---|
| Does fire official concur with decision to burn (per state requirements) | | | |
| Local Air Quality Personnel consulted/concur on decision to burn? (Consult SOSC for particular state requirements) | | | |
| Landowner consulted on decision to burn? | | | |

**In-shore Environmental Worksheet:**

Oil Thickness: _____

Habitat/Substrate Type (e.g. salt marsh) and dominant Plant Species: _____

Description and size of Area to be Burned (include location of proposed burn with respect to spill source, an attached sketch, survey or picture of area is helpful):

_____

Environmental Concerns and Recommendations, (include environmental trade-offs, water depth, past management practices, weather factors, presence of wildlife, alternate or additional clean-up methods): _____

_____

Environmental Review Personnel (names and numbers): _____

_____

Description of Operations (include how the fire will be contained, controlled and ignited): _____

_____

Method to Recover Burn Residue, if expected: _____

Monitoring to be Performed: _____

**9508 Dispersant Pre-Authorization**

***9508.1 Purpose***

This Preauthorization Plan is designed to implement Subpart J of the National Contingency Plan (NCP) and implement the requirements of the Federal Water Pollution Control Act (FWPCA); see, amended, Title 33 U.S.C. Section 1321(j)(4)(v); that the Area Contingency Plan (ACP) shall "describe the procedures to be followed for obtaining an expedited decision regarding the use of dispersants." This Plan provides **DRAFT preauthorization guidelines** for the use of dispersants by the Coast Guard On-Scene Coordinator (FOSC).

This preauthorization applies only in designated zones in the Coast Guard Captain of the Port Sector Northern New England geographic area of responsibility. **NOTE: The below update to the approved 1998 Preauthorization Plan for dispersant use was developed by a Maine and New Hampshire Area Committee subcommittee in 2015 and is considered DRAFT pending final concurrence by key agency stakeholders. It provides general guidance to be considered by dispersant-use decisionmakers.**

This Plan also implements Subpart J (Use of Dispersants and Other Chemicals) and Section 2 of the Standard Federal Region I Response Team Regional Oil and Hazardous Substances Pollution Contingency Plan (RCP)

***9508.2 Authority***

FWPCA Section 311(d)(2)(G) requires the NCP; see, 33 U.S.C. Section 1321(d)(2), include a schedule for identifying "dispersants, other chemicals, and other spill mitigating devices and substances, if any, may be used in carrying out" the NCP. These are referred to as "chemical countermeasures" and are listed on the NCP Product Schedule. The responsibility to maintain the NCP Product Schedule was delegated to the Administrator, Environmental Protection Agency, by Executive Order 12777, and is carried out under Subpart J of the NCP.

Subpart J of the NCP authorizes the Regional Response Team (RRT) representatives from EPA and the States with jurisdiction over the waters of the area to which a preauthorization plan applies, and the Department of Commerce (DOC) and Department of Interior (DOI) natural resource trustees, to approve in advance the use of certain products under specified circumstances as described in the preauthorization plan. Within the parameters of an approved pre-authorization plan, the FOSC may authorize the use of the products without obtaining the specific concurrences described above under Subpart J of the NCP.

Subpart J further provides that for spill situations that are not addressed by the preauthorization plans described previously, the FOSC, with the concurrence of the EPA representative to the RRT and the States with jurisdiction over the navigable waters threatened by the oil discharge, and in consultation with DOC and DOI natural resource trustees, may authorize the use of chemical and biological countermeasures on oil discharges; provided that such chemical and countermeasures are listed on the most current version of the NCP Product Schedule.

Commandant, United States Coast Guard, has pre-designated the Coast Guard Captain of the Port Sector Northern New England as the FOSC for oil discharges in COTP Sector Northern New England Zone (as defined in 33 C.F.R. Part 3, and subject to joint response boundary agreements with the EPA) and has delegated to the COTP the authority and responsibility for compliance with the FWPCA.

The Legislature of the State of Maine has authorized the Commissioner of the Department of Environmental Protection (MEDEP) to designate a State Oil Spill Coordinator (SOSC), with the authority to approve the use of chemical countermeasures for the control of oil spills.

The Waste Management Division of the New Hampshire Department of Environmental Services (NHDES), under the authority of state law RSA 146A:4, assumes primary jurisdiction for response to oil spills in the state. Accordingly, the authority and responsibility for providing approval for the use of chemical countermeasures

for control of oil spills rests with the State Oil Spill Coordinator designated by the Waste Management Division Director.

The US DOI and DOC/NOAA are designated Federal trustees of certain natural resources under Subpart G of the NCP and are to be consulted regarding the determination to apply dispersants to oil discharges in U.S. waters.

The Region I RRT representative from EPA, DOC/NOAA, DOI, ME DEP, and NH DES approve in advance the use of certain dispersants under specified circumstances as described in this Plan. As specified in this Plan, the FOSC, in consultation with these stakeholders, may authorize the use of these products without obtaining specific concurrences.

***9508.3 Scope***

This preauthorization Plan is applicable to the marine waters of the COTP Sector Northern New England Zone (defined in 33 C.F.R. Part 3). These waters, for the purpose of this plan, are divided into three geographic zones and conditions under which dispersant use is preauthorized are as follows:

**Zone 1: No Pre-authorization**

Geographic scope:

Zone 1 is defined as waters that lie landward of the 3 nautical mile line or in a water depth of less than or equal to 10 meters (≅33 feet) as reflected on NOAA charts along the coast of Maine and New Hampshire.

No advance approval for Zone 1:

There is no advance or expedited approval or preauthorization for the use of dispersants within Zone 1. The use of dispersants within this zone will be authorized by the FOSC with the concurrence of the EPA representative, concurrence of the RRT representative of the states with jurisdiction over the navigable waters threatened by the release and consultation with the DOC and DOI resource trustees, when practicable, in accordance with Subpart J of the National Contingency Plan.

**Zone 2: Partial Pre-authorization**

Geographic Scope:

Zone 2 is defined as waters that lie seaward of the 3 nautical mile line and landward of the 12 nautical mile line (outer boundary of the territorial sea) and in a water depth of greater than 10 meters (≅33 feet) as reflected on NOAA charts along the coast of Maine and New Hampshire.

Expedited approval for Zone 2:

There is expedited approval or preauthorization for the use of dispersants within Zone 2. The use of dispersants within this zone will be authorized by the FOSC in consultation with the RRT1 EPA representative, concurrence of the RRT representative of the states with jurisdiction over the navigable waters threatened by the release and in consultation with the DOC and DOI resource trustees, when practicable.

