AN INVESTIGATION OF THE FEDERAL, STATE, AND LOCAL OIL SPILL CONTINGENCY PLANS FOR THE LONG ISLAND SOUND AREA

by

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INTRODUCTION

Object and Purpose of Oil Spill Contingency Plan Study

The effectiveness of oil spill control contingency plans should be of paramount interest to New York State. One major oil spill left unchecked or improperly handled could destroy the amenities of an area and hence its recreational and touristic value, as well as possible interference with its aquatic productivity. A recent report[1] to the President of the United States by the Secretary of the Interior and the Secretary of Transportation has indicated that a major oil spill in Long Island Sound could cost this area 30 million dollars just in recreational and tourist trade alone. With such a potential for economic loss, the State might well evaluate its role in oil spill contingency planning.

This research project concerns itself with the Federal, States (both New York and Connecticut) and local oil spill contingency plans for the Long Island Sound area. The different contingency plans were investigated for the following items: The legal authority for the establishment of each plan, the geographic area of jurisdiction of each plan, the operational procedures of the plans for dealing with oil spill incidents, and the possible interaction of one contingency plan with another. The prime object of this project is the determination of the possible areas in which the State Legislature can take action to improve the effectiveness of these plans and to minimize the unnecessary and costly duplication of effort.

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[1] U.S. Department of the Interior and Department of Transportation, Oil Pollution, A Report to the President, February 1968.

Methods

Inquiries were made to the various Federal, State, and local agencies in the Long Island Sound area that could be involved in oil spill contingency planning. Those agencies that had or were developing contingency plans were asked to send these plans and any other pertinent information to the author. It is possible that some agencies were overlooked in these inquiries.

For the purpose of this study the boundaries of the Long Island Sound area were considered as the coastal areas of Connecticut State, and Westchester, Nassau, and Suffolk Counties of New York State.

A preliminary literature survey on the biological effects of oil was conducted. An overview of these effects is presented in this paper.

OIL SPILLS

A SUMMARY OF THE DIFFERENT CONTINGENCY PLANS FOR LONG ISLAND SOUND

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
National Oil and Hazardous Substances Pollution Contingency Plan	Federal	Federal Water Pollution Act, as amended 33 USC 1151, et seq. (1964).	Dept. of Commerce -- Maritime Administration National Oceanic and Atmospheric Administration Dept. of Health, Education and Welfare Dept. of Defense -- Corps of Engineers U.S. Army U.S. Navy U. S. Air Dept. of Interior -- U.S. Coast Guard Dept. of Transportation --U.S. Coast Guard Environmental Protection Agency Dept. of Justice Office of Emergency Preparedness Dept. of State

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
All U.S. navigable waters, their tributaries and adjoining shorelines. (See Appendix IV for the area of jurisdiction of the various federal agencies).	Interacts with the Regional Level Plans of the National Plan.	Through normal operating expense accounts of the agencies involved. Through a special Pollution Revolving Fund.

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
Region I Oil and Hazardous Substances Pollution Plan for Inland navigable Waters. [Administered by Environmental Protection Agency, Region I].	Federal	Federal Water Pollution Act, as amended, 33 USC 1151, et. seq. (1964).	Dept. of Interior -- Fish and Wildlife Service U.S. Geological Survey Dept. of Transportation - U.S. Coast Guard Dept. of Defense -- Corps of Engineers Environmental Protection Agency (provides On-Scene Coordinator)

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
All U.S. navigable inland waters of Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, and Maine. (See Appendix IV for the area of jurisdiction of the various federal agencies).	Interacts with other Regional Plans of National Plan.	Through normal operating budgets of the agencies involved. Through a special Pollution Revolving Fund.

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
Region I Multi-Agency Oil and Hazardous Materials Pollution Contingency Plan (Coastal) [Administered by U.S. Coast Guard, District I].	Federal	Federal Water Pollution Act, as amended, 33USC 1151, et. seq. (1964).	Office of Emergency Preparedness Dept. of Transportation - U.S. Coast Guard (provides On-Scene Coordinator) Dept. of Defense --- Corps of Engineers, U.S. Navy Dept. of Health, Education and Welfare Environmental Protection Agency

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
All U.S. navigable coastal waters of Connecticut, Rhode Island, Massachusetts, New Hampshire, and Maine. (See Appendix IV for the area of jurisdiction of the various federal agencies).	Interacts with other Regional Plans of the National Plan.	Through normal operating budgets of the agencies involved. Through a special Pollution Revolving Fund.

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
Contingency Plan for Spills of Oil and Other Hazardous Materials for Inland Waters of Region II. [Administered by Environmental Protection Agency, Region II].	Federal	Federal Water Pollution Act, as amended, 33 USC 1151, et. seq. (1964).	Dept. of Interior Dept. of Transportation -- U.S. Coast Guard Dept. of Defense Environmental Protection Agency (provides On-Scene Coordinator)

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
All U.S. navigable inland waters of New York, New Jersey, Puerto Rico, and the Virgin Islands. (See Appendix IV for the area of jurisdiction of the various federal agencies).	Interacts with other Regional Plans of the National Plan.	Through normal operating budgets of the agencies involved. Through a special Pollution Revolving Fund.

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
Multi-Agency Oil and Hazardous Materials Pollution Contingency Plan [Administered by U.S. Coast Guard District III].	Federal	Federal Water Pollution Act, as amended 33 USC 1151, et seq. (1964).	Office of Emergency Preparedness Dept. of Transportation - U.S. Coast Guard (provides On-Scene Coordinator) Corps of Engineers Dept. of Defense-- Defense Supply Agency Dept. of Health, Education and Welfare Environmental Protection Agency

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
All U.S. navigable coastal waters of New York, New Jersey, Puerto Rico, and the Virgin Islands. (See Appendix IV for the area of jurisdiction of the various federal agencies). Note: This plan does not cover the Great Lakes area of N.Y. which is under the jurisdiction of the 9th U.S. Coast Guard District.	Interacts with other Regional Plans of the National Plan.	Through normal budgets of the agencies involved. Through a special Pollution Revolving Fund.

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
New York Water Quality Accident Contingency Plan	New York State	New York State Public Health Law 1971, Section 1210 Part 4 (e).	Division of Pure Waters Division of Fish & Wildlife Dept. of Environmental Conservation --- Division of Law Enforcement Office of Field Services Division of Waterways Dept. of Transportation --- Division of Maintenance Dept. of Health --- Division of Environmental Health

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
All State waters including inland streams and lakes, the Great Lakes, coastal waters, and the contiguous zone where there exists a threat to State waters, shore face, or shelf-bottom.	Other than with its Regional Plans there are no formal commitments for interaction with other plans.	Through the normal operating budgets of the agencies involved. There is no special pollution control fund.

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
[Informal plan]	Connecticut State		Water Resources Commission Dept. of Environmental Protection--- Other State Agencies

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
Waters within State's territorial boundaries.	None	No funding. No special pollution control fund.

