

**Pacific States/British Columbia
Oil Spill Task Force
Recommended Contingency Planning Elements
July 2003**

INTRODUCTION

It is the intent of those member agencies of the Pacific States/British Columbia Oil Spill Task Force with contingency planning requirements to update their requirements in order to achieve the following goals:

- **Simplicity**
 - Reduce agency resources spent on plan review so that more time can be invested in drills, inspections, Oil Spill Response Organization certifications, etc.;
 - Develop streamlined plans for vessels;
 - Make the entire process less cumbersome on all involved; and
 - Allow for electronic references to existing plans and documents as appropriate to meet information requirements.

- **Consistency and Harmony**
 - Promote Standardization among member agencies and with federal agencies; plus whenever possible
 - Make plans consistent with area contingency plans and the area planning process.

- **Innovation**
 - Use electronic formats for plan submittal;
 - Accept vessel plans in the Integrated Vessel Response Plan format or streamlined vessel plans; and
 - Use the Incident Command System/Integrated Contingency Plan format for facility plans.

- **Improved preparedness/response**
 - Address gaps and changes in response paradigms;
 - Provide for continuous improvement;
 - Make spill response more efficient; and
 - Verify/certify spill response providers who would be referenced in a contingency plan.

With these goals in mind, the Task Force Coordinating Committee has developed the following list of the essential elements of any contingency plan. These elements are organized under the headings of Planning Procedures, Plan Contents, Response Planning Standards, and Prevention Plans.

I. PLANNING PROCEDURES

Planning Requirements should apply to:

- Vessels operating in state waters:
 - All tank vessels carrying oil or petroleum product in bulk (barges and ships); and
 - Non-tank vessels 300/400 GT or larger (depending on the jurisdiction).

- Facilities:
 - Refineries and production facilities;
 - Facilities storing or transferring oil or product in bulk (generally, on or near state waters in most jurisdictions);
 - Pipelines (as defined by each jurisdiction);
 - Mobile transfer facilities such as tank trucks transferring oil on/near state waters; and
 - Railroad tank cars operating near state waters.

Who submits plans?

- The vessel/facility/railroad owner/operator, charter, leaseholder, owner of the product, or person with primary operational control is responsible for submitting a contingency plan.

- Plans must include submittal agreements which identify the party authorized to submit the plan as well as the persons authorized to implement, maintain, update, or revise the plan. Any persons responsible for arrangements affecting a contingency plan must be identified. A plan should also clearly state who is responsible for funding oil spill response. Any change in these authorizations requires 24-hour notice.

Format requirements

- All Task Force member agencies accept vessel plans in the Integrated Vessel Response Plan (IVRP) format, provided that the plan references appropriate state requirements.
- Plans may be submitted electronically, with references to planning aids - such as Geographic Response Plans/Geographic Response Strategies (GRPs/GRSs) – which are available electronically. Submittal on-line to agency websites is under consideration.
- If submitted electronically, at least one hard copy may be required for public review purposes.
- Vessel plans may be submitted for individual vessels or as umbrella plans for a fleet, or for a certain area (e.g., Columbia River or Puget Sound).

Plan review

- Time limits for review (after a determination of completeness) are set by statute and range from 65 to 180 days. No changes are recommended.

- There should be some provision for public review and comment. A public hearing might be requested under specific circumstances.

- Review and comment by other agencies should be allowed during the review period.

Plan approval

- There should be provisions for Conditional Approval which allow the plan holder to resubmit a corrected plan within a defined time period. The agency should have

authority to allow operations under certain circumstances until a plan receives final approval.

- If approval is denied, the agency should state the reasons why, and an appeal should be allowed.

Approval by other agencies

- A plan approved by other agencies will be accepted if the contingency planning standards of the other agency are equivalent or higher than that of the reviewing agency.

Amendments or modifications

- Plan amendments may be required by agencies for the following reasons:
 - Regulatory changes;
 - Best Available Technology requirements, or requirements for continuous improvements;
 - Drill/exercise or inspection results; or
 - Results of a post-spill review.
- Written notice is required from the planholder if any of the following amendment triggers exist:
 - Changes in owner/operator;
 - Changes in contact persons or their information as listed in the plan; or
 - Changes which would affect plan implementation or readiness (requires 24 hour notice).
- Agencies will determine what changes would require resubmittal of the entire plan.