**Zone 3: Pre-authorization**

Geographic Scope:

Zone 3 is defined as waters that lie seaward of the 12 nautical mile line (outer boundary of the territorial sea) out to the extent of the Exclusive Economic Zone (200 mile limit) and in a water depth of greater than 10 meters (≅33 feet) as reflected on NOAA charts along the coast of Maine and New Hampshire.

Advance approval for Zone 3:

There is approval or preauthorization for the use of dispersants within Zone 3. The use of dispersants within this zone will be authorized by the FOSC in consultation with the RRT1 EPA representative, RRT representative of the states with jurisdiction over the navigable waters threatened by the release and with the DOC and DOI resource trustees, when practicable.

***9508.4 Protocols***

As attested by the approval of this Preauthorization Plan, the RRT I representatives from EPA, MEDEP, and NHDES, and the DOI and DOC/NOAA natural resource trustees, agree that the pre-designated FOSC has the authority and may order the use of dispersant on oil discharges using the guides found in Subpart J of the NCP, Section 2 of the Region I RCP, and this section subject to the following conditions:

The FOSC may authorize the use of dispersants on a release or discharge to prevent or substantially reduce a hazard to human life without obtaining concurrence from EPA, affected States, DOI, and DOC/NOAA, without following protocols established in this Plan, and without following the guides in the RCP and ACP. If dispersants are used in this manner, notification to EPA, affected States, DOI, and DOC/NOAA shall be made as soon as practicable. Once risk to human life has subsided, these exceptions no longer apply.

Any dispersants used must be listed on the most current version of the NCP Product Schedule.

If a decision is made by the FOSC to use dispersants, under the provisions of this Plan, the FOSC will notify key stakeholders of that decision as soon as possible. This initial notification will include, but is not limited to, the following information to the extent available:

- Type and amount of oil discharged.
- Areas affected.
- The projected area of impact of the oil if not dispersed.
- Type of chemical agent to be used.
- Application rate and method.

- On scene weather.

Whenever possible, approval for use of dispersants will be proceeded by completion of a:

- Dispersant Use Application by the Responsible Party or other applicant,
- Incident-Specific Resources at Risk form by the natural resource trustees,
- FOSC Dispersant Use Decision Checklist and
- Agency Dispersant Use Decision Document.

If dispersants are used as described in this Plan or for the protection of human life, a post incident debriefing will take place within 45 days to gather information concerning the effectiveness of the chemical agents used and whether any changes to this Plan are necessary. The results of the debrief will be included in the FOSC report.

Monitoring for dispersants application and effectiveness will be conducted. An inability to implement a Monitoring Plan in a timely manner will not revoke the FOSC's authorization to use dispersants under this Plan. However, the FOSC should make all attempts to implement a Monitoring Plan as soon as practical.

***9508.5 Amendments***

A list of dispersant resources can be found in Appendix I of the Maine Department of Environmental Protection Marine Oil Spill Contingency Plan at: https://www1.maine.gov/dep/spills/publications/documents/contplan.pdf

***9508.6 Unified Command Dispersant Worksheet***

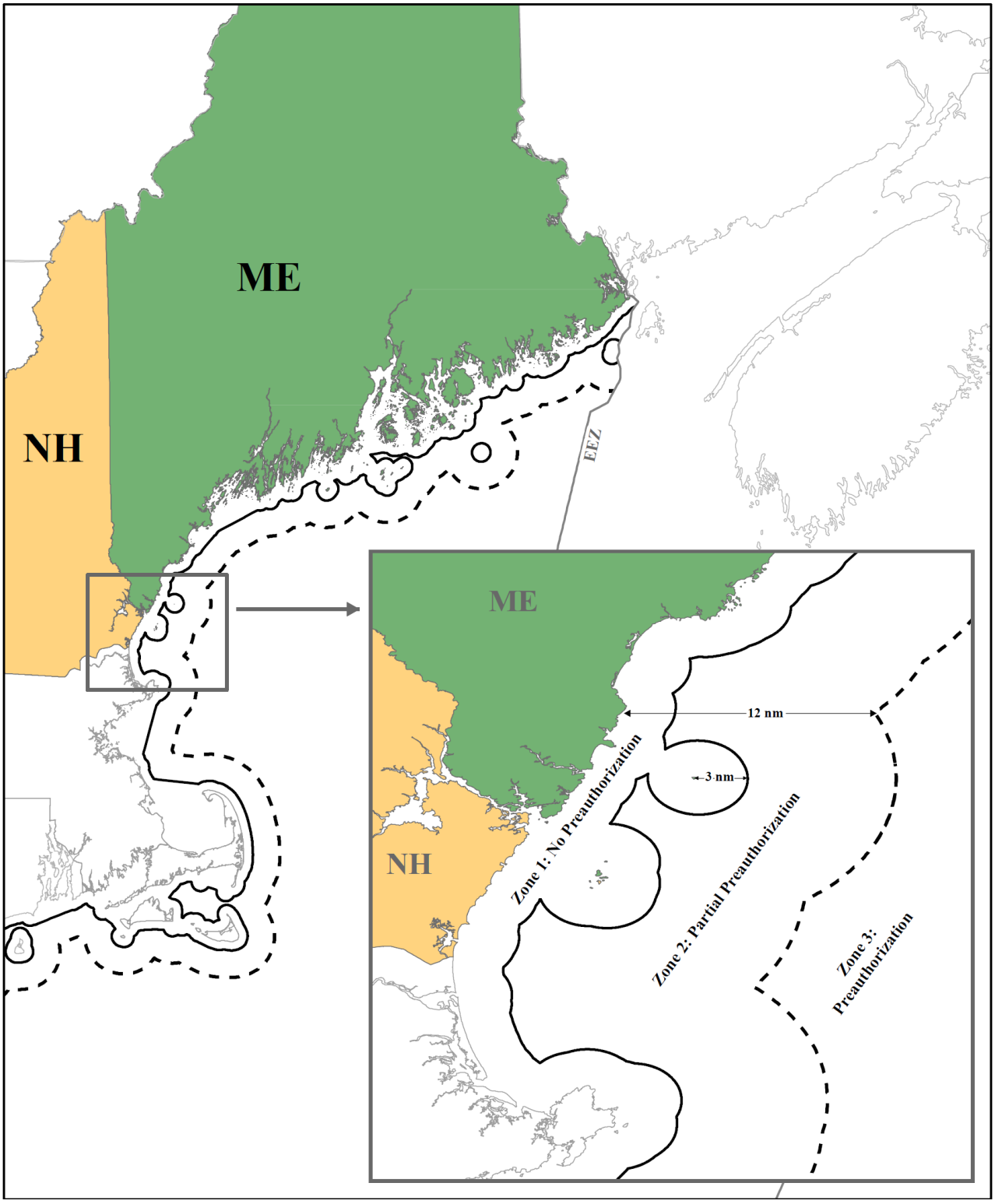
Utilize the New England Region Oil Dispersant Authorization Guide.