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
A Plan for the Establishment of the New York Marine Counties Oil Spill Team (NYMCOST) [Proposed]	New York Counties (Nassau, Suffolk, Westchester counties and the five counties of New York City).	Not stated in plan.	County Executives (or their representatives) of Nassau, Suffolk and Westchester Counties. Mayor (or his representative) of New York City. Commissioner (or his representative) of Health and the Commissioner (or his representative) of Conservation. Municipalities located along the coastal waters of each county mentioned above. Superintendent (or his representative) of the Long Island State Park Commission Environmental Resources Administration (N.Y.C.) Police Marine Bureau (N.Y.C.) Representatives of oil barging and terminal industry, the commercial fishing and shellfishing industries, and organized sportsmen.

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
All tidal waters, including bays, rivers and coastal waters, the shoreface and bottom lands underwater, in the Marine Region [Nassau Suffolk-Westchester Counties and N.Y.C.].	Other than with its Regional and County Plans there are no formal commitments for interaction with other plans.	Through the normal budgets of member agencies (NYMCOST has no funding of its own.) No special pollution fund.

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
Hazardous Materials Standards and Procedures [Proposed]	Suffolk County (N.Y.)	Suffolk County Hazardous Materials Law [Proposed by Suffolk County Dept. of Environmental Control].	No response team established. Commissioner (not defined) or his designee of the Dept. (not defined) would supervise control efforts of polluter.

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
Waters within County's territorial boundaries.	None	Through oil handling permit fees. Through fines levied against polluter. No special pollution control fund.

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
Seashore Action for Environment [Proposed]	Initiated by City of Milford, Connecticut, but involved the municipalities located along Long Island Sound in the States of New York, Rhode Island, and Connecticut.	Not Stated	Municipalities located along Long Island Sound for the States of New York, Rhode Island, and Connecticut.

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
Territorial boundaries of member communities. (Communities bordering Long Island Sound for the States of New York, Connecticut and Rhode Island).	None	Request funds from the appropriate Federal and State agencies. Each member community provides funds for Seashore Action for Environment's operation.

NAME OF PLAN	LEVEL OF GOVERNMENT	AUTHORITY FOR ESTABLISHMENT OF PLAN	AGENCIES REPRESENTED ON THE RESPONSE TEAM
	Town of Huntington (N.Y.)	Local Law Number 7-71.	Oil Spillage Control Board (Appointed by Town Board)

AREA OF JURISDICTION	FORMAL COMMITMENTS FOR INTERACTION WITH OTHER PLANS	FUNDING
Uplands, bays, inlets, estuaries and any of the waters of the contiguous zone surrounding and adjacent to the Town of Huntington.	Assist U.S. Coast Guard, under the direction of its On-Scene Coordinator, in pollution control efforts for local spills.	Through oil pollution fighting fund. Note: Fund is raised by requiring the owner, operator, charterer, lessee, or other person who unloads or causes to be unloaded any liquid fuel oil or other solvent to pay the sum of one mill per every five gallons of oil handled. As of this writing the affected oil companies have initiated litigation against the establishment of this fund.

Biological Effects of Oil Pollution

The biological effects of oil pollution were not of primary concern for this research project. However, some general knowledge of the biological effects would be advantageous to those who must develop laws and regulations concerning oil pollution and contingency planning since these undesirable effects are the major reason for these laws. There has been a great amount of work done on the chemical structure and biological effects of oil, most of which is theoretical, highly technical, and specific. General overviews of the effects of oil in nature tend to be scarce. The overview presented here is based mainly on the book, Oilspill by Wesley Max and various articles by Dr. Blumer of Woods Hole Oceanographic Institution.

Although much has been written about oil pollution, actual research on and monitoring of its biological effects have been limited for various reasons. Comprehensive pre-spill data, which would be compared with post-spill data, is generally lacking for most oil affected areas. These areas are usually too distant from the sophisticated scientific resources needed for proper analysis. In the few studies that have been made and published attention is usually concentrated on the immediate impact of the oil to commercial fisheries rather than to the long-term effects to the entire biota of the affected area. This may result in the lack of detection of a significant kill of a particular species.

The Falmouth spill, which occurred in the fall of 1969 when a fuel barge struck submerged rocks off the shore of West Falmouth, Massachusetts, affected an area near one of the world's most prestigious oceanographic institutions,

Woods Hole. Good biological and geological data had been collected and was readily available on this area of ocean and beaches. Dr. Max Blumer and others of the Institution, for some time, had been concerned with the effects of oil pollution to the marine environment. As a result of this spill, Dr. Blumer and his fellow scientists were able to study the effects of oil pollution by collecting post-spill data.

According to Dr. Blumer:

"A massive, immediate kill occurred offshore during the first few days after the accident, affecting a wide range of fish, shellfish, worms, crabs and other crustaceans. Bottom-living fishes and lobsters were killed and washed up on the beaches. Trawls in ten feet of water showed 95 percent of the animals dead and many still dying. The bottom sediments contained many dead clams, crustaceans, and snails."[1]

Eighteen months after the spill, the originally polluted area had not been repopulated. Oil, usually lighter than water, was still spreading along the sea bottom down to forty-two foot depth, covering more than 5,000 acres. A shellfish quarantine was continued into its second year and had to be expanded to cover shellfish beds newly contaminated by the spread of oil. In a paper which Congressman John Dingell had reprinted in the U.S. Congressional Record of March 2, 1971 Dr. Blumer concluded:

"The spill of fuel oil in West Falmouth, Massachusetts,

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[1]Blumer, M., J. Sass, G. Souza, H. L. Sanders, J. F. Grassle, and G. R. Hampson, "The West Falmouth Oil Spill", Woods Hole Oceanographic Institution, Ref. No. 70-44, p.24, Sept. 1970.

U.S.A., has virtually extinguished life in a productive coastal and intertidal area, with a complete kill extending over all phyla represented in that habitat."[1]

Why does oil have such a deleterious effect on marine life? Observes Dr. Blumer, "All crude oils are poisons for all marine organisms; many crude oil distillates /as they are refined/ are more severely poisonous for they contain higher proportions of the immediately toxic compounds." (The barge at Falmouth spilled refined oil.) Oil's lethality is many-pronged; oil components or "fractions" possess differing properties which form a broad toxic spectrum.