Plan renewal

Contingency plans should be renewed on a five-year cycle in order to coordinate with the US Federal plan review cycle.

Plan accessibility

- Copies of approved facility plans must be available on site.
- A copy of the full plan must be available to the Incident Commander and Qualified Individual.
- A field document must be available to all appropriate personnel.

II. PLAN CONTENTS

Streamlined Plan for vessels

A streamlined plan for vessels, initially non-tank vessels, followed by tank vessels at the next appropriate planning cycle, is a long-term goal of the Task Force member agencies. The contents of such a plan, as described in regulations recently adopted by the Alaska Department of Environmental Conservation, should include:

- Contact Information for the planholder;
- Information on each covered vessel including diagrams and contact numbers for access to detailed vessel plans;
- Information on the maximum fuel capacity of covered vessels;
- A description of immediate spill reporting actions;
- A description of regions of operation, and certifications that contracts are in place with response contractors and incident management teams for each region of operation;
- Contact information for cleanup contractors and incident management teams;
- Contact information for the response planning facilitator if appropriate;
- A statement certifying that each vessel complies with federal and international rules; and
- A statement signed by a person with appropriate authority committing necessary resources to implement the plan.

Information required under other plan contents as outlined below should be included in oil spill response organization (ORSO) applications by OSROs that serve vessels submitting streamlined plans.

The following standards are recommended for vessels on an interim basis and for regulated facilities:

Vessel/Facility Description

- A simplified facility site plan should be included with a contingency plan, with a full site plan available on a 24/7 basis.
- Such details as tank capacity, products handled, location, piping, shut-off valves, and containment are features important to response and are required in order to review the initial source control plan.
- A complete site plan should be submitted with a prevention plan.
- For both tank and non-tank vessels, a simplified vessel diagram - and 24/7 information regarding how to access detailed drawings and diagrams - should be submitted with a contingency plan.

Field Documents

- For vessels, the field document is equivalent to a SOPEP as required by international law. It can serve as an emergency action checklist.
- The checklist should contain sufficient detail to initiate a response to a discharge of any size.
- Field documents should include immediate source control actions and vessel or facility-specific details to support such information.
- Field documents should cover notifications.
- Field documents should cover identification of the Incident Management Team and Qualified Individual as well as information on a vessel's operating area so the appropriate OSRO can be identified.

Notification Procedures

- A plan should describe how to identify persons responsible to make initial notifications, and must provide 24 hour contact information for that person.
- A plan should provide 24 hour contact information for persons/agencies to be notified including state and federal agencies, the response contractor, and a Qualified Individual if appropriate.
- Notifications should be listed in priority order.

Spill Detection

- A plan should list procedures used to detect and document the presence and size of a spill.
- A plan should describe leak detection and alarm systems, devices, equipment, procedures and threshold sensitivities.

Emergency actions

- A plan should describe equipment, personnel, and methods to minimize and contain the spill, control damage, and begin response and removal.
- A plan should address source control, including how immediate emergency shutdown (for facilities) will be accomplished and marine salvage for vessels.
- A plan must address emergency services to be provided before authorities arrive on-scene.
- A plan should address fire control and prevention.
- A plan should address immediate site safety and first aid.
- A plan should address spill tracking and trajectory modeling.
- A plan should address site security and traffic control.

Communications systems and procedures

- A plan should describe communication systems, including procedures and equipment.
- A plan should describe the functions and ranges of channels and frequencies.
- A plan should describe communications personnel.
- A plan should describe communications system compatibility with other response systems.
- A plan should describe back-up communications systems.