A map delineating the 3 general dispersant pre-authorizations zones follows:

Zone 1: No pre-authorization

Zone 2: Partial pre-authorization

Zone 3: Pre-authorization


ME
NH
EEZ
ME
NH
12 nm
3 nm
Zone 1: No Preauthorization
Zone 2: Partial Preauthorization
Zone 3: Preauthorization

## 9600 Conversions

### 9601 Metric Conversion Factors

| **Volume** | **Pressure** |
|---|---|
| 1 $cm^3$ = 1 ml = .001 L | 1 $N/m^2$ = 0.102 kg-f/$m^2$ = 1 pascal (Pa) |
| 1 L = 1$dm^3$ = 0.001 $m^3$ | 1 bar = $10^6$ dyne/$cm^2$ = 0.1 Mpa |
| 1 L = 0.264 Gallon Liquid US | 1 cm-Hg = 1333 Pa |
| 1 L = 0.00629 barrels | 1 Pa = 1.450 x $10^{-4}$ psi |
| 1 US gallon = 0.0034 metric ton | 1 kg-f/$m^2$ = 0.0206 lb/$ft^2$ |
| | 1 Mpa = 9.869 atm |
| **Length** | |
| 1m = $10^{-3}$ km = $10^2$ cm = $10^3$ mm=$10^6$ u = 3.281 ft | **Flow Rate** |
| 1 cm = 0.3937 in | 1 L/min = 0.0167 L/sec = 60 L/hr = 1440 L/day |
| 1 m = 3.2808 ft = 39.37 in = 1.094 yd | 1 L/min = 0.06 $m^3$/hr |
| 1 m = 0.5467 fathom | 1 L/min= 0.265 gpm (US) |
| 1 km = 0.62 mile = 3273 feet | 1 L/min = 9.05 API bbl/day |
| 1 km = 1.852 naut miles | |

| | |
|---|---|
| | **Velocity** |
| **Area** | 1 cm/sec = $10^{-2}$ m/sec = 36 m/hr = 0.036 km/hr |
| 1 hectare = 10,000 $m^2$ = 0.01 $km^2$ | 1 m/sec = 1.94 knots (US) |
| 1 $m^2$ = 10.76 $ft^2$ = 1.196 $yd^2$ | 1 km/hr = 0.54 knots (US) |
| 1 hectare = 2.471 acres = 0.00386 sq mile | 1 km/hr = 0.621 mph (US) |
| 1 $km^2$ = 0.3 naut. $mile^2$ = 0.4 statute $mile^2$ | |
| | **Mass/Weight** |
| **Surface Tension** | 1 g = $10^{-3}$ kg = $10^3$ mg |
| 1 kg-f/m = 9.807 N/m = 9807 dyne/cm | 1 metric ton = 1000 kg |
| 1 kg-f/m = 0.672 lbs/ft = 5.61 lb/in | 1 kg = 2.21 lbs = 0.0685 slug |
| 1 N/m = 0.0685 lb/ft | |
| 1 N/mm = 5.64 lb/in | **Force** |
| | 1 newton (N) = $10^5$ dyne |
| **Application Rates** | 1 newton = 0.102 kg-f |
| 1 $L/m^2$ = thickness in mm | 1 newton = 0.2248 lb |

| | |
|---|---|
| 1 L/hectare = 0.1 $m^3/km^2$ | 1 newton = 7.233 pdl |
| 1 L/hectare = 0.1068 gal/acre | |

| **Miscellaneous** |
|---|
| 1 ton of oil = 1000 L = 1 $m^3$ = 264.2 gal |
| storage volume for boom, volume/length: $ft^3/ft$ x 0.093 = $m^3/m$ |
| mg/L = parts per million (ppm) = % x $10^{-2}$ x $10^6$ = ppm |
| ice density = 0.8 $g/cm^3$ = 800 $kg/m^3$ |
| viscosity in centipoise (cp) = viscosity in centistokes (cSt) x density |
| temperature centigrade = (temperature Fahrenheit – 32) x 0.555 |
| square km (covered by oil slick) x 26,420 = US gallons (estimate) |
| square km (covered by oil slick) x 89.83 = metric tons (estimate) |

**9602 English Conversion Factors**

| **Volume** | **Area** |
|---|---|
| 1 $yd^3$ = 27 $ft^3$ = 56656 $in^3$ | 1 $yd^2$ = 9 $ft^2$ = 1296 $in^2$ |
| 1 gallon liquid US = 0.134 $ft^3$ = 231 $in^3$ = 3.8 L | 1 acre = 43560 $ft^2$ = 4840 $yd^2$ = 247.10 $km^2$ |
| 1 gallon British = 1.2 gallon liquid US | 1 sq mile = 640 acre = 0.386 $km^2$ |
| 1 API barrel = 42 gallon liquid US | 1 statute $mile^2$ = 2.6 $km^2$ = 0.8 naut $mile^2$ |
| 1 metric ton US = 294.18 gallons US | 1 naut mile2 = 3.4 km2 |
| | |
| **Length** | **Mass/Weight** |
| 1 ft = 0.333 yd = 12 in = 0.305 m | 1 slug = 32.17 lb |

| | |
|---|---|
| 1 in = 2.54 cm | 1 lb = 16 oz |
| 1 yd = 0.914 m | 1 ton (short) = 2000 lb |
| 1 fathom (US) = 6 ft | 1 long ton = 1.12 ton |
| 1 mile (US) = 8 Furlong | |
| 1 mile (US) = 320 ROD = 5280 ft = 1.61 km | **Pressure** |
| 1 mile (US) = .87 Nautical Mile (NM) | 1 atm = 406.8 inch of water |
| | 1 atm = 14.70 lb/in$^2$ = 2116 lb/ft$^2$ |
| **Velocity** | 1 lb/in$^2$ = 27.68 inch of water |
| 1 knot = 1 NM/hr | 1 lb/in$^2$ = 144 lb/ft$^2$ |
| 1 knot = 1.15 mph (US) | |
| 1 knot = 1.69 ft/sec | **Application Rates** |
| 1 knot = 6080 ft/hr | 1 gal/ft$^2$ = 0.623 thickness (in) |
| 1 mph = 88 ft/min = 1.47 ft/sec | 1 gal/ft$^2$ = 1037 API bbl/acre |
| | |
| **Surface Tension** | **Flow Rate** |
| 1 lb/ft = 0.0833 lb/in | 1 gpm = 0.0167 gps (gal/sec)= 60 gal/hr = 1440 gal/day |
| | |
| **Force** | |
| 1 lb (force) = 32.17 poundal | |

The NOAA Unit Converter for Oil Spills (NUCOS) is a simple desktop tool that converts basic units of velocity, mass, length, etc., but more specifically, converts units that are unique to oil spill response. NUCOS includes some of the lesser known units used in managing oil and chemical spills.