"The low boiling saturated hydrocarbons (gasoline range) have, until recently, been considered harmless to the marine environment. However, it has now been demonstrated that these hydrocarbons at low concentrations produce anesthesia and narcosis and, at greater concentration, cell damage and death in a wide variety of lower animals, and that they may be especially damaging to the larval and other young forms of marine life. Higher boiling saturated hydrocarbons (kerosene and lube oil range) occur naturally in many marine organisms and are, probably, not directly toxic though they may interfere with nutrition and possibly with the reception of the chemical clues which are necessary for communication between many marine animals. Olefinic hydrocarbons probably are

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[1] 117 Cong. Rec. 4671 (1971).

absent from crude oil, but they are abundant in oil products, e.g. in gasoline and in cracking products. These hydrocarbons also are produced by many marine organisms, and may serve biological functions, e.g. in communication. However, their biological role is poorly understood. Aromatic hydrocarbons are abundant in petroleum; they represent its most dangerous fraction. Low boiling aromatics (benzene, toluene, xylenes, etc.) are acute poisons for man as well as for all other organisms. The high boiling aromatic hydrocarbons are suspected as long term poisons. Current research on the cancer producing hydrocarbons in tobacco smoke has demonstrated that the carcinogenic activity is not—as was previously through—limited to the well known 3,4 benzopyrene. A wider range of related hydrocarbons can act as potent tumor initiators. While the direct causation of cancer by crude oil and crude oil residues has not been demonstrated conclusively, it should be pointed out that oil and residues contain hydrocarbons similar to those in tobacco tar."[1]

/Emphasis added./

Oil's toxicity can effect the entire range of marine life. Sea birds with oil-stained feathers lose their buoyancy in water and ability to fly. Oil is ingested by birds that attempt to remove the oil by preening their feathers. In colder climates the oil replaces the insulating layer of air between skin and feathers causing the mortality of the birds from freezing.

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[1]Blumer, M., "Oil Pollution of the Ocean", Oceanus, Vol. 15, No. 2, p.5, 1969.

The toxicity of oil extends to marine mammals. Just like sea birds, the mortality of furred seals and otters is caused by loss of critical insulation and buoyancy in water, thereby causing them to freeze or drown. In a 1970 memorandum by National Marine Fisheries official Donald Johnson, the destruction of a sea otter colony in Kamchatka was credited to an oil tanker grounding. According to reports by the Fisheries Research Board of Canada, hair seals have died from oil coatings.

Even plants are not immune to oil's toxicity. Laboratory experiments have shown that oil can reduce and eventually completely arrest the photosynthetic capacity of kelp blades. Salt marsh plants such as saltgrass, saltwort, cordgrass, and young mangroves, can be damaged by oil. The growth of diatoms and other phytoplankton (they form the first link in the marine food chain) can be retarded in the presence of crude oil.

Oil may interfere with the biological processes important for marine life survival. As stated by Dr. Blumer:

> "Many biological processes important to the survival of marine life are affected by extremely low concentrations of chemical messengers in the sea water. Marine predators are attracted to their prey by organic compounds which are present at less than one part per billion. Such chemical attraction—and in a similar way repulsion—plays a role in the finding of food, the escape from predators, in the homing of many commercially important species of fishes, in the selection of habitats, and in sex attraction. There is good reason to

believe that pollution interferes with these processes two ways: by blocking the taste receptors and by mimicking natural stimuli; the latter leads to false responses. Those crude oil fractions likely to interfere with such processes are the high boiling saturated and aromatic hydrocarbons and the full range of the olefinic hydrocarbons."[1]

A larger set of secondary effects can follow the primary effects of oil contamination. Especially hard hit by oil pollution are sedentary forms of marine life, particularly those living in shallow waters and tidal areas. But higher forms of life, particularly those that migrate in and out of the spill area proper, may suffer later as a result of drastically reduced food sources. Birds, such as the bald eagle, which seemly are immune from direct oil exposure, may ingest oil while feeding on oil-contaminated dead or disabled sea birds. The destruction of bottom plants can cause marsh-land instability, which in turn starts erosion, which can cause oil to spread to previously unaffected areas.

Oil spills generally do not occur in pollution-free areas but are likely to occur in waters that are already polluted. Marine life under stress from other pollution sources, such as sewage pollution, may not survive a sudden slug of pollution from an oil spill. Although many fractions of oil do degrade naturally over a period of time, the biological oxygen demand (BOD) of oil oxidizing bacteria is prodigious. All the dissolved oxygen (DO) in 320,000 gallons of air saturated sea water can be required for the bacterial degradation of one gallon of crude oil. Scripps Institute marine

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[1] Blumer, M., "Oil Pollution of the Ocean", Vol. 15, No. 2, p.5, 1969.

biologist Claude ZoBell has observed:

> "It is not uncommon to find anaerobic conditions in localized areas around oil-loading docks, in settling ponds, and near the bottom of bays or estuaries subject to continuous or excessive oil pollution. The lack of free oxygen in such places can be attributed, at least in part, to the BOD of the oil."[1]

Any pesticides or heavy metals that may be present in the marine environment tend to be concentrated or "scavenged" by oil. There are two ways of viewing this fact. A report by Woods Hole for the Coastal Engineering Research Center, "The Marine Disposal of Sewage Sludge and Dredge Spoil in the Waters of the New York Bight" by R. A. Horn, A. P. Mahler, and R. C. Rossello, notes:

> "The concentration of pesticides in dredge spoil by oil may even be beneficial since it may serve to scavenge pesticides from the upper part of the water column where they can seriously interfere with photosynthesis."[2]

However, spilled oil that does not wind up in dredge spoil may have its toxicity considerably increased by the presence of scavenged pesticides or heavy metals.

Hydrocarbons, once they are incorporated into a particular marine organism, may be passed through the food chain unchanged and eventually reach marine products that are harvested for human consumption. The incorporated oil particles may produce an undesirable flavor, but a far more serious effect is the potential accumulation in human food of long-term poisons

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[1] ZoBell, Claude E., "The Occurrence, Effects, and Fate of Oil Polluting the Sea", Int. J. Air. Wat. Poll., Pergamon Press, Vol. 7, p.185, 1963.

[2] Horn, R. A., A. P. Mahler, and R. C. Rossello, "The Marine Disposal of Sewage Sludge and Dredge Spoil in the Waters of the New York Bight", Woods Hole Oceanographic Institution, Technical Memorandum No. 1-71, pp.34-35, Jan. 1971.

derived from crude oil.

Some traditional assumptions and optimistic notions about the effects of oil are being debunked through investigations by Dr. Blumer and other researchers. For instance, it was once widely believed that shellfish could flush out the oil eventually, thus becoming safe for consumption after the oily smell has vanished. In order to expedite this process, contaminated shellfish were sometimes transplanted to clean water. But Dr. Blumer found that oil fractions can be incorporated into the lipid material of shellfish, and give off no conveniently identifiable smell. Furthermore, Dr. Blumer says:

> "The presence of toxic and potentially carcinogenic hydrocarbons in fisheries' products may constitute a public health hazard. Laboratories to measure routinely the contamination level and to assess the public health hazard do not now exist; such laboratories should be organized to carry out continuous surveys of the safety of fisheries' resources to public health."[1]

It was once thought that oil floating on the surface of water would lose its toxic fractions by either evaporation or by natural degradation. Dr. Blumer and others have found that such faith in the natural degradation of oil is wistful because the toxic fractions can be water soluble and thus mix in the water column. The most resistant fractions to degrading, e.g. those most refractory fractions, happen to be the most toxic fractions, the aromatic hydrocarbons. Dr. Blumer notes a further complication to the natural degradation process:

> "No single microbial species will degrade any whole crude oil; bacteria are highly selective

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[1] 117 Cong. Rec. 4673 (1971).

and complete degradation requires many different bacterial species. Bacterial oxidation of hydrocarbons produces many intermediates which may be more toxic than the hydrocarbons; therefore, organisms are also required that will further attack the hydrocarbon decomposition products."[1]

As can be seen by this brief overview of the biological effects of oil pollution, the danger to the marine environment is such as to warrant serious involvement by private and public agencies in the prevention and proper abatement of oil pollution.

