

**FINAL REPORT TO THE STATES/BRITISH COLUMBIA
OIL SPILL TASK FORCE MEMBERS
REGARDING THE INTEGRATED VESSEL
RESPONSE PLAN PROJECT**

DECEMBER 1997

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PLEASE NOTE: The Integrated Vessel Response Plan Format Guideline Matrix is available as a separate document.

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RESPONSE PLAN PROJECT
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Executive Summary

The Integrated Vessel Response Planning Project was proposed by representatives of the oil shipping industry to the States/British Columbia Oil Spill Task Force in June of 1996. The Task Force Members agreed to participate and adopted the project as Spill Preparedness and Response Task #1 in their 1996/97 workplan, with Tom Murphy of West Coast Shipping serving as project chair.

The initial project goals were twofold:

1. To develop a consistent format which incorporates the West Coast states' and US Coast Guard contingency planning requirements; and
2. To recommend ways in which these integrated contingency plans can reference Area Contingency Plans and other recognized documents with regard to site specific response scenarios.

It was clearly established that this project would not result in any changes to existing US Coast Guard or state contingency planning statutes and regulations.

A project workgroup was recruited which included industry representatives, representatives of the Task Force member agencies, and representatives of the US Coast Guard from Districts 11, 13, and 17, as well as headquarters in Washington, DC.. Please reference the workgroup membership list in Appendix A of the Final Project Report.

In the spring and fall of 1996, the workgroup focused on developing a format for an integrated vessel response plan based on the Integrated Contingency Plan (ICP) format developed for facilities. However, the workgroup found that using the Incident Command System (ICS) elements in the ICP resulted in a high degree of redundancy, since many of the state planning requirements fit into more than one of the ICS categories. As a result, Bill Rogers of Chevron Shipping company volunteered to work with other industry members to consider alternative formats. Meanwhile, the project was reauthorized by the Task Force Members in their 1997-1998 Annual Workplan, and Bill Rogers assumed the chairmanship when Tom Murphy resigned in August, 1997.

In October of 1997, after evaluating alternative formats using criteria developed for this purpose, the full committee adopted a voluntary Integrated Vessel Response Plan (IVRP) format based on the key elements of the U.S. Coast Guard Vessel Response Plan. This format allowed correlation with state planning requirements as well as the Shipboard Oil Pollution Emergency Plan (SOPEP) required by the Canadian Coast Guard, the latter an additional benefit beyond the original project work goals. Having achieved consensus on the IVRP format, the workgroup also discussed and came to agreement on acceptable references to Area Contingency Plans and other documents, as well as several related functional issues discussed in more detail in Section C of the Final Report.

The workgroup submits this Final Report to the Task Force Members and requests that the Members sign the Agreement in Attachment II, reflecting their willingness to implement the following recommendations:

1. It is recommended that the Task Force Members accept vessel response plans submitted in the IVRP format as shown in Attachment I.
2. It is recommended that the Task Force Members continue to accept references to Area Plans and other suitable public documents to satisfy planning requirements as appropriate.
3. It is recommended that the Task Force Members make every effort to coordinate state review cycles with the US Coast Guard review cycle for vessel plans.
4. It is recommended that the Task Force Members coordinate plan review with other Task Force reviewing agencies as necessary.
5. It is recommended that the Task Force Members communicate any new or revised contingency planning regulations to the Task Force Executive Coordinator for updates to the format guidance matrix.
6. It is recommended that the Task Force Members communicate the availability of this integrated vessel format, using at least the following strategies:
 - The Task Force Executive Coordinator should send copies of this final report, the IVRP format guidance matrix, and the signed agreement/endorsement to industry associations, response cooperatives, P&I clubs, the oil spill media, and other states;
 - The Coordinator should announce the agreement in the Task Force newsletter, and post the matrix on the Task Force web site; and
 - Each participating agency should notify their regulated planholders as well as their plan reviewers of the availability of this integrated format option.