**9603 Sheens**

You've just boomed off a diesel spill that measures approximately 300 yards by 200 yards. The spill is bright rainbow sheen. Use the following calculation to estimate the amount spilled.

Spill Thickness Conversions

- Silvery Sheen .0000315 Gals/ Sq Yard
- First Colors .0000630 Gals/ Sq Yard
- Bright Rainbow .000126 Gals/ Sq Yard
- Dull Colors .000378 Gals/ Sq Yard
- Dark Colors .001134 Gals/ Sq Yard

Multiply (spill thickness) x (length in yards) x (width in yards)

.000126 Gals/ Sq Yards x 300 yards x 200 yards = 7.56 gallons spilled

**9604 Film and Emulsions**

You have just boomed off a spill that is 20 yards wide by 50 yards long. You have a 1/4" amber colored diesel film. This conversion assumes even coating of the spill across the surface of the water and should only be used as estimation.

| Estimating Oil Spill Amount | Diesel Film |
|---|---|
| Cubic Inches to Gallons | .004329 |
| Yard to inches | 36 |

Multiply (spill thickness) x (length in inches) x (width in inches)

.25" x 50 yards x 20 yards
.25" x 1800 cu" x 720 cu" = 324,000 cu"
324,000 cu" x .004329 = 1,402 gallons spilled

## 9700 Response References

### 9701 Relevant Statutes, Regulations, and Authorities

As outlined in Section 1000, the authority for the Area Committee stems from the Federal Water Pollution Control Act (FWPCA) as amended by the Oil Pollution Act of 1990 and delegated by the President to the U.S. Coast Guard by Executive Order 12777 and further described in the National Contingency Plan (40 CFR 300).

The National Response Team's website provide additional specifics on applicable Laws, Regulations and Directives. https://www.nrt.org/Main/Resources.aspx?ResourceType=Regulations&ResourceSection=1

**9702 Geographic Response Strategy**

The Geographic Response Strategy (GRS) contains hundreds of booming strategies for numerous priority protection areas within coastal ME and NH. The GRS is divided into four regions (A-D). The purpose of the GRS is to facilitate initial response booming operations conducted by first responders. The ME/NH GRS is located at: https://www.maine.gov/dep/spills/emergspillresp/geogplans.html

**9703 Environmental Sensitivity Index**

The Environmental Sensitivity Index (ESI) maps identify sensitive environmental areas along the coast. They use a scale from one (1) to ten (10) to rank the types of shoreline; they identify biological features of an area and identify socioeconomic features.

Maine uses Environmental Vulnerability Indexes (EVI) for this purpose. The EVIs provide graphic representation of coastal marine geologic environments, wildlife habitats, nesting grounds, and human resources. Each of these types of data is depicted on maps showing resources most vulnerable to oil spills.

Associated tables provide additional information regarding species at risk and identify the associated GRS for each EVI. Response personnel and planners can use this data to craft appropriate response strategies for mitigating the effects of an oil spill. There are 98 maps in the four volume EVI atlas series. The atlas series covers the entire coast of Maine and parts of New Hampshire using 1:45,000 scale maps printed in 11" x 17" format. Environmental Vulnerability Index maps are available on the Maine DEP Website at: https://www.maine.gov/dep/spills/emergspillresp/evi/index.html

**9704 Technical Reference List**

***9704.1 NCP Product Schedule***

The current National Contingency Plan (NCP) product schedule listing dispersants, surface washing agents, bioremediation agents and other oil spill control agents can be accessed via the following link: NCP Product Schedule

***9704.2 Catalog of Crude Oil and Oil Product Properties***

The Catalog of Crude Oil and Oil Product Properties provides a compilation of available data on crude oils and petroleum products which could potentially impact the North American environment. It lists each oil's chemical and physical properties.

***9704.3 CHRIS Manual***

The Chemical Hazards Response Information System (CHRIS) is designed to provide information needed for decision-making by responsible Coast Guard personnel during emergencies that occur during the water transport of hazardous chemicals. CHRIS also provides much information that can be used by the Coast Guard in its efforts to achieve better safety procedures and so prevent accidents.

CHRIS consists of a handbook or manual, a hazard assessment computer system (HACS), and technical support personnel located at Coast Guard headquarters.

***9704.4 Incident Management Handbook (IMH)***

The U.S. Coast Guard Incident Management Handbook (IMH) is designed to assist personnel in the use of the National Incident Management System (NIMS) Incident Command System (ICS) during response operations and planned events.

***9704.5 NPFC User Reference Guide***

The NPFC User Reference Guide (eURG) is designed to be a reference tool during an oil or hazardous materials spill incident for Coast Guard and EPA Federal On-Scene Coordinators (FOSCs). It includes all relevant Federal regulations, technical operating procedures (TOPs), forms and sample letters, and other documentation designed to make funding of recovery operations and recovery of Federal expenditures as efficient and easy as possible.

### *9704.6 Fish & Wildlife Response Plans*

The Fish and Wildlife Service plays a major role in planning for and response to oil spills, primarily to protect or reduce impacts of spilled oil on fish and wildlife and their habitats, collection and rehabilitation of oiled birds and other wildlife and natural resource damage assessments. The services guidance for this work is contained in the FWS National Contingency Plan. The MDIFW Response Plan can be found here, and an incident specific template can be found here.

### *9704.7 Health and Safety Plan*

A template for a Health and Safety Plan is listed under ICS form libraries under (ICS 208).

### *9704.8 Communications Plan*

A template for a Communications Plan is listed under ICS form Libraries under (ICS 215) and (ICS 215a).