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[1] 117 Cong. Rec. 4673 (1971).

Oil spill control methods can be classified into four categories: methods for containment, source control, cleanup, and disposal. Each category has many different and diverse control techniques. Only some of the "basic" techniques, as discussed by the National Plan, will be presented here.

Containment

This phase of oil pollution control attempts to confine the oil to a relatively small area. To accomplish this barriers, such as floating booms, logs, or hoses, are positioned so as to contain the oil. Containment by these methods is only effective in relatively calm waters. Water currents, wind, and waves can cause the oil to escape from the barrier.

Source Control

Source control attempts to prevent further release of oil into the water environment. This can be accomplished by "closing valves to stop the flow of oil from a ruptured pipeline, pumping out a holed tanker to prevent further discharge, or erecting sand or earthern dikes to prevent or stop a discharge occurring on shore from entering the water".[1]

Oil on Water: Removal

Use of Mechanical Methods

The mechanical techniques for the removal of oil on water "involve removing the surface layer of water and the oil floating on it".[2] This is accomplished by skimming or slurping. Skimming devices may employ a pump to remove the water/oil mixture, or may use an oil wettable absorbent that is"dragged

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[1] U.S. Coast Guard, New York Coastal Region Multi-Agency Oil and Hazardous Materials Pollution Contingency Plan, August 1971, p.xx-1-TAB H-18.

[2] Ibid., p.xx-1-TAB H-21.

over the oil and then wrung out into the holding tank of the recovery vessel".[1] These techniques do not perform very efficiently in agitated water.

Use of Physical and Chemical Materials

The absorbing method for oil removal causes the oil to be absorbed or adsorbed by a floating material (straw, wood shavings, bark, sawdust, chipped polyurethane, to name a few). The coagulating technique causes the oil to thicken or gell by the addition of some coagulating chemical. In these states the oil may be removed by "lifting it (and the absorbants) from the water surface with a sieve or rake (as opposed to pumping)".[2]

Sinking and Dispersing

These two techniques essentially hide the oil from view by depositing it on the bottom or suspending it in the water column and then "relying on assimilation through natural biodegradation".[3] In the sinking method the oil is absorbed or adsorbed by a gradular material (such as sand, crushed limestone) and sinks to the bottom. In the dispersing technique a dispersant (chemical) is applied to the oil and it is then broken down into tiny droplets; "mechanical agitation then produces an emulsion of oil in the water".[4]

Disposal

The disposal of the recovered materials must be performed in such a way as to keep the oil from re-entering the water

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[1] U.S. Coast Guard, New York Coastal Region Multi-Agency Oil and Hazardous Materials Pollution Contingency Plan, August 1971, p.xx-1-TAB H-21.

[2] Ibid., p.xx-1-TAB H-22.

[3] Ibid., p.xx-1-TAB H-23.

[4] Ibid.

environment. Some methods for disposal are burning (which produces air pollution), burying (which could pollute the water table), and recycling. The best disposal method seems to be the recycling of the recovered materials for eventual reuse.

Discussion

A rapid response capability to oil pollution incidents is vital in pollution control activities. The greater the time lag between the occurrence of an oil spill and the initiation of control measures the larger the area affected by the spill. A general rule of thumb is that oil will spread, excluding water currents, at a rate of 3 percent of the wind speed. If there is a ten mile per hour wind, the oil could move at a rate of .3 miles per hour. If there is a three hour time lag between the occurrence of an oil spill and the initiation of control activities, the oil, in this example, could spread almost one mile from its point of origin. Clearly then, a rapid response capability is necessary to contain the oil spills if oil pollution control measures are to be effective.

In order to illustrate the operations and possible interactions of the different existing and proposed oil spill contingency plans, two hypothetical oil spill incidents are synopsized. One pollution incident will be of the minor spill type (less than 10,000 gallons of oil discharged in coastal waters or less than 1,000 gallons of oil discharged in inland waters) and the other will be of the major spill type (discharge of more than 100,000 gallons of oil in coastal waters or more than 10,000 gallons of oil in inland waters).

The hypothetical minor oil spill incident occurs at an oil terminal in the harbor of the Town of Huntington, Suffolk County, New York. The oil terminal operators have immediately notified the appropriate Federal, State, and local authorities concerning the spill.

The Federal response to this incident is to send the On-Scene Coordinator to the scene of the spill. The Regional Response Team has not been activated at this time because activation is

only automatic for major spill incidents. Activation of the Regional Response Team for other spills requires one of the primary members (p. 33) of the Regional Response Team to request it. The On-Scene Coordinator determines if the polluter is taking the proper actions to control and mitigate the oil spill. If the polluter fails to do so the On-Scene Coordinator would then initiate further Federal pollution control response actions (p. 36). At this point, the On-Scene Coordinator would notify the appropriate State and local officials concerning the spill incident. The On-Scene Coordinator would not request the initiation of Federal pollution control measures if the State or local pollution control response activities are already in operation. In such a case, the On-Scene Coordinator would monitor the situation.

The State of New York, upon receiving notification of a water quality accident, would send an On-Scene Coordinator to the affected area. He would determine whether the polluter is taking adequate pollution control measures, and if the polluter is derelict in this the On-Scene Coordinator would initiate further State response activities.

The response of the New York Marine Counties Oil Spill Team is the activation of the Suffolk County Team. The Chairman of the Team acts as the On-Scene Coordinator and as such would coordinate all pollution control activities of the Suffolk County Team.

Suffolk County would respond to the pollution incident by requiring clean-up operations to be instituted, under the direction of the commissioner or his designee, by those people responsible for the spill.

The Town of Huntington responds to the spill incident by activating its Oil Pollution Team, and would send the On-Scene Coordinator to investigate the pollution incident. If the On-Scene Coordinator determines that the oil spill requires Town oil pollution control response, those activities are directed by him.

The On-Scene Coordinator of each plan coordinates the response activities of his particular response team and does not have to cooperate with the pollution abatement activities of the other teams. The exception to this is the required cooperation of the oil pollution team of the Town of Huntington with the Federal On-Scene Coordinator.

The hypothetical major oil spill incident occurs in the middle of Long Island Sound on the boundary between the State of New York and the State of Connecticut. A tanker has collided with another vessel and is discharging her fuel into the waters of the Sound. The appropriate government agencies have been notified of the incident by the polluter.