The workgroup also recommends that the Task Force continue to be used as a forum for discussion of regulatory initiatives among its members in the interest of improving consistency among the states.

This project represents a successful partnership between the member agencies of the States/British Columbia Oil Spill Task Force, the US Coast Guard, and the oil shipping companies which operate on the West Coast, with special credit due to our two project chairmen, Tom Murphy and Bill Rogers.

It is an added benefit that the Canadian Ministry of Transport has determined that the Integrated Vessel Response Plan will be acceptable to meet their vessel planning standards, since it includes the SOPEP format from Marpol.

The integrated format guidance matrix will be provided at the Task Force Web Site and the Task Force Executive Coordinator will keep the matrix updated as regulatory changes occur. Please reference Appendix B of this report for the Task Force web site address. Internet addresses for the West Coast agencies and the US Coast Guard are also listed; these can be used to access the contingency plan regulations cited in the guidance matrix.

It is the expectation of all workgroup members that this Integrated Vessel Response Plan guidance matrix will prove to be useful to plan holders operating on the West Coast. The matrix is a guidance document which indicates how the vessel contingency planning requirements of the West Coast states can be integrated with the vessel response planning requirements of the US Coast Guard and the international Shipboard Oil Pollution Emergency Plan. It remains the ultimate responsibility of the vessel owner/operator to demonstrate that all the planning requirements of these authorities are met.

A. Background on the Task Force

The States/British Columbia Oil Spill Task Force was established by a Memorandum of Cooperation signed by the governors of Alaska, Washington, Oregon and California, and the British Columbia premier in 1989 following two west coast oil spill incidents:

- The first involved the barge *Nestucca*, which spilled 231,000 gallons of fuel oil off of Grays Harbor, Washington and eventually oiled sections of shoreline from Oregon to Olympic

National Park in Washington to as far away as the Canadian Pacific Rim National Park on Vancouver Island. This incident emphasized how major spills do not respect national boundaries as well as how they affect our most sensitive and valuable natural resources. The second incident was the catastrophic spill by the *T/V Exxon Valdez* in Alaska's Prince William Sound in March of 1989. This incident further highlighted the common concerns shared by west coast states and British Columbia regarding spill risks from coastal vessel traffic routes, the need for cooperation and sharing of response resources across shared borders, and a shared commitment among west coast citizens of both the USA and Canada to protect their unique marine resources by placing high priority on spill prevention.

The continuing focus of the Task Force is on enhancing the ability of its member agencies as well as other public and private stakeholders to effectively prevent, prepare for, and respond to marine oil spills. These goals are accomplished by sharing information and resources, fostering regulatory consistency, and coordinating action on issues of common interest.

B. Integrated Vessel Response Plan Project Background

The Integrated Vessel Response Planning Project was proposed by the Industry Task Force on Pacific Rim Consistency in June of 1996. The States/British Columbia Oil Spill Task Force Members agreed to participate and adopted the project as Spill Preparedness and Response Task #1 in their 1996/97 workplan, with Tom Murphy of West Coast Shipping serving as project chair.

The initial project goals were twofold:

1. To develop a consistent format which incorporates the West Coast states' and US Coast Guard contingency planning requirements; and
2. To recommend ways in which these integrated contingency plans can reference Area Contingency Plans with regard to site specific response scenarios.

It was clearly established that this project would not result in any changes to existing US Coast Guard or state contingency planning statutes and regulations.

A project workgroup was recruited which included representatives of the Task Force member agencies and the US Coast Guard from Districts 11, 13, and 17, as well as US Coast Guard Headquarters in Washington, DC. Industry representatives included ARCO Marine, BP Shipping, Crowley Marine Services, Chevron Shipping, Foss Maritime, the Pacific Merchant Shipping Association, SeaRiver Maritime, and West Coast Shipping. British Columbia's Ministry of Environment and the Canadian Coast Guard has monitored the project and the Canadian Ministry of Transport attended the 10/97 workgroup meeting. Please reference the workgroup membership list in Appendix A of this Final Report.

