



UNITED STATES OF AMERICA

SPILL NOTIFICATION POINT

National Response Center (for oil & HNS) c/o United States Coast Guard (CG-3RPF-2) 2100 2nd Street Southwest, Room 2111-B Washington, DC 20593-0001	Tel: +1-800 4248802 (24hr) +1-202 2672180 Fax: +1-202 2671322 Email: HQS-DG-1 st -nrcinfo@uscg.mil Web: www.nrc.uscg.mil
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Notification to the appropriate State authority may also be required.

COMPETENT NATIONAL AUTHORITY

Office of Current Operations (for oil & HNS) United States Coast Guard US Coast Guard Headquarters 2100 2nd Street Southwest Washington, DC 20593-0001	Tel: +1 202 3272100 Web: www.uscg.mil/hq/g-m/gmhome.htm Email: commandcenterheadquarters@uscg.mil
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RESPONSE ARRANGEMENTS

Spill response arrangements within the USA are governed by the Oil Pollution Act of 1990 (OPA'90). Under the Act, tankers within US waters must operate a vessel response plan (VRP). This must detail, *inter alia*, pre-contracted resources sufficient to deal with a number of spill scenarios including the loss of the entire cargo and an appointed Qualified Individual with full authority to implement the plan together with a spill management team.

OPA'90 limits the liability of the polluter for removal costs and pollution damage according to the size of the vessel involved. These limits may be broken, *inter alia*, if the polluter fails or refuses to adequately report the incident or fails to cooperate with the authorities. In addition, within some states the right of the polluter to limit liability for oil pollution has been completely removed.

In the event of a spill, the Act places the responsibility for response onto the polluter, under the coordination of a designated Federal On-Scene Coordinator (FOSC). The polluter would be expected to enact the VRP, providing pre-contracted personnel and resources or engaging appropriate contractors. If the work is performed unsatisfactorily, the FOSC is empowered to take over the clean-up and appoint contractors at the owner's expense.

The response to a spill is determined by the severity of the incident. For a standard response in coastal waters, a unified command comprising the FOSC, State On-Scene Coordinator (SOSC) and the polluter's representative (Responsible Party or RP) will be established. A wider Incident Command System (ICS) will be established to ensure effective cooperation between all the involved parties including federal, state and local government agencies, private contractors and other interested bodies. Four basic sections; Planning, Operations, Logistics and Finance comprise the ICS. For a marine spill the United States Coast Guard (USCG) will designate the FOSC from the USCG Marine Safety Unit of the Captain of the Port zone where the spill occurred while the US Environmental Protection Agency (EPA) will designate the FOSC for spills in inland areas.



UNITED STATES OF AMERICA

For a spill of national significance, a National Incident Task Force, comprising government and private parties will be established and be commanded by a National Incident Commander designated from the USCG. The USCG National Strike Force Coordination Centre will advise on the clean-up with advice from various other organisations through a Multi-Agency Local Response Team including a Scientific Support Coordinator from the National Oceanic and Atmospheric Administration (NOAA) and personnel from the Department of the Interior and the US Army Corp. of Engineers. A Joint Operations Centre will provide an operational command centre.

A National Response Team (NRT) has been established comprising members of 16 federal agencies with the EPA as chairman and the USCG as vice-chairman. Thirteen Regional Response Teams (RRT) have been established for each of the ten federal regions, Alaska, the Caribbean and the Pacific Basin. Each RRT is chaired by the EPA and USCG and includes federal and state staff. Both the NRT and RRT have a planning, policy and coordination role and do not respond directly to incidents. The NRT is responsible for the National Oil and Hazardous Substances Pollution Contingency Plan while the RRT is responsible for developing regional contingency plans and providing guidance for area contingency plans. Both the NRT and RRT can provide advice during a spill including the approval of dispersant use. Area Committees comprising federal, state and local agencies have been established for local preparedness and planning including maintenance of the area contingency plan drawn up by each USCG Captain of the Port zone. Various subcommittees involve local interested parties. Area contingency plans include local sensitivity maps and spill response strategies. All oil handling facilities must operate a contingency plan.

A number of individual states have enacted different and additional requirements on tanker owners from those under OPA'90.

RESPONSE POLICY

Spill response in US waters is primarily that of containment and recovery. Throughout the US, many States have identified zones where dispersants and in-situ burning are pre-approved for use. In general, dispersant pre-approval zones are located 3 nautical miles from the shoreline, and in depths of 10 metres or more. In these areas, the FOSC has the authority to use dispersants without additional consultation.