The Federal response to this pollution incident is the immediate activation of the Regional Response Teams in the affected area. These would be the Regional Response Teams of Coast Guard Districts I and III. The National Response Team would be notified of the pollution incident. The On-Scene Coordinator, who would be selected by District I and III since the national plan allows only one Federal On-Scene Coordinator per oil pollution incident, would investigate the situation to determine if the polluter is taking appropriate pollution control measures. Since this is a major spill incident, the polluter would more than likely be unable to cope with the pollution situation. The On-Scene Coordinator would then notify the

appropriate State and local officials concerning the oil spill incident. The On-Scene Coordinator would initiate further Federal pollution control response measures. The National Response Team would assist the activated Regional Response Teams by coordinating the actions of other Regions or Districts in supplying needed personnel, equipment, or technical advice for pollution control activities.

New York State's response to this major spill is the activation of the Regional Response Teams in the affected area and the activation of the State Response Team. The Chairman of the State Response Team functions as the On-Scene Coordinator and he will direct the actions of the activated Regional Response Teams and the State Response Team. The On-Scene Coordinator, after determining that the polluter is handling the pollution incident improperly, would initiate further State pollution control actions. New York State's response activities are only authorized for the territorial waters of the State and as such can not be used to control oil that is in the State of Connecticut's territorial waters.

The State of Connecticut would respond to this major spill incident, but precisely how or what operational procedures would be followed is not clear because Connecticut does not have a documented formal oil spill contingency plan. Connecticut's response would be restricted to its territorial waters and therefore Connecticut could not come to the aid of New York's response teams.

The Region Two Team of the New York Marine Counties Oil Spill Team (NYMCOST) would be activated in response to this major spill. The Chairman of the Region Two Team would act as the On-Scene

Coordinator. The response activities of NYMCOST are limited to the territorial waters of the member counties and therefore could not be used to help control spills in the territorial waters of Connecticut.

Suffolk County would respond to the pollution incident if the spill affects the waters within Suffolk County's jurisdiction. In such a case the clean-up operations would be instituted, under the direction of the commissioner or his designee, by those persons responsible for the pollution incident.

Seashore Action for Environment (SAFE) would respond to the pollution incident but exactly what the operational procedures are is not known because SAFE never progressed past the developmental stage. SAFE would have had the authority to handle spills in both the State of Connecticut and the State of New York.

Local pollution control teams such as the Town of Huntington could not respond to a spill incident unless it occurred in the waters within the jurisdiction of the Town. In this particular example, the Town of Huntington would probably not involve itself in clean-up operations in the middle of Long Island Sound but would concentrate its efforts to protect the land and water areas within its jurisdiction.

The Federal, States, and local response activities are not required to cooperate with each other. Though such cooperation is desired, the contingency plans do not provide firm cooperation and coordination commitments from the different response teams.

Possible Areas for State Legislative or BiState Commission Action

1. If the formation of local oil spill contingency plans is desirable, the State may want to coordinate their formation so as to insure their uniformity in operational procedures.
2. If the formation of local oil spill contingency plans is desirable, the State may wish to consider possible funding for their operation.
3. Since the Federal response to oil pollution will normally be instituted for major or medium spills, the State may desire to concentrate its pollution response efforts for minor spills and those areas of the State not covered by the National Plan.
4. Firm cooperation agreements and procedures between the State and Federal contingency plans, as well as with local contingency plans, may be desirable to insure effective joint pollution control activities.
5. Since an oil pollution incident in Long Island Sound may involve the response activities of both the State of New York and the State of Connecticut, interstate cooperation agreements and procedures may be desirable.

The National Oil and Hazardous Substances Pollution Contingency Plan

The National Oil and Hazardous Substances Pollution Contingency Plan was formulated in compliance with the Federal Water Pollution Control Act, as amended, (33 USC 1151, et seq.) and provides for the delineation and coordination of the responsibilities of Federal agencies in dealing with oil or other hazardous substances pollution. This plan, which forms the basis for all Federal response to pollution spill incidents, is applicable to "all United States navigable waters, their tributaries and adjoining shorelines. This includes inland rivers, Great Lakes, coastal territorial waters, and contiguous zone and high seas where there exists a threat to United States waters, shoreface, or shelf-bottom".[1] (See Appendix II for legal authorities of Federal agencies pertaining to oil pollution.)

In accordance with section 4(a) Executive Order 11548, July 22, 1970, the preparation, publication, revision or amendment of the National Plan is the responsibility of the Council on Environmental Quality (CEQ). The Council on Environmental Quality receives the advice of the National Response Team (NRT) pertaining to needed revisions to the plan and is responsible for the expeditious settlement of any disagreement among members of the National Response Team.

While all Federal agencies are charged by this plan with developing a capacity for rapid response to pollution incidents caused by facilities under their control and for making their resources available for Federal pollution response operations,

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[1] Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, p.1.

only a few are directly involved in the functioning of the National Plan.

The National Plan establishes a multi-agency organization, called the National Response Team composed of nine Federal agencies responsible for the effective coordination and functioning of this plan. These agencies are, depending on the scope of their responsibilities, categorized as either a primary or advisory agency. The primary agencies, the Departments of Defense, Interior, Transportation, and the Environmental Protection Agency, have "primary responsibility and resources to promote effective operation of this Plan".[1] The Departments of Commerce, Health, Education and Welfare, Justice, State, and the Office of Emergency Preparedness comprise the advisory agencies who "can make major contributions during response activities for certain types of spills".[2] (See Appendix III for a detailed account of each primary and advisory agency's designated responsibility and Appendix IV for the regional and district boundaries of the primary agencies.)

The National Response Team, located at the National Response Center at the United States Coast Guard Headquarters in Washington, D.C., serves two functions. It is charged with pre-spill planning and readiness and also operates as an emergency pollution response team. Some of its planning and preparedness activities cover such areas as review of regional contingency plans, coordination of Federal, State, and local governments, as well as private agencies in response to pollution incidents, formation of a standing committee for revision of this plan, and the formulation of recommendations pertaining to training and equipping response team personnel.

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[1]Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, p.4.

[2]Ibid.

The National Response Team acts as an emergency response team when an oil or other hazardous substance pollution incident 1) involves national security, 2) affects nationally significant quantity of property or sizable number of people are threatened, or, 3) exceeds response capacity of the region affected.

The National Plan requires the formation of Regional Response Centers and Regional Response Teams to be located throughout the country. For the Long Island Sound area there are four Regional Response Centers and four Regional Response Teams (see p.39). The responsibilities and agency make-up of the Regional Response Teams are, on a regional level, similar to the National Response Team with the exceptions that the Regional Response Teams are empowered to determine the extent and duration of Federal actions, determine when a shift to another On-Scene Coordinator is necessary, and allow those states covered by the regional plan to have an observer at each meeting of the Regional Response Team.