C. Workgroup Meetings and Discussion

The project workgroup first met on a conference call on September 30, 1996. It was noted on that call that Task Force agencies already allow plan holders to cross reference vessel contingency plans with the US Coast Guard's Vessel Response Plan (VRP); many have been allowing this for as long as two years. Industry representatives responded that, while each state does provide for cross-referencing, the approach is not uniform between states.

Some industry representatives on the workgroup expressed initial concern about this project, noting that they have spent "literally hundreds of thousands of dollars over the last few years developing plans." They asked: How will this project impact existing plans? Will it be voluntary or mandatory? If it is standardized on the West Coast, what about the other states where operators call? In response, the workgroup agreed that the goal is to create a vessel contingency plan format that can be used voluntarily as plans come up for renewal. If we succeed, we will offer a format that could be adopted elsewhere as an option.

The workgroup's first full meeting was in Alameda, California on November 12 and 13, 1996. During these sessions, the state agency and Coast Guard representatives worked with the plan sections developed by US federal agencies for the Integrated Contingency Plan (ICP), approved by the National Response Team for facilities, making preliminary assignments of their vessel planning requirements into the ICP sections. The Executive Coordinator continued this process with the agency representatives and produced a draft matrix which became the point of discussion for the second workgroup meeting held on March 14, 1997 in Portland, Oregon.

The workgroup had deemed that the value of using the ICP, although developed for facility plans, lay in the fact that it incorporated the elements of the Incident Command System (ICS): Command, Operations, Planning, Logistics, and Finance and Administration. Since reformatted Area Plans are evaluating the use of ICS elements, the Workgroup hoped that this would enhance eventual integration of vessel and area plans.

Nevertheless, use of ICS elements in the ICP lent itself to a high degree of redundancy, since many of the state planning requirements fit into more than one of the ICS categories. This caused a fair degree of frustration for both the state and industry workgroup members during our 3/14/97 meeting. As a result, Bill Rogers of Chevron volunteered to work with other industry members to evaluate the use of the planning elements of the National Preparedness for Response Exercise Program (NPREP). This was considered a possibility worth exploring, since use of the NPREP elements could help integrate the planning process with the drill/exercise process.

At their 1997 Annual Meeting, the Task Force Members approved continuation of the Integrated Vessel Response Plan project as Task #1 under the Preparedness and Response Objective of the 1997 - 1998 Annual Workplan. Due to the fact that Unocal had dissolved the West Coast Shipping Company and to subsequent job changes, Tom Murphy resigned as project chair in August, 1997. Bill Rogers of the Chevron Shipping Company agreed to assume the leadership role for the project at that point.

Bob Sands of the California Office of Spill Prevention and Response hosted Bill Rogers of Chevron, LCDR. Mark Hamilton of the US Coast Guard and Jean Cameron, Task Force Coordinator, for an all-day work session on September 29, 1997. Their meeting focused on agreement on criteria for evaluating integrated response plan formats, plus development of an alternative proposal to the ICP format to present to the full workgroup. This subcommittee agreed to recommend the following criteria by which an integrated vessel response plan format would be evaluated:

An integrated vessel response plan format should:

- Minimize the number of plans required to meet the regulatory requirements of:
 - Marpol 73/78, i.e., SOPEP (note: this is a new element in our discussion)
 - US Coast Guard
 - State of Alaska
 - State of Washington
 - State of Oregon
 - State of California
- Minimize the number of times that the same information is repeated in different sections;
- Be user-friendly for planholders and plan reviewers, and include a core response section for responders;
- Be easy to maintain, i.e., all phone numbers should be in one section in order that administrative updates do not trigger plan review;
- Allow citations of Area Contingency Plans (ACPs), GRPs, or other approved plans and recognized documents to meet regulatory requirements; and
- Include cross-reference requirements.