### *9704.9 Waste Management Plan*

Waste Management Plans are typically developed by state agencies. In Maine, the Maine Department of Environmental Protection would have the lead and in New Hampshire, the New Hampshire Department of Environmental Services would have the lead. An approved template is not currently available for this region. Several templates that have been used on major national spills are available via the internet. An EPA framework for developing a Model Waste Management Plan for a Spill of National Significance is available via https://www.epa.gov/homeland-security-waste

A sample Waste Management Plan can be found here and below:

## Waste Management Plan: [Name of Incident]

**APPROVED BY:**
**Responsible Party**

*Signature* *Date*

*Name:* *Organization:*

**APPROVED BY:**
**Environmental Unit Leader**

*Signature* *Date*

*Name:* *Organization:*

**APPROVED BY:**
**State On-scene Coordinator-Maine**

*Signature* *Date*

*Name:* *Organization:*

**APPROVED BY:**
**State On-Scene Coordinator-New Hampshire**

*Signature* *Date*

*Name:* *Organization:*

**APPROVED BY:**
**Federal On-Scene Coordinator**

*Signature* *Date*

*Name:* *Organization:*

## I. INTRODUCTION

This Waste Management Plan establishes and describes procedures and protocols to be followed for all salvage and spill response materials recovered and/or generated during this incident. As outlined in the USCG May 2014 Incident Management Handbook, the Planning Section / Environmental Unit is responsible for providing the Operations Section Chief with a Waste Management Plan that details the collection, sampling, monitoring, temporary storage, recycling and disposal of all anticipated wastes from response activities. The

Operations Section then implements the plan by coordinating the on-site activities of personnel engaged in collecting, storing, transporting and disposing of waste materials as outlined in the plan.

This Plan has been submitted to the Unified Command for review and approval. Any changes or amendments to this Waste Management Plan will be coordinated between the Environmental Unit, Operations Section and Logistics Section and shall be approved by the Unified Command.

## II. REGULATORY FRAMEWORK

Within the area covered by the Maine and New Hampshire Area Contingency Plan (ACP), the management of oily wastes and recovered materials are regulated by the Maine Department of Environmental Protection and the New Hampshire Department of Environmental Services within their respective states. Section 3207 of the ACP outlines the specific waste handling requirements for each of the states and includes a list of disposal facilities for contaminated soil, oil, and oil soaked debris. Any waste recovered, generated or transported in response to this incident will be managed in an environmentally sound manner pursuant to any applicable laws and regulations and disposed of in a timely manner. Any material that may be categorized as hazardous waste, hazardous material, hazardous substances, radioactive, a biohazard or other regulated material shall be handled accordingly pursuant to applicable state, federal and local laws and regulations. Licensed transporters and approved treatment and disposal facilities are to be used for waste handling and disposition. Only approved and licensed facilities are to be used unless otherwise directed by Incident Command. Contact the following agencies for assistance:

Maine Department of Environmental Protection, Bureau of Remediation & Waste Management, Division of Materials Management: (207) 287-7688

New Hampshire Department of Environmental Services, Division of Waste Management, Solid Waste Management Bureau: (603) 271-2925

## III. COLLECTION

Materials generated or recovered may include recoverable product or recyclable materials. Wastes shall be handled based on their highest (best) possible use or reuse, as follows: elimination (avoidance of waste production), reduction, reuse, recycling, treatment and disposal and then direct disposal.

Contaminated waste shall be separated by waste stream type and location where the waste was recovered. Waste recovered from waters of the state or adjacent shorelines shall be stored separate from waste recovered elsewhere, as funding sources for disposal may differ depending on the origin of the waste.

Liquids: Liquids shall be held in secure suitable storage tanks that are clean and empty prior to use. Liquids recovered during flushing, pressure washing, steam cleaning and during decontamination operations (including wildlife and vessels) shall be kept separate from recovered free floating product. Disposal of oily

waste and debris generated during wildlife rehabilitation is also addressed in the Wildlife Plan. Any decanting of oil water mixtures must be undertaken in accordance with an approved Decanting Plan.

Solids: Solids shall be stockpiled or placed into appropriate containers. Solids shall be segregated as follows: sorbents, debris, soil/sediments, vegetation, fishing gear or PPE. Solids should be bagged or containerized and transported to a staging area for disposal at the appropriate facility as outlined in Section VIII of this plan, Disposal.

Wildlife: Deceased wildlife is considered a potential biohazard and evidence of natural resources damages. Special care must be taken and wildlife must be handled in accordance with the approved Wildlife Rehabilitation Plan and by certified personnel. Oiled wildlife shall be stored separately from other waste, in close coordination with the Wildlife Branch in the Operations Section. No oiled carcasses shall be disposed of until authorized by the Wildlife Branch, and may need to be handled as potential evidence for future legal proceedings.

Municipal Waste: Non-oiled common trash, bottles, packaging, food containers and similar debris generated in the response should be kept separate, bagged or containerized and transported to a staging area for disposal in accordance with local municipal waste regulations.

## IV. SAMPLING

Prior to waste transportation and disposal, the waste streams must be characterized in accordance with federal, state and local laws and regulations. Testing is typically required by recycling, treatment or disposal facilities. A sampling and analysis plan, agreed upon by all parties, should be used in quantifying recovered oil. At a minimum, the sampling plan should include the number of samples to be collected, the sampling methodology to be used, and the methods for quantifying recovered oil. A sampling plan for recovered waste must be attached. Copies of any waste tracking forms and waste profiles used for final disposal must be retained for use by the Operations Disposal Group to track and report recovered and generated volumes of wastes.

## V. MONITORING

All containers shall be labeled as to the type of segregated contents, accumulation date and location where the waste was collected. Wastes must be stored to avoid releases to soil, water or air and to avoid consumption by wildlife.

Liquid storage containers shall be steel or polyethylene drums, tanks or totes, tanker trailers or temporary steel “frac” tanks. Utilizing as large a container as possible will facilitate dewatering, facilitate recovery and minimize equipment decontamination requirements. Fixed facility or vessel tankage may also be used with approval by Unified Command. Unless double-walled, liquid temporary storage areas shall have secondary containment.

Solids shall be stored in steel or polyethylene drums, secured poly bags or close-top roll-offs. If large quantities of soil/sediment are anticipated, solid wastes may be stockpiled with approval by Unified Command. Stockpiles must be covered and contained to minimize fugitive emissions and effluent runoff and be located on an impermeable surface or lined.

VI. TEMPORARY STORAGE

Temporary storage sites may be co-located with staging areas and should be established in cooperation with state waste management officials. Parking lots and other locations near access points are well suited for the type of temporary storage that may be needed. Once a temporary storage site is located, certain site preparations should be considered to prevent additional impacts to the environment and to ensure all the conditions of Section V, Monitoring, can be met. Sites should be level, contained, and secure. Sites should not be located within a flood zone or within 100 feet of a water body or wetland. Stormwater runoff must be controlled to avoid impacts to water bodies or supplies.

The following temporary storage area(s) are to be utilized for this incident:

1.