Federal pollution control efforts are directed and coordinated at the scene of a pollution incident or potential pollution incident by the On-Scene Coordinator. Each regional plan must predesignate an On-Scene Coordinator. The Environmental Protection Agency and the United States Coast Guard are responsible for designating an On-Scene Coordinator for their respective areas of operation. The Environmental Protection Agency provides an On-Scene Coordinator for inland navigable waters and their tributaries, while the United States Coast Guard furnishes the On-Scene Coordinator for coastal and contiguous zone waters, ports and harbors, Great Lakes coastal waters, and the high seas. In the event that the predesignated On-Scene Coordinator is not at the scene of a spill, the first

Federal officer present assumes the On-Scene Coordinator's duties pending the arrival of the predesignated official.

The National Plan allows for only one On-Scene Coordinator per spill. If a spill encompasses more than one region, the Regional Response Teams activated will choose an On-Scene Coordinator or the National Response Team will do so if the Region Response Teams are unable to come to an agreement.

The duties of the On-Scene Coordinator (OSC) are as follows:

> "The OSC shall determine pertinent facts about a particular spill, such as its potential impact on human health; the nature, amount, and location of material spilled; the probable direction and time of travel of the material; the resources and installations which may be affected and the priorities for protecting them. The OSC shall initiate and direct as required Phase II /Containment and Countermeasures/, Phase III /Cleanup and Disposal/, and Phase IV /Restoration/ operations . . . . The OSC shall call upon and direct the deployment of needed resources in accordance with the regional plan to initiate and continue containment, countermeasures, cleanup, restoration, and disposal function. The OSC shall provide necessary support activities and documentation for Phase V /Recovery of Damages

and Enforcement/ activities. In carrying out this plan, the OSC will fully inform and coordinate closely with RRT to ensure the maximum effectiveness of the Federal effort in protecting the natural resources and the environment from pollution damage."[1]

Federal actions to oil or hazardous substance spill incidents are delineated into five phases. These phases are:

Phase I - Discovery and Notification
Phase II - Containment and Countermeasures
Phase III - Cleanup and Disposal
Phase IV - Restoration
Phase V - Recovery of Damages and Enforcement

(See Appendix V for detailed account of activities of each Phase.)

It should be noted that the polluter is responsible for notifying the proper Federal agency in the event of a pollution incident and is legally responsible for the containment, clean-up, and disposal of the pollutants. If the polluter is taking proper actions the role of the On-Scene Coordinator is to give advice and monitor the situation. Further Federal actions are only implemented if the polluter is not taking prompt and appropriate actions to mitigate the pollution incident or if the polluter is unknown.

The Environmental Protection Agency or the United States Coast Guard or any other Federal agency which is responsible for providing the On-Scene Coordinator for a particular region is responsible for initiating and implementing Phase I (Discovery and Notification) activities for that region. Those agencies not responsible for providing the On-Scene Coordinator are

[1] Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, pp.10-11.

supposed to incorporate Phase I activities into the design of their normal programs whenever possible.

The pollution control techniques employed by the On-Scene Coordinator are made in accordance with the appropriate regional plan. If a situation occurs pertaining to the use of chemicals that was not anticipated by the regional plan, application of these chemicals for cleanup or containment purposes must be in accordance with Annex X (See Appendix VI) of the National Plan and must have the approval of the Environmental Protection Agency representative on the Regional Response Team or, in case of his absence, the approval of the appropriate Environmental Protection Agency Regional Administration.

When a report of a spill or a potential spill is received by the On-Scene Coordinator he is required to evaluate the report. In general, his response will be to determine the pertinent facts concerning the spill. After determining the pertinent facts, he is responsible for classifying the severity of the pollution incident. The On-Scene Coordinator's evaluation report can be categorized into one of five classes. These classes and their concomitant actions are listed in Appendix VII.

In the National Plan the United States Coast Guard has been directed to form a National Level Strike Force which consists of trained personnel who, when requested, can assist the On-Scene Coordinator during pollution incident control activities. At the present time this force is located at Governor's Island, New York, and consists of ten men, but will be augmented in the near future to a force of fifty-four trained personnel. Any Federally owned specialized pollution control equipment is operated by this force under the direction of the On-Scene Coordinator.

The National Plan also provides for the formation, by the Regional Plans, of local strike forces which are to be capable of handling independently all minor spills within their own region, and to be able to merge with other local strike forces in combating medium or major pollution incidents.

An important feature of the National Plan is the provision for a $35 million pollution revolving fund which is used to defray the costs associated with Federal pollution response operations. This fund was established by section 11 of the Federal Water Pollution Control Act and is administered by the United States Coast Guard Commandant. (See Appendix VIII for details on Federal funding.)

Federal Regional Contingency Plans for the Long Island Sound Area

The general organizational structure and operation of the Regional Plans was discussed in the "National Plan" section and therefore will not be repeated here.

There are four Regional Plans that affect some part of the Long Island Sound area. Two are administered by the First and Third United States Coast Guard Districts, and the other two by Region I and Region II of the Environmental Protection Agency. Each plan provides for its own Regional Response Center, Regional Response Team, and On-Scene Coordinator. (See Appendix IV for regional and district boundaries.)

Each Regional Plan is, in essence, a catalog listing the locations and amounts of pollution control supplies and equipment, the names and locations of local pollution abatement organizations, the names and locations of potential polluters, the names and locations of private pollution control contractors, and other information which is pertinent for the operational success of the Regional Plans.

Neither the United States Coast Guard nor the Environmental Protection Agency actually perform any oil pollution clean-up operations. Pollution control operations are accomplished by employing private pollution control contractors. The actual duty of either the United States Coast Guard or the Environmental Protection Agency is to coordinate the control activities of these contractors through the appropriate On-Scene Coordinator. There is no official control, by the On-Scene Coordinator, of State or local pollution control activities.

New York State Water Quality Accident Contingency Plan

As of this writing New York does not have an approved State oil spill contingency plan. There is, however, a tentative and unofficial plan in book form titled New York State Water Quality Accident Contingency Plan which was prepared by the Water Quality Surveillance Section, Bureau of Water Quality Management, Division of Pure Waters, New York State Department of Environmental Conservation. This tentative plan is presently in the final evaluation and review stage and could become operational in the near future; no specific date for its implementation has been set.

The proposed State Plan does not specify what authority mandates the preparation of a State oil and hazardous substances spill contingency plan.

Authority for the establishment of the proposed State Plan seems to be granted by section 1210 part 4(e) of the Public Health Law which states:

> "4. The commissioner is hereby authorized to:
> (e) prepare and develop a general comprehensive plan, which shall be approved by the water resources commission, for the abatement of existing pollution and the prevention of new pollution, by the installation, use, and operation of practical and available systems, methods and means for controlling pollution . . ."[1]

(See Appendix IX for additional laws and authorities.)

The tentative New York State contingency plan would be applicable to "all state waters including inland streams and lakes, the Great Lakes, coastal waters, and the contiguous zone where there exists a threat to State waters, shoreface, or shelf-bottom".[2]

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[1] N.Y. Public Health Law Section 1210 Part 4(e) (1971).

[2] New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, p.B-2.