The issue of whether an integrated format should be mandatory or voluntary was deferred to the full project workgroup meeting on October 14, 1997.

Comparing the ICP format which the workgroup had developed earlier, the PREP format which Bill Rogers had explored, and a new format that Bill brought to the group which was based on the US Coast Guard Vessel Response Plan requirements with references to the international Shipboard Oil Pollution Emergency Plan (SOPEP) elements, the subcommittee noted that:

- The USCG/SOPEP format was more likely to minimize the number of plans;
- The USCG/SOPEP format was somewhat more likely to minimize repetition of information;
- The USCG/SOPEP format was somewhat more likely to be user friendly; the PREP format was definitely not user-friendly for a reviewer;
- The USCG/SOPEP format is more likely to allow for easy maintenance as a result of being more compact with regard to phone numbers; and that
- All the formats can allow for ACP citations and cross-references.

The subcommittee also noted that the USCG/SOPEP format builds on the work of planholders who already submit the USCG VRP as a core with additional state requirements as appendices. The matrix which the subcommittee developed 9/29 followed this concept but made two fundamental changes: 1) It added SOPEP to the mix; and 2) It streamlined the USCG VRP requirements, especially the notification requirements, to get all phone numbers in one place for easy updating. LCDR. Hamilton was especially helpful to this process because he had recently streamlined the VRP elements while drafting the vessel response plan requirements for vessels transporting hazardous substances. He stated an expectation that the USCG would allow vessels which carry both oil and hazardous substances to use this more concise set of planning requirements for both.

The full Integrated Vessel Response Plan (IVRP) workgroup held their final meeting at the US Coast Guard District 13 offices in Seattle, Washington on 10/14/97. The workgroup discussed the criteria proposed by the subcommittee. One member noted that the plan criteria should be user-friendly for responders, too, and expressed a concern that the USCG/SOPEP format, by foregoing the ICS elements in the ICP format, failed to meet that criteria. This concern was discussed, and it was noted that Vessel Response Plans (VRPs) should be seen as the first step in a process which evolves from VRP to Area Contingency Plan (ACP) to incident action plan (IAP) as planning evolves into action when an incident occurs. VRPs and ACPs are planning documents intended to guide response during the first 12 to 24 hours until an Incident Action Plan is developed. All agreed that the VRP should be integral to training responders, so responders should be familiar with a plan in any format. The eventual consensus of the group was in support of the USCG/SOPEP format, based on the fact that it is more concise, is arranged in a preferable sequence, and allows for integration of SOPEP in addition to the USCG and state requirements.

The workgroup also discussed the question of whether the integrated format should be mandatory or voluntary. Those favoring mandatory expressed a concern that - if this format is one of many plan format options already available (all participating agencies now recommend a format, but allow the plan holder to submit plans in an alternative format, with cross-references) - then there was no guarantee of use and the range of choices could confuse plan holders. On the other hand, several plan holders expressed concern over being required to use the integrated format, especially if their plans are not due for renewal soon. Many have already invested a great deal of time and money in their plans, and have been operating on the assumption that the format recommended by this workgroup would be voluntary. Moreover, all the participating agencies would have to go through the time-consuming process of adopting new regulations if this were to be mandatory. Continuing the current level of flexibility regarding plan format was accepted by consensus, with the understanding that we will monitor use of this recommended integrated VRP format over the next few years.

Having achieved consensus in support of the voluntary USCG/SOPEP format, to be referred to hereafter as the Integrated Vessel Response Plan (IVRP) format, the workgroup discussed related functional issues on 10/14/97 as follows:

- **Acceptable references to other plans/documents:** Alaska allows a contingency plan to reference an Area Plan or any other document where appropriate; if that document is a readily available public document, such as a MESA report, then an actual copy does not have to be provided with the reference. All other agencies agreed that this mirrors their policies on references to other documents as well. The USCG will request a document which it does not have access to, if referenced, and will then review it to determine if the reference is allowed.
- **The status of ICS revisions to Area Contingency Plans and ACP consistency:** From Alaska, to the Northwest, to California, the ICS revisions to the ACPs are in various stages, but mostly underway. The goal is still to have overall consistency among the ACPs, but the burden is on the plan holder to make sure that any IVRP reference to an ACP or other document is accurate.
- **Plan review cycles:** New VRPs are due to the USCG six months before the expiration of the current plan. Since a vessel is not allowed to carry multiple plans, this will trigger re-submittal to state agencies as well. Alaska's review procedures are quite complex and involve review by other state agencies as well as the appropriate Regional Citizen Advisory Committees (RCACs). For this reason, Alaska will strive to avoid implementing a complete review if a plan's content has not changed significantly, but is only reformatted. They would give approval as an amendment and keep the original review date. Oregon would grant a new approval in order to synchronize with the US Coast Guard cycles. California is already on the federal review cycle with regard to year of review, and would try to keep it that way. Washington is also in a five year cycle and would try to stay in that cycle as well as maintain a staggered review schedule. The group recommended that Alaska consider changing their plan review cycle to five years instead of three.
- **Coordination of plan review:** When a revised plan is submitted in any format, if one reviewing agency requests a change which might trigger further review by another reviewing agency, a conference call should be arranged between the planholder and the reviewers to resolve any problem.
- **Cross-reference procedures:** Accurate and complete cross references must accompany any contingency plan in this integrated format, in order to demonstrate compliance with all planning requirements. Two methods for providing cross-references to plan requirements were suggested: 1) the current method of supplying the cross-references as part of a state-specific annex, laid out in the recommended format; and 2) a column can be added to the IVRP matrix which planholders could use to document the page numbers as a cross-reference mechanism and submit the matrix with their plan.
- **Process to incorporate future regulatory changes:** Any new or revised contingency plan regulations adopted by the participating agencies will be communicated to the Task Force Executive Coordinator with information as to necessary changes in the IVRP matrix. These changes will be incorporated into a revised matrix which will be available to planholders as guidance.

- **Inclusion of Canadian planning requirements:** Mr. Estabrook of the Canadian Ministry of Transport stated that he would submit the draft IVRP matrix for review within Transport Canada to determine if their requirements for Shipboard Oil Pollution Emergency Plans (SOPEPs) would be satisfied. If so, then Transport Canada could officially determine to accept SOPEPs in this format. (NOTE: In December of 1997 Transport Canada did make a determination to accept plans in this integrated format.)

D. Workgroup Recommendations

The Integrated Vessel Response Plan Workgroup members respectfully request that the Members of the States/British Columbia Oil Spill Task Force sign the attached Agreement (see Appendix B) reflecting their willingness to implement the following recommendations:

1. Accept vessel response plans submitted in the IVRP format as shown in Attachment I.
2. Continue to accept references to Area Plans and other suitable public documents to satisfy planning requirements as appropriate.
3. Make every effort to coordinate state review cycles with the US Coast Guard review cycle for vessel plans.
4. Coordinate plan review with other Task Force reviewing agencies as necessary.
5. Communicate any new or revised contingency planning regulations to the Task Force Executive Coordinator for updates to the format guidance matrix.
6. Communicate the availability of this integrated vessel format, using at least the following strategies:
 - The Task Force Executive Coordinator should send copies of this final report, the IVRP format guidance matrix, and the signed agreement/endorsement to industry associations, response cooperatives, P&I clubs, the oil spill media, and other states;
 - The Coordinator should announce the agreement in the Task Force newsletter, and post the format guidance matrix on the Task Force web site; and
 - Each participating state agency should notify their regulated planholders as well as their plan reviewers of the availability of this integrated format option.

The workgroup also recommends that the Task Force continue to be used as a forum for discussion of regulatory initiatives among its members in the interest of improving consistency among the states.

Each industry representative on the workgroup agreed to inform personnel within his own company of this alternative format.