VII. RECYCLING / TREATMENT

There are several contractors who are approved to accept oily and non-oily waste for recycling or treatment. Handling of these products must be done by licensed waste contractors who have the appropriate vehicles, staff and facilities to manage these recovered materials. The volume of wastes generated by an incident may overwhelm the throughput capacity of these facilities, necessitating short term interim storage as approved by state waste management agencies. The following recycling / treatment facilities have been contacted and shall be used for recoverable or recyclable oil waste:

| Name of Company | Type of Facility | Company Representative (Name, Phone #) |
|---|---|---|
| ********** | ********** | ********** |

VIII. DISPOSAL

Copies of all waste manifests or other shipping documents utilized for transportation and all records of disposal shall be provided to the Unified Command as proof of disposal.

When disposing of wastes, the Responsible Party shall abide by all applicable federal, state and local laws and regulations. Disposed oily material will be tracked to provide the Unified Command an accurate means of estimating total oil recovered.

The following sites have been contacted and shall be used for final disposal of waste materials from this incident:

| Name of Company | Type of Facility | Company Representative (Name, Phone #) |
|---|---|---|
| ********** | ********** | ********** |

***9704.10 Shoreline Countermeasures Plan***

Shoreline countermeasures are the treatments applied to shorelines damaged by an oil spill, in order to reduce the ultimate environmental impact and cost of a spill. NOAA's Shoreline Countermeasures Manuals provide tools for responders who must plan and implement shoreline countermeasures.

***9704.11 NOAA Response Tools for Oil Spills***

NOAA offers a variety of response tools and for oil spill and chemical responders and planners. These include tools modeling for oil weathering (ADIOS), online mapping (ERMA®), coastal resource maps (Environmental Sensitivity Index (ESI) maps and data) oil spill trajectory modelling (GNOME), converting units (NUCOS), Mechanical Equipment Calculator, the In Situ Burn Calculator, and the Dispersant Mission Planner (Spill Tools), and oil spill contingency planning software (Trajectory Analysis Planner) via NOAA Response Tools

***9704.12 Oil Spill Decanting Form***

A sample Oil Spill Decanting Form is included below and can be found here:

## Oil Spill Decanting Application/Authorization Form

Name of Spill Incident: _____

Name of Responsible Party: _____

Dates of Approval Requested: _____

Demonstration of Need for Decanting:

_____

_____

Location and Description of Proposed Decanting Operation:

_____

_____

_____

**RP IC SIGNATURE** _____ **DATE**_____

Decanting is authorized with the intent to maximize storage capacity for recovered oil and expedite cleanup. If storage, onsite treatment, or transport to a treatment facility is available, and these provisions will not hamper continued oil recovery operations, recovered water shall not be decanted.
The decanting operation must meet the following conditions:
1. Decanted waters must contain a lesser concentration of oily contaminants, determined visually, than the oil/water mixture being recovered.
2. Decanted water must be discharged within a collection boom, unless otherwise authorized by the SOSC/FOSC. .If discharge is approved without a collection boom, decanted water must be discharged within a vessel collection well, recovery belt area, weir area, or directly in front of a recovery system, unless approved otherwise.
3. Vessels not equipped with an oil/water separator must allow a specified retention time of _____for oil held in internal or portable tanks before decanting commences. Water to be decanted must be withdrawn a minimum of twelve inches below the oil/water interface in any temporary storage tank.
4. Close control over the skimmer/discharge system must be continually maintained by operating personnel to prevent discharge of concentrated oils.
5. The RP shall record all decanting operations including location of the decanting, time decanting started, time decanting stopped, and decanting pump rates.
6. USCG and federal / state agency staff shall have access to the decanting operation for the purpose of evaluating its effectiveness and to collect samples if needed.
7. Additional conditions (continued on reverse, if necessary): _____

_____

_____

_____

**SOSC** (or representative) **SIGNATURE**_____**DATE** _____

**FOSC** (or representative) **SIGNATURE**_____**DATE** _____

Note: When verbal authorization is given, a copy of this form must be immediately expedited by the requestor to ensure that the conditions and limitations are clearly understood.

**9705 Guidelines for Complying with the National Historic Preservation Act**

***Steps FOSCs Must Take When They Respond to a Spill or Release***

As outlined in the Advisory Council on Historic Preservation's website, Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies (FOSCs) to consider the effects on historic properties of projects (spill responses) they carry out, assist, fund, permit, license, or approve. If a federal or federally-assisted spill response has the potential to affect significant historic properties, a Section 106 review will take place including the below 5 step process:

Step 1: **Introduction**: Before a review begins, the FOSC must decide if Section 106 applies. If the spill is categorically excluded from Section 106 no further action is necessary (see Categorical Exclusions below).

Step 2: **Initiating Section 106**: The FOSC identifies who should be involved in consultation and plans to address public input. This will likely involve notifying the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO) for consultation because categorical exclusion criteria are not met or if the FOSC determines there are historic properties or cultural resources that need to be considered because they could be affected by response actions.

Step 3: **Identifying Historic Properties**: The federal agency (FOSC) identifies any historic and/or culturally significant properties in the area where the response could have effects. This process is typically executed by the Environmental Unit of the incident management team at the outset of a spill response. This will likely require review of maps and charts showing the locations of historic/cultural resources of concern and consultations with the SHPO and/or THPO and other specialists. If no historic properties are present, or if those present will not be affected by the response, the review may conclude here.

Step 4: **Assessing Effects**: With input from appropriate specialists, the FOSC determines how historic properties might be affected by the response and whether any of these effects would be considered adverse. If there are no potential adverse effects to one or more historic properties or cultural resources the review may conclude here.

Step 5: **Achieving a Resolution**: In the final step of the process, the responding agencies explore measures to avoid, minimize or mitigate adverse effects to historic properties and reach agreement with the SHPO/THPO on measures to implement them. A memorandum of agreement or programmatic agreement records the measures agreed upon to resolve adverse effects.

***Categorical Exclusions***

Some coastal spills or releases can be categorically excluded from additional Section 106 compliance. These include:

- Spills/releases onto/into (and that stay on/in):
  - Dock staging areas less than 50 years old
  - Gravel causeways
  - Artificial gravel islands.
  - Water bodies where the spill/release will not (1) reach land/submerged land; and (2) do not include spill response activities with land/submerged land-disturbing components.

 Spills/releases of  Gases (e.g., chlorine gas)

**Assigning a Historic Preservation Specialist (HPS)**

Overriding Factors that may call for presence of HPS:

 The spill is greater than 100,000 gallons

 SHPO/THPO believes the spill or release may have the potential to affect one or more significant historic and/or cultural properties.

 If the categorical exclusions do not apply or the FOSC is unsure of their applicability, at any point in the spill event.