The State proposed plan, like the National Plan, would provide for the coordination and delineation of the responsibilities and actions of participating agencies in dealing with water quality accidents. It would establish a Water Quality Accident Committee (WQAC), a State Response Center, a State Response Team, Regional Response Centers, Regional Response Teams, pollution spill response coordination through the On-Scene Coordinator, and local strike forces.

The administering, developing and revising of the proposed plan would be the duty of the New York State Department of Environmental Conservation. Technical expertise pertaining to water pollution abatement techniques would be provided by the Department of Environmental Conservation through the Division of Pure Waters to the Regional Response Teams. The Division of Fish and Wildlife would be charged with the assessment of pollution damage to the State's fish and wildlife. (See Appendix X for complete details of responsibilities of Department of Environmental Conservation units.)

The Department of Health would be responsible for providing assistance and expert advice in situations where a pollution incident poses a threat to public health.

The Department of Transportation would be responsible for providing assistance and expert advice in situations where a pollution incident occurs in the State Barge Canals.

The Water Quality Accident Committee, which would consist of representatives of the Division of Fish and Wildlife (Department of Environmental Conservation), Division of Pure Waters (Department of Environmental Conservation), the Office of Field Services (Department of Environmental Conservation),

Division of Waterways (Department of Transportation), Division of Law Enforcement (Department of Environmental Conservation), Division of Environmental Health (Department of Health), and the Division of Maintenance (Department of Transportation) would be the principal organization in charge of the State's plans and policies for preparedness and response to oil or hazardous substance pollution incidents. The Committee would be charged with the following responsibilities:

1) Formulation of procedures to enhance the coordinated response of State, local, Federal, and private agencies to pollution incidents.

2) Provide the Department of Environmental Conservation with recommendations pertaining to the application, interpretation, and revision of the State Plan.

3) Evaluate and make recommendations pertaining to material and equipment stockpiling, training of response team personnel, research, development, test, and evaluation activities needed to support response capabilities.

4) Evaluate regional contingency plans and make recommendations to improve the effectiveness of these plans.

5) Review and coordinate reports from the Regional Response Centers and the State Response Center on the handling of unusual or major pollution incidents for the purpose of analyzing such pollution incidents and recommending areas of needed improvement in the State's contingency plan.

An extremely important function of the Water Quality Accident Committee would be its responsibility of establishing and maintaining liaison with the United States Coast Guard and the Environmental Protection Agency (Federal) in order "to promote a consistent posture regarding water quality accident control".[1]

The State Response Team, located at the State Response Center, consists of representatives of the primary divisions. (See membership of Water Quality Accident Committee.) The State Response Center would be located in the Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section. The State Response Team would act as an emergency response team when an oil or hazardous substance spill incident: "(a) exceeds the response capability of the region in which it occurs; (b) transects regional boundaries; or (c) presents a major hazard to substantial numbers of persons or significant amounts of property".[2] The State Response Team, on the basis of information and reports concerning a pollution incident, could request "other State, local, Federal or private agencies to consider taking action under whatever authorities they may have"[3] for oil pollution control activities. (See Appendix XI for detailed account of State Response Team responsibilities.)

The proposed plan would require the formation of Regional Response Centers and Regional Response Teams which would be located throughout the State and whose jurisdictional boundaries would conform to the standard environmental conservation regions as developed by the Department of Environmental Conservation. For the Long Island Sound area there would be three Regional Response Centers and three Regional Response Teams. (See

[1] New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, p.D-5.

[2] Ibid., p.D-6.

[3] Ibid., pp.D-6 - D-7.

Appendix XII for details). The responsibilities and agency make-up of the Regional Response Teams would, on a regional level, be similar to the State Response Team with the exceptions that the Response Teams would be empowered to determine the extent and duration of State actions, determine "when a shift of on-scene coordination from the predesignated OSC /On-Scene Coordinator/ to another agency"[1] is necessary, "perform review and advisory functions"[2] pertaining to "the regional plan similar to those prescribed for the WQAC /Water Quality Accident Committee/"[3] and would allow for the inclusion of "other State, local, Federal or private agencies"[4] as Regional Response Team members.

State pollution control efforts would be directed and coordinated at the scene of a pollution incident or potential pollution incident by the On-Scene Coordinator. Each regional plan must predesignate an On-Scene Coordinator. In the event that the predesignated On-Scene Coordinator is not at the scene of a spill, the first Department of Environmental Conservation officer present assumes the On-Scene Coordinator's duties pending the arrival of the predesignated official.

The duties of the On-Scene Coordinator (OSC) are as follows:

> "The OSC shall determine pertienent facts about a particular spill, such as the nature, amount, and location of material spilled, probable direction and time-of-travel of the material, resources and installations which may be affected and the priorities for protecting them.
>
> The OSC shall initiate and direct as required, Response Phase II /Containment and Countermeasures/

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[1] New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, p.D-7.

[2] Ibid.

[3] Ibid.

[4] Ibid.

and Response Phase III /Clean-up, Restoration and Disposal/ operations as described in Section E /Response Phases and On-Scene Coordination/, H /Containment and Countermeasures/ and I /Clean-up and Disposal/ of the State's contingency plan.

The OSC shall call upon and direct the deployment of needed resources in accordance with the regional plan to initiate and continue containment, countermeasures, clean up, restoration, and disposal functions.

The OSC shall provide necessary support activities and documentation for Response Phase IV /Investigations and Enforcement/ operation . . .

In carrying out this Plan, the OSC will fully inform and coordinate closely with the Regional Response Team and State Response Team to insure the maximum effectiveness of the State effort in protecting the natural resources and environment from pollution damage.

It is recognized that in some cases the OSC may have other functions which must be performed."[1]

State actions on oil or hazardous substance spills would be delineated into four phases. These phases are:

Phase I - Discovery, Notification and Surveillance
Phase II - Containment and Countermeasures

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[1]New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, p.D-8.

Phase III - Clean up, Restoration and Disposal

Phase IV - Investigation and Enforcement

(See Appendix XIII for detailed account of activities of each phase.)

It should be noted that the polluter is legally responsible for the containment, clean-up, and disposal of the pollutants. If the polluter is taking proper actions the role of the On-Scene Coordinator would be to give advice and monitor the situation. Further State actions would only be implemented if the polluter is not taking prompt and appropriate actions to mitigate the pollution incident, or if the polluter is unknown.

When a report of a spill or potential spill is received by the On-Scene Coordinator he would be required to evaluate the report. In general, his response would be to determine the pertinent facts concerning the spill (see p. 44). After determining the pertinent facts he would be responsible for classifying the severity of the pollution incident, determining the future course of State action, and for notifying the appropriate agencies in accordance with the regional plan whose operational jurisdiction covers the affected area. The On-Scene Coordinator's evaluation report could be categorized into one of five classes. These classes and their concomitant actions are listed in Appendix XIV.

The proposed State Plan provides for the formation, by the Regional Plans, of local strike forces which would be capable of handling independently all minor spills within their own region, and would be able to merge with other local strike forces in combating medium and major pollution spills.

Pollution response operations undertaken through the proposed State Plan by the Department of Environmental Conservation would be funded under existing programs and authorities.