E. Conclusion

This project represents a successful partnership between the member agencies of the States/British Columbia Oil Spill Task Force, the US Coast Guard, and the oil shipping companies which operate on the West Coast. Those companies not only generated the request for the project, but worked with the regulatory agencies for over a year and a half to establish an integrated format which met the needs of all stakeholders. Credit for the success of this project goes primarily to Tom Murphy of West Coast Shipping, who launched and guided the project through its initial year, and to Bill Rogers of the Chevron Shipping Company, who successfully guided the project to its consensus conclusion. Both gentlemen invested a great deal of their time and creative energy in this project. Credit is also due in large measure to the state agency and US Coast Guard members of the workgroup, who invested many hours in assigning their regulatory citations to several iterations of the guidance matrices.

It is an added benefit that the Canadian Ministry of Transport has determined that the Integrated Vessel Response Plan will be acceptable to meet their vessel planning standards, since it includes the SOPEP format from Marpol.

Besides providing the guidance matrix at the Task Force Web Site, the Task Force Executive Coordinator will keep the matrix updated as regulatory changes occur. Please reference Appendix B of this report for the Task Force web site address. Internet addresses for the West Coast agencies and the US Coast Guard are also listed; these can be used to access the contingency plan regulations cited in the guidance matrix.

It is the expectation of all workgroup members that this Integrated Vessel Response Plan guidance matrix will prove to be useful to plan holders operating on the West Coast. The matrix is

a guidance document which indicates how the vessel contingency planning requirements of the West Coast states can be integrated with the vessel response planning requirements of the US Coast Guard and the international Shipboard Oil Pollution Emergency Plan. It remains the ultimate responsibility of the vessel owner/operator to demonstrate that all the planning requirements of these authorities are met.

Please contact the Task Force office with comments or suggestions for improving this product at the address below:

Jean R. Cameron, Executive Coordinator
The States/British Columbia Oil Spill Task Force
811 SW Sixth Ave.
Portland, OR, USA 97204-1390
503-229-5720 (phone)
503-229-6954 (fax)
cameron.jean@deq.state.or.us (email)

Appendix A
Integrated Vessel Response Plan Workgroup
Membership List
12/97

Chair:

Bill Rogers
Chevron Shipping Company
555 Market St.
San Francisco, CA 95105
415-894-4524 (p)
415-894-2900 (f)

Industry Representatives:

John Crawford
Foss Maritime Company
660 West Ewing St.
Seattle, WA 98119-1587
206-281-3781 (p)
206-270-4810 (f)

Thomas J. Murphy
Fred Devine Diving and Salvage
6211 N. Ensign
Portland, OR 97217
503-283-5285 (P)
503-286-2871 (F)

Lee Eglund
Crowley Marine Services
P. O. Box 2287
Seattle, WA 98111
206-443-7809 (p)
206-443-8621 (f)

John R. McLaurin
Pacific Merchant Shipping Association
550 California
Sacramento St. Tower # 113
San Francisco, CA 94104
415-352-0710 (p)
415-352-0717 (f)

Dale Ferriere
Teekay Shipping Canada
200 Burrard St., Ste. 2100
Vancouver, BC V6C 3L6
Canada

604-683-3529 (p)
604-844-6650 (f)

Glen Kolke
BP Oil Co.
200 Public Square (6-P)
Cleveland, OH 44114-2375
216-586-3617 (p)
216-586-4557 (f)

Keith Pensome
Seariver Maritime, Inc.
P. O. Box 1512
Houston, TX 77251-1512
713-758-5276 (p)
713-758-5091 (f)

Barry McFarland
ARCO Marine
300 Oceangate
Long Beach, CA 90802
562-590-4681 (p)
562-983-3313 (f)

State/Provincial Agency Representatives:

Ken Rogowski
Alaska Dept. of Environmental Conservation
555 Cordova St.
Anchorage, AK 99501
907-269-7540 (p)
907-269-7687 (f)

Stafford Reid
BC Environment, Lands, & Parks
P. O. Box 9335
Victoria, BC V8W 9M1
Canada
250-356-9304 (p)
250-387-1041 (f)

Roy Robertson
Washington Dept. of Ecology
P. O. Box 47600
Olympia, WA 98504-7600
360-407-7202 (p)
360-407-6042 (f)

Mike Zollitsch
Oregon Dept. of Environmental Quality
811 SW 6th Ave.