EQUIPMENT

Government

The USCG has large amounts of equipment placed at strategic sites around the coast and associated islands. USCG cutters and other vessels have been adapted to deploy this equipment. USCG Strike Teams are located on the three seaboard to provide specialised equipment and personnel. The USCG and National Guards both have aircraft and helicopters for equipment deployment and surveillance. These resources are intended as a back-up to those from the private sector.

The US Navy has large amounts of equipment at its bases. This is primarily for use at spills from Navy sources but may be used in other cases if required. In addition, three major stockpiles of equipment have been established by the Navy salvage division.

UNITED STATES OF AMERICA

Private

Over 100 private Oil Spill Removal Organisations (OSROs) have been classified by the USCG to operate in designated environments within US waters dependent upon their capability. Of these, Marine Spill Response Corporation (MSRC) and National Response Corporation (NRC) operate nationwide. Both MSRC and NRC have dedicated vessels deployed at a number of ports around the country, in addition to non-dedicated multipurpose vessels. Several spill response co-operatives operate on the west and east coasts.

Clean Caribbean & Americas (CCA), funded by member oil companies, operates a large amount of equipment from Florida, primarily for response in the Caribbean region. Equipment is packaged for immediate aerial transport. Alyeska, operators of the Trans Alaska Pipeline, operate a large amount of equipment, including dedicated vessels, from Valdez and other locations in Alaska.

The majority of oil ports, terminals and other oil handling facilities operate spill response equipment.

PREVIOUS SPILL EXPERIENCE

There have been many significant tanker spills in US waters. The ARGO MERCHANT (1976), EXXON VALDEZ (1989), MEGA BORG (1990), AMERICAN TRADER (1990) and NORTH CAPE (1996) have all resulted in major responses. The world's largest accidental release of oil occurred in 2010 when the offshore drilling rig, DEEPWATER HORIZON, suffered an explosion and subsequently sank in the Gulf of Mexico, releasing an estimated 4.9 million barrels of oil into the marine environment. Dispersants were used on an unprecedented scale following the incident, about 40% of which were injected at the source of the spill 1.5km below the sea surface. In-situ burning was also used in an effort to minimise impacts to the shoreline and sensitive resources and is estimated to have eliminated approximately 5% of the total volume spilled. A number of factors contributed towards the successful use of burning in this case, primarily the distance from the shoreline, which reduced concern about the potential impact on public health of harmful or prolonged smoke exposure, and the continuous supply of fresh oil from the well head, which extended the 'window of opportunity' to use the technique.

HAZARDOUS & NOXIOUS SUBSTANCES (HNS)

Although hazardous substances fall under another legal regime (CERCLA – the Comprehensive Environmental Response, Compensation and Liability Act), the same competent authority (USCG) and contact point are used as for oil spills. The US National Contingency Plan (National Oil and Hazardous Substances Pollution Contingency Plan, Title 40 of the Code of Federal Regulations, Part 300) covers both oil and hazardous substances. There are additional local and regional contingency plans designated under the National Contingency Plan.

The national authorities that are represented on the National Response Team (including 15 member agencies and chaired by the Environmental Protection Agency) provide response expertise for an HNS incident. The authorities may contract out technical expertise on specific substances to additional agencies such as CHEMTREC (Chemical Transportation Emergency Center). NOAA is a member of the National Response Team and has substantial chemical expertise and modelling capabilities for incidents involving HNS. NOAA has several additional resources in the form of databases on toxicity of chemicals to various biota.

The response to an HNS incident would be managed in a similar manner to an oil spill incident with the Responsible Party notifying the National Response Center who would then coordinate with the various federal, state and local agencies. The shipowner would be expected to notify their local response contractor who would conduct the cleanup operation. The federal and state agencies would monitor the response and provide direction and assistance as needed.

Previous incidents include BOW MARINER (2004), which exploded and sank, releasing Crude Industrial Ethanol (CIE) and bunker fuel.



UNITED STATES OF AMERICA

CONVENTIONS

Prevention & Safety					Spill Response		Compensation						
MARPOL 73/78		Annexes III IV V VI			OPRC '90	OPRC -HNS	CLC '69 '76 '92			Fund '92	Supp Fund	HNS*	Bunker
✓	✓	✓	✓		✓								

* not yet in force

REGIONAL AND BILATERAL AGREEMENTS

Agreements for cooperation in oil spill response exist between the USA and Bermuda, Canada, Japan, Mexico and the Russian Federation.

In terms of HNS response bilateral agreements are in place between the USA and Canada and the USA and Mexico for environmental emergencies. These are the Canada-United States Joint Marine Pollution Contingency Plan and the Mexico/US Joint Contingency Plan.

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