There is no special State pollution fund to help defray the costs associated with State pollution control operations. (See Appendix XV for details on funding.)

Connecticut State Oil Spill Contingency Plan

The State of Connecticut does not have a formal oil spill contingency plan. One is presently being developed by Mr. David Agerton of Connecticut's Department of Environmental Protection. The authority for the development and initiation of such a plan seems to be provided by Connecticut Public Act of 1971, Number 872 Section 80 which states:

> "The (commission) Commissioner /Commissioner of the Department of Environmental Protection/ shall have the following powers and duties: . . . (b) to develop comprehensive programs for the prevention, control and abatement of new or existing pollution of the waters of the state; . . . (d) to submit plans for the prevention and control of water pollution . . . "[1]

And by Connecticut Public Act of 1971, Number 872 Section 9 which states:

> "The commissioner /Commissioner of the Department of Environmental Protection/ shall formulate and from time to time revise a statewide environmental plan for the management and protection of the quality of the environment and the natural resources of the state in furtherance of the legislative policy and purpose of this act."[2]

There is an informal oil spill contingency plan headed by Senior Field Inspector Mr. Russell Dibble of Connecticut's Water Resources Commission. He has on file the different State agencies which can assist in oil pollution abatement activities.[3]

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[1] Conn. Public Acts 1971, No. 872 Section 80.

[2] Conn. Public Acts 1971, No. 872 Section 9.

[3] Personal Communication.

Since there is no documentation available on the agencies involved and their responsibilities, or the operational procedures of this informal plan, no such details can be presented here.

See Appendix XVIII for some of the State's laws pertaining to oil.

A Plan for the Establishment of the New York Counties Oil Spill Team

At the request of Hon. Eugene H. Nickerson, County Executive of Nassau County, the Chairman of the New York State Fish and Wildlife Management Board, Region 9, Mr. Sherwin Allen prepared a multi-county oil spill contingency plan. This proposed plan, called "A Plan for the Establishment of the New York Marine Counties Oil Spill Team", provides for a "pattern of coordinated and integrated responses to pollution incidents"[1] by members (counties and municipalities) of the New York Marine Region and other New York State government agencies.

The plan would be applicable for "all tidal waters, including bays, rivers, and coastal waters, the shoreface and bottom lands underwater, in the Marine Region of the State of New York".[2] Nassau, Suffolk, Westchester, and the five counties within New York City constitute the boundaries of the New York Marine Region.

The principal instrumentality of the proposed plan is the New York Marine Counties Oil Spill Team (NYMCOST) which would be composed of representatives of the Mayor of New York City, the New York State Commissioner of Health, the Commissioner of Conservation, and the County Executives of Westchester, Nassau, and Suffolk Counties, and would be responsible "for developing plans and policies for a coordinated response to pollution incidents"[3] and for "developing and administrating the /NYMCOST/ regional plans".[4] Some of NYMCOST's responsibilities would be to:

1) "develop procedures to promote the coordinated reaction of all local government and private agencies to pollution incidents . . ."
2) "make recommendations to county teams concerning the application of the contingency plans."

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[1] County Executive of Nassau County, New York, A Plan for the Establishment of the New York Marine Counties Oil Spill Team (NYMCOST), by Sherwin Allen, May 27, 1969, p.1.

[2] Ibid., p.2.

[3] Ibid., p.4.

[4] Ibid.

3) "review and analyze county and regional contingency plans and make recommendations for improving the effectiveness of such plans."
4) Formulate recommendations "relating to the training of reaction team personnel, research, development, tests and evaluation activities needed to support reaction capabilities, equipment and material stockpiling and other matters as the need arises."
5) "establish and maintain liaison with the U.S. Coast Guard, the Federal Water Pollution Control Administration /Environmental Protection Agency/, the National Interagency Committee for Control of Pollution by Oil and Hazardous Materials (NIC) /Council on Environmental Quality/, and the Regional Operations Center (ROC) /Regional Response Center/ of the National Multi-Agency Oil and Hazardous Pollution Contingency Plan, to promote a consistent posture regarding oil pollution control."[1]

The County Oil Spill Teams, one for each participating county and New York City, would consist of representatives of the "County Executive, the Supervisors and Mayors of the Towns, Cities and Villages situated on the coastal waters of the County . . . and the County Police Marine Bureau . . . the oil barging and terminal industry, the commercial fishing and shellfishing industries, and organized sportsmen".[2] Each team would operate in compliance with county pollution response

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[1] County Executive of Nassau County, New York, A Plan for the Establishment of the New York Marine Counties Oil Spill Team (NYMCOST), by Sherwin Allen, May 27, 1969, pp.5-6.

[2] Ibid., p.7.

plans as an emergency response team which would be activated by the appropriate County Executive (or Mayor of New York City) in case of a pollution incident. The County Executive (or the Mayor of New York City) would also be responsible for designating a chairman for the County Oil Spill Team who would "assume the role of principal coordinator of the County Team's activities"[1] during pollution control operations.

The proposed local plan would establish two regions and two Regional Oil Spill Teams. Region One includes the "Atlantic and South Shore coastal waters and shore front of Nassau, Suffolk, Queens, Kings and Staten Island Counties"[2], while Region Two would include the "Long Island Sound and North Shore coastal waters and shore front of Nassau, Suffolk, Queens, Bronx and Westchester (from Pelham to Port Chester) Counties".[3] The members of the County Team that operates within Region One or Region Two form the membership of either Response Team One or Response Team Two.

The Regional Response Team acts as an emergency response team if a pollution incident: "(a) exceeds the response capability of the County in which it occurs, or (b) transects County boundaries".[4] The Chairman of each Regional Team would be a representative of the New York Marine Counties Oil Spill Team (NYMCOST) and upon Regional Team activation, the Chairman would "assume the role of principal coordinator of the Regional Team's activities".[5]

Actions of the proposed plan to oil spills could be delineated into four phases. These phases are:

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[1] County Executive of Nassau County, New York, A Plan for the Establishment of the New York Marine Counties Oil Spill Team (NYMCOST), by Sherwin Allen, May 27, 1969, p.8.

[2] Ibid., p.9.

[3] Ibid.

[4] Ibid.

[5] Ibid.

Phase I - Surveillance, Discovery and Notification

Phase II - Containment and Countermeasures

Phase III - Cleanup, Restoration and Disposal

Phase IV - Enforcement and Recovery of Damages

(See Appendix XVI for details of each phase.)

No special funding was established by this plan to defray the costs of pollution abatement operations. Reimbursement to NYMCOST members or to private industries, citizens or other agencies who make resources available to or through NYMCOST would be obtained "through institution of action against the polluter to recover cleanup costs under federal, state and local statutes".[1]

[1] County Executive of Nassau County, New York, A Plan for the Establishment of the New York Marine Counties Oil Spill Team (NYMCOST), by Sherwin Allen, May 27, 1969, p.3.

Suffolk County Hazardous Materials Law

The proposed