



OIL SPILL DATA

Who owns it?

Data “buckets”

- Operational Data
- Natural Resources Damages Assessment
NRDA Data
- Third Party Claims Data (private property
claims, lost fishing, mariculture, etc.)
- Evidentiary Data – Investigation/
Prosecutorial



Data “buckets”



Generally, this data is typically treated as owned by *Unified Command* and as such, it is part of the public record. Typically shared openly in some format.

- **Operational Data**

- **Site assessment and related “health and safety” data**
- **Confirmation sampling, quantification, and fate/effluent sampling**
- **Unified Command generated data – correspondence plans, decision logs, etc.**
- **Vessel logs, positions, timelines, etc.**
- **Volume estimation, recovered oil, waste streams, modeling, trajectories**



Data “buckets”

- **Natural Resources Damages Assessment Data**
 - **Prior scientific studies**
 - **Sampling data**
 - **Assessment studies**
 - **Economic modeling**



The Responsible Party must be “invited” into a joint NRD assessment process. Negotiation required regarding what “studies” are funded. Ultimately data is managed and owned by the Feds

Data “buckets”

- **Third Party Claims Data (lost fishing, mariculture, private property claims)**
 - **Business loss estimates, past revenue documentation, etc.**
 - **Property valuations, post cleanup up photo documentation, liability release documents, monetary settlement agreements,....**



Data collected to reimburse or compensate for property damage or business interruption/loss would typically be considered confidential correspondence of the RP with third party claimants.

Data “buckets”

- **Evidentiary Data**

- **Operating conditions, mechanical conditions, maintenance records, engineering assessment, integrity testing, etc.**
- **Communications – interviews, correspondence, electronic communications, etc.**

Data collected under the “investigatory” process is governed by laws of evidence handling. Data is owned initially by party that collected the data. Sharing may be by subpoena, or disclosure. Spills may include both civil and criminal investigations