Response scenarios

- A plan should describe a response scenario for the first 72 hours which addresses resources at risk, response standards as specified in regulations, and use of approved response technologies.
- These response scenarios should be developed in cooperation with the regulating agencies in advance of submittal as part of a contingency plan. Such scenarios should include and reference geographic response plans/strategies as available in Area Plans.
- Response scenarios should address containment, control, tracking, environmental protection, transfer, storage, and ultimate disposal of oil, oily water, and contaminated materials, as well as wildlife protection and rehabilitation.
- Each scenario must include circumstances surrounding the spill, estimates of oil movement during the first 72 hours, likely shoreline contact points, and estimates on response time and percent recovery.
- The scenario should also describe realistic maximum response operating limitations caused by conditions such as weather, sea states, ice, debris, length of daylight, and other factors.
- If a plan covers more than one facility or vessel, the scenario should consider and discuss response to simultaneous separate spills.
- The scenario should also identify factors that would render response methods ineffective, and describe measures to compensate for periods when such conditions exist.

Wildlife rescue and rehabilitation

- A plan should describe rescue and rehabilitation of birds, marine mammals, and other wildlife contaminated or affected by an oil spill.
- A plan should describe how rescue and rehabilitation will be in conformance with state policies.
- A plan should list dedicated equipment used for wildlife rescue, rehabilitation, and transportation. (Dedicated means listed in the plan and available 24/7. If dedicated equipment is not available, the planholder would be out of compliance with the plan.)
- A plan should describe wildlife protection mechanisms (including hazing where appropriate and removal of oiled carcasses to preclude contamination of scavengers).
- A plan should describe custody inventory procedures as well as procedures for disposal of wildlife carcasses and wastes.
- A plan should describe release of rescued/rehabilitated wildlife.
- If the planholder has a contract with a provider for these services, the details of the contract should be provided.

Equipment deployment

- A plan should describe procedures for initial deployment of equipment and personnel, including transportation for both (Deployment means operational on-scene).
- A plan should describe how the planholder will meet the time requirements for initial deployment of equipment and personnel as set in regulation.
- A plan should describe how non-mechanical response techniques would be implemented, including the deployment of equipment and personnel.

Equipment capabilities

- A plan should list the type, quantity, location, and availability of response equipment. This information is required for all equipment to be used for containment, recovery, storage, transfer, removal, and cleanup of various shore types, as well as for the equipment used for communications, tracking, and wildlife rescue and rehabilitation.
- Plans should provide the manufacturers' information on capacity, design limits, make, and model of recovery equipment. Recovery capacity should be multiplied by an average

efficiency factor of 20% of nameplate capacity. Any exceptions must be approved by the plan approval authority.

- A plan should provide the manufacturers' information on capacity, design limits, make, and model of storage equipment. Storage capacity should be multiplied by factors as set in regulation. Any exceptions must be approved by the plan approval authority.
- Equipment must be appropriate for use under local conditions.
- Plans should describe arrangements for pre-positioning equipment at strategic locations.

Resource protection strategies

- A plan should be consistent with Geographic Response Plans/Strategies where these are available, and may reference the GRP/GRSs in the Area Plan rather than repeating the information in the contingency plan.
- If Geographic Response Plans/Strategies are not available, a plan should list natural and public resources, seasonal conditions, and physical features of areas requiring protection, noting protected species and tribal areas, and describe strategies to protect these resources.

Non-mechanical response methods

- A plan should provide all information necessary to complete the checklists in the Area Contingency Plan necessary to gain approval for use of dispersants or in-situ burning, if these non-mechanical response methods are proposed for use in the plan.

Interim storage and final disposal

- A plan should describe arrangements for disposal of recovered oil and oily wastes.
- All sites and necessary permits must conform to applicable regulations.

Command Structure

- A plan should describe the plan holder's response organization down to the unit level where appropriate, and explain how this organization will relate to a NIIMS system or other system adopted in the appropriate Area Contingency Plan.
- If a plan holder's response organization is compatible with ICS the contingency plan need only include a statement to that effect. If it is not compatible, then a more detailed description is required regarding how integration with a NIIMS ICS organization will occur.
- When requiring the names of persons assigned to serve at the unit level, regulations should include a caveat that these exact persons may not be the same responders who are available when an actual spill occurs. The emphasis is on demonstrating that a plan holder can staff a response organization down to the unit level for more than 24 hours.
- A plan should explain how command transitions will occur.