 The Coast Guard has a very limited number of qualified HPSs.  Contact information is included below:

- Mr. Dan Koski-Karell, CG-47 Coast Guard Headquarters,  (202) 475-5683. Daniel.A.Koski-Karell@uscg.mil
- Mr. Raven Smith, FDCC Seattle,  (206) 220-7402, Raven.J.Smith@uscg.mil

Also, consider following the flow chart found here.

**Important Concepts about Section 106 for the FOSC**

 The FOSC may have to authorize spill response actions that adversely affect historic properties and/or cultural resources. However, the response decision must be an informed decision including consultations with the SHPO, Federal land-managing agencies, Tribes,

Historic Properties Specialists, and the GRS/Environmental Unit

 The FOSC must conduct formal consultation with the SHPO/THPO on potential or newly discovered historic properties or cultural resources that were not anticipated during initial response planning, and that might be adversely affected due to the response.

This is an inherently governmental responsibility that must be done by the FOSC with input from federal, state and local agency specialists and industry representatives.

 NHPA Section 106 obligations apply specifically to FOSC response actions and not to impacts caused by the spill or release.

**Integrating Section 106 Obligations into ICS**

 Include in the Incident Objective (ICS-202) a statement on minimizing impacts to historic properties and/or cultural resources.

 The Industry and/or Federal HPSs serve in the Environmental Unit.

 In a unified command ICS situation with a Responsible Party-led cleanup, it may be appropriate for the Responsible Party to provide a HPS. However, it should be clear among the Incident Commanders (ICs) that the relationship of the HPS to the FOSC is unique among the command staff. The HPS is responsible for helping the FOSC meet his or her Section 106 legal obligations which do not apply to the other ICs.

 If the SOSC has similar legal obligations under their state law, then that should be made clear in unified command and added to the list of responsibilities for the HPSs. The OSC and SOSC should be clear with the HPS on any differences or deltas between their legal obligations.

 Provide to the workers any special instructions to ensure protection of historical properties and cultural resources via the Work Assignment List (ICS -204).

 Document in the Unit Log (ICS-214) any actions taken that resulted in adverse impacts to historic properties or cultural resources.

 Ensure that information on historic properties/cultural resources are included in the Resources at Risk Summary (ICS 232) prepared by the Environmental Unit

**Activating a Qualified HPS**

Should the HPS be provided by another agency, by USCG contract, or by the RP in a unified command ICS situation with a PRP-lead cleanup, a Qualified HPS:

 Should meet the Secretary of the Interior's Historic Preservation Professional Qualification Standards and Guidelines for either the disciplines of prehistoric or historical archeology found at https://https://www.nps.gov/articles/sec-standards-prof-quals.htmwww.nps.gov/articles/sec-standards-prof-quals.htm

 Should have demonstrated familiarity with the archaeology and environment of the area in question.

 Should be familiar with Federal and State laws and regulations governing historic preservation, and with the operation of the State's historic preservation office.

 Must have the requisite OSHA training for Hazardous Waste Operations and Emergency Response (29 CFR1910.120) if required to work inside an exclusion zone

 Should have ICS 300 level Incident Command System training

 Ensure that information on historic properties/cultural resources are included in the Resources at Risk Summary (ICS 232) prepared by the Environmental Unit

 Should have familiarity with the NCP and the ACP

 Should have familiarity with the Programmatic Agreement on the Protection of Historic Properties during Emergency Response under the NCP

 Should have familiarity with the SCAT process

**Duties of the Historic Preservation Specialist (HPS)**

The HPS is responsible for providing the FOSC reliable and timely expertise to minimize damage to historic properties and/or cultural resources during a spill response. The major responsibilities of the HPS are or may include:

a) Coordinate overall efforts to minimize damage to historical and/or cultural resources during the response.

b) Coordinate and communicate with SHPO, THPO (or tribal cultural resources program), land management agency, other concern parties. A national directory of THPOs can be found here and a national directory of SHPOs can be found here.

c) Determine and/or document presence of historical properties or cultural resources

d) Assess whether emergency response strategies have the potential to affect historic properties or cultural resources and advise the FOSC accordingly

e) Identify, prioritize and develop strategies for protection and cleanup of impacted historic / cultural sites in order to minimize damage

f) Document effect of spill or release on historic properties or cultural resources

g) Participate in the testing and evaluation of cleanup techniques used on historic / cultural sites

h) Monitor and provide guidance on the cleanup of historic / cultural sites to reduce or eliminate response-related impacts

i) Document adverse effects on historic properties or cultural resources due to the emergency response. For intentional actions that result in adverse impacts, include information to show that the FOSC made an informed decision taking into account professional comments prior to authorizing actions and any mitigative measures considered

j) Arrange for disposition of records and collected materials

k) Ensure the confidentiality of historic property site location information as much as possible, consistent with applicable laws, so as to minimize opportunities for vandalism or theft

l) Provide Special Instruction on Work Assignments (ICS -204s) to ensure protection of historical properties and cultural resources

m) Convene an historic properties technical advisory group if needed due to the size and complexity of the incident

n) Request additional HSPs as needed

- o) Accompany SCAT teams

**9706 Endangered and Threatened Species List**

| Common Name | Scientific Name | State/Federal Status |
|---|---|---|
| **Marine Species** | | |
| Atlantic Salmon | Salmo salar | ESA Endangered |
| Atlantic Sturgeon | Acipenser oxyrinchus oxyrinchus | ESA Endangered |
| Cusk | Brosme brosme | ESA Candidate Species |
| Giant Manta Ray | Manta birostris | ESA Threatened |
| Oceanic Whitetip Shark | Carcharhinus longimanus | ESA Threatened |
| Shortnose Strugeon | Acipenser brevirostrum | ESA Endangered |
| Blue Whale | Balaenoptera musculus | ESA Endangered |
| Fin Whale | Balaenoptera physalus | ESA Endangered |
| North Atlantic Right Whale | Eubalaena glacialis | ESA Endangered |
| Sei Whale | Balaenoptera borealis | ESA Endangered |
| Sperm Whale | Physeter macrocephalus | ESA Endangered |
| Green Turtle | Chelonia mydas | ESA Threatened |
| Hawksbill Turtle | Eretmochelys imbricata | ESA Endangered |
| Kemp's Ridley Turtle | Lepidochelys kempii | ESA Endangered |
| Leatherback Turtle | Dermochelys coriacea | ESA Endangered |
| Loggerhead Turtle | Caretta caretta | ESA Threatened |
| Olive Ridley Turtle | Lepidochelys olivacea | ESA Threatened |
| Humpback whale | Megaptera novaeangliae | CITES Appendix 1, MMPA Protected |
| **Birds** | | |
| American Pipit | Anthus rubescens | MESA Endangered |
| Black-crowned Night Heron | Nycticorax nycticorax | MESA Endangered |
| Black Tern | Chlidonias niger | MESA Endangered |
| Least Tern | Sterna antillarum | MESA Endangered |
| Peregrine Falcon | Falco peregrinus | MESA Endangered |
| Piping Plover | Charadrius melodus | ESA Threatened |
| Roseate Tern | Sterna dougallii | ESA Endangered |
| Sedge Wren | Cistothorus platensis | MESA Endangered |
| Artctic Tern | Sterna paradisaea | MESA Threatened |