Portland, OR 97204-1390
503-229-6931 (p)
503-229-6954 (f)

Bob Sands
Office of Oil Spill Prevention & Response
California Dept. of Fish & Game
1700 K. St., Ste. 250
Sacramento, CA 95814
916-327-9943 (p)
916-327-0907 (f)

Tracey Edwards (alternate)
916-327-9405
(same address & fax)

Federal Agency Representatives:

LCDR. Mark Hamilton
Commandant (G-MOR-2)
US Coast Guard
2100 Second St., SW
Washington, DC 20593-0001
202-267-1983 (p)
202-267-4065 (f)

Captain Ed Page
Commander (Pm)
Coast Guard District/Pacific Area
Bldg. 50-6, Coast Guard Island
Alameda, CA 95401
510-437-2942 (p)
510-437-2961 (f)

Tim Holmes (alternate)
510-437-2959 (p)
(same address & fax)

Comdr. Jean Butler
17th US Coast Guard District
P. O. Box 25517
Juneau, AK 99802-5517
907-463-2210 (p)
907-463-2216 (f)

Comdr. William Carey
13th US Coast Guard District
915 2nd Ave., Rm. 3510
Seattle, WA 98174-1067
206-220-7221 (p)
206-220-7225 (f)

Capt. John Yeung
Transport Canada
800 Burrard St., Ste. 620
Vancouver, BC V6Z 2J8
604-666-0946 (p)
604-666-9177 (f)

Project Staff:

Jean R. Cameron
Executive Coordinator
States/BC Oil Spill Task Force
811 SW Sixth Ave.
Portland, OR 97204-1390
503-229-5720 (p)
503-229-6954 (f)
cameron.jean@deq.state.or.us (email)

Appendix B

Electronic Access to Contingency Plan Regulations Cited in the Integrated Vessel Response Plan format guideline

States/British Columbia Oil Spill Task Force web site:
www.env.gov.bc.ca/eeeb/taskforc/tfhome.htm

Alaska regulations in 18 AAC 75:

1. Go to the ADEC home page: www.state.ak.us/local/akpages/ENV.CONSERV/home.htm
2. Click on: **Current Regulations**
3. Click on: **Chapter 75**
4. Scroll down to and click on: **Section 425**

Oregon regulations in 340-47:

1. Go to the ODEQ home page: www.deq.state.or.us/
2. Click on: **Statutes and Rules**
3. Scroll to: **Rules**
4. Click on: **1997 Compilation**
5. Scroll to: **340.047**
6. Click on: **Division Section title in blue** for access to text

California regulations in Title 14.1.4.3.2 Section 815 - 189:

1. Go to the OSPR home page: www.dfg.ca.gov/Ospr/
2. Click on: **Regulations**
3. Click on: **Contingency Plans**
4. Scroll down to: **Desired section**

Washington regulations in 317-10:

1. Go to Ecology home page: www.wa.gov/ecology/
2. Click on: **Laws and Regulations**
3. Click on: **Rules**
4. Click on: **Oil Spills** (Chapter 317-10 WAC, Vessel Contingency Plan and Response Contractor Standards, is being added to this site)

US Coast Guard regulations in 33 CFR Part 155:

1. Go to: www.access.gpo.gov/nara/index.html# CFR
2. click on: **Retrieve CFT sections by citation**
3. Fill in "Title" box with **33**
4. Fill in **Section boxes with 155 and which ever section you wish** (Final rule is 155.1010 through 155.1070, but you can only bring up one section at a time)