Personnel and Training

- A plan must certify that training is in compliance with state and federal requirements for all positions to be filled.
- A plan should describe training for volunteers if they are cited in the plan.

Health and Safety

- Plans should describe steps necessary to develop an incident- specific site safety plan consistent with the appropriate Area Contingency Plan.
- A plan should identify any safety issues associated with the response scenarios that might affect compliance with response planning standards.

Logistical Resources

- A plan should list local, state, and other government authorities responsible for emergency response situations such as fire, explosions, rescue, medical services, traffic control, or site access control. A plan may reference the Area Contingency Plan if this information is available there.
- Plans should describe the details of any logistical support necessary to meet the response planning standards, and should list these for the geographic area covered by the plan.
- Plans should identify accommodations for emergency responders.
- Plans should identify shoreline access and boat launch areas.
- Plans should identify methods to transport personnel and equipment, including ownership and availability of transportation services.

Operations site selection

- Facility plans should designate a central command post.
- Vessel plans should designate a central command post, or if one is identified in an Area Contingency Plan, reference the Area Contingency Plan.

Drills and Exercises

- The plan must describe the schedule and type of drills and exercises as required by state and federal regulations to test the plan.

Response Contractor Information

- A contract, statement of contractual terms, letter of commitment to respond, or proof of cooperative membership should be provided with the contingency plan.
- Any primary response contractor described in the plan should be approved, registered, or certified by the approving agency if so required by statute.

Post-spill review

- If required by statute or regulation, the plan should explain procedures for a post-spill review of plan effectiveness, including state and federal debriefs, and criteria for amendments as a result of such a review.

III. RESPONSE PLANNING STANDARDS

Response planning standards

- Response standards should be set in regulations for a range of times post-spill up to 6 hours. Planning standards may be required for a range of times post-spill up to 72 hours.
- Initial response standards up to two hours should focus on notifications and boom deployment.
- Planning standards up to 72 hours should focus on recovery and storage as well as resource protection as defined in Geographic Response Plans/Strategies in appropriate Area Plans.
- Response standards are performance standards that can be tested in deployment drills and spills. The ultimate performance standard should be that the responsible party is responsible to clean up the spilled oil to the satisfaction of state and federal authorities.
- "Planning Standards" are used for reviewing oil spill contingency plans. The planning standards represent the agency's best general estimate of the types and quantities of personnel and equipment required to ensure adequate response to oil spills in any location that a plan holder may impact.

Efficiency factor/De-rated capacity standards

- Recovery equipment capability information must be multiplied by an average of 20%.
- The plan approval agency may allow a higher efficiency rating if the plan holder can demonstrate that one is warranted.

IV. PREVENTION PLANS

- Where required, prevention plans may be part of a contingency plan, appendices to the plan, or separate documents.
- If a prevention plan is required as a separate document, similar procedural requirements may apply with regard to submission, updates, and renewals.
- Planholders are required to train their personnel regarding the prevention plan's contents.
- Content requirements include descriptions of personnel training programs, the operations manual, alcohol and drug awareness programs, maintenance and inspection programs, overflow alarms, leak detection systems, shutdown procedures, secondary containment, containment boom used during transfers, storm water and drainage management, prevention technology in use, suspension of operations if leak detection or spill control systems are inoperative, minimization of post-shutdown residual drain-out, pump and valve shutdown procedures, internal and external corrosion control, storm water retention, treatment, and discharge systems, measures to reduce risks during navigation, and site security systems.
- A prevention plan should include evidence of an approved contingency plan.
- The prevention plan should describe spill prevention strategies which provide best achievable protection from spills; however, vessel prevention plans must be consistent with the INTERTANKO v. Locke decision.
- A prevention plan should demonstrate that crew conducting oil transfers can halt the transfer at anytime.
- Maintenance, inspection, and oil transfer records should be available upon request.
- The prevention plan should describe any oil spills greater than a specified volume which occurred over a specific period of time, such as the last five years.
- The prevention plan should include a site risk analysis prepared under the supervision of a licensed professional engineer and should describe mitigation or prevention measures to address the identified risks.
- The approving agency should verify compliance with the prevention plan through both announced and unannounced inspections.