| | | |
|---|---|---|
| Atlantic Puffin | Fratercula arctica | MESA Threatened |
| Barrow's Goldeneye | Bucephala islandica | MESA Threatened |
| Great Cormorant | Phalacrocorax carbo | MESA Threatened |
| Harlequin Duck | Histrionicus histrionicus | MESA Threatened |
| Razorbill | Alca torda | MESA Threatened |
| **Inland Species** | | |
| Golden Eagle | Aquila chrysaetos | MESA Endangered |
| Grasshopper Sparrow | Ammodramus svannarum | MESA Endangered |
| Least Bittern | Ixobrychus exilis | MESA Endangered |
| Redfin Pickerel | Esox americanus americanus | MESA Endangered |
| Cobblestone Tiger Beetle | Cicindela marginipennis | MESA Endangered |
| Edwards' Hairstreak | Satyrium edwardsii | MESA Endangered |
| Frigga Fritillary | Boloria frigga | MESA Endangered |
| Hessel's Hairstreak | Callophrys hesseli | MESA Endangered |
| Juniper Hairstreak | Callophrys gryneus | MESA Endangered |
| Katahdin Arctic | Oenis polixenes katahdin | MESA Endangered |
| Rapids Clubtail | Gomphus quadricolor | MESA Endangered |
| Six-whorl Vertigo | Vertigo morsei | MESA Endangered |
| Little Brown Bat | Myotis lucifigus | MESA Endangered |
| New England Cottontail | Sylvilagus transitionalis | MESA Endangered |
| Northern Long-eared Bat | Myotis septentrionalis | ESA Threatened |
| Black Racer | Coluber constrictor | MESA Endangered |
| Blanding's Turtle | Emydoidea blandingii | MESA Endangered |
| Box Turtle | Terrapene carolina | MESA Endangered |
| Common Gallinule | Gallinula chloropus | MESA Threatened |
| Short-eared Owl | Asio flammeus | MESA Threatened |
| Upland Sandpiper | Bartramia longicauda | MESA Threatened |
| Swamp Darter | Etheostoma fusiforme | MESA Threatened |
| Clayton's Copper | Lycaena dorcas claytoni | MESA Threatened |
| Purple Lesser Fritillary | Boloria chariclea grandis | MESA Threatened |
| Sleepy Duskywing | Eryinnis brizo | MESA Threatened |
| Boreal Snaketail | Ophiogomphus colubrinus | MESA Threatened |
| Ringed Boghaunter | Williamsonia lintneri | MESA Threatened |
| Brook Floater | Alasmidonta varicosa | MESA Threatened |
| Tidewater Mucket | Leptodea ochracea | MESA Threatened |
| Yellow Lampmussel | Lampsilis cariosa | MESA Threatened |
| Roaring Brook Mayfly | Epeorus frisoni | MESA Threatened |
| Tomah Mayfly | Siphlonisca aerodromia | MESA Threatened |
| Pine Barrens Zanclognatha | Zanclognatha martha | MESA Threatened |

| | | |
|---|---|---|
| Twilight Moth | Lycia rachelae | MESA Threatened |
| Eastern Small-footed bat | Myotis leibii | MESA Threatened |
| Northern Bog Lemming | Synaptomys borealis | MESA Threatened |
| Spotted Turtle | Clemmys guttata | MESA Threatened |

**9707 Maine and New Hampshire Area Committee Website**

The Maine and New Hampshire Area Committee maintains a dedicated website that is hosted on the Maine DEP's server. This website provides responders immediate access to a range of Planning and Response Tools including the following:

- ME/NH Area Contingency Plan
- Maine Marine Oil Spill Contingency Plan
- Geographic Response Strategies
- Equipment and Services Directory
- Environmental Mapping
    - Environmental Sensitivity Index Maps
    - Maine Environmental Vulnerability Index Maps
    - NOAA Environmental Response Management Application (ERMA)
    - New Hampshire Coastal Viewer
    - Google Earth Files with GRSs and Boom Locations
- Regional Response Plans
- Response Tools Library
- Area Committee Meeting Minutes and Presentations
- Education and Outreach

## 9800 Salvage Plan

### 9801 Salvage

The Sector Northern New England Salvage Response Plan (SRP) is located in Annex 10200 of Sector Northern New England's Area Maritime Security Plan. Large commercial vessels are also required to have a Vessel Response Plan that addresses marine salvage within US waters that they operate in. The SRP includes lists of local marine salvage capabilities both in New England and along the Atlantic coastline. Lists of local Tug Boat companies and Oil Spill Response Organizations are also listed.

Additionally, the Marine Resource List includes contact information of local dive teams, tug boat operators, barges, cranes, salvage companies, underwater ROVs, pumps and related equipment.

The Coast Guard Marine Safety Center Salvage Engineering Response Team (SERT) is comprised of 8-10 staff engineers who are on call 24 hours a day, 7 days a week to provide immediate salvage engineering support to

the Coast Guard Captains of the Port (COTP) and Federal On-Scene Coordinators (FOSC) in response to a variety of vessel casualties.

The Navy's Supervisor of Salvage and Diving (SUPSALV's) Salvage Operations Division maintains standing worldwide commercial contracts for salvage, emergency towing, deep ocean search and recovery operations, and oil pollution abatement. Additionally, they own, maintain and operate the worldwide Emergency Ship Salvage Material (ESSM) system, which incorporates the world's largest inventory of salvage and pollution abatement equipment. They also own, maintain, and operate a large number of deep ocean search and recovery systems, with depth capabilities up to 20,000 feet. They also routinely provide salvage technical assistance to fleet salvors, as well as to other federal agencies.

Within the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), SUPSALV has been assigned as 1 of 7 "Special Teams" available to the Federal On-Scene Coordinator (FOSC). Thus, they provide assistance (personnel and/or equipment) for commercial oil or hazardous substance spills, or potential spills (i.e. salvage operations), as requested by any FOSC. Assistance ranges from salvage technical or operational assistance to mobilization of SUPSALV and other Navy resources to support a partial or full federal response to a marine casualty.

**9900 Reserved for Area/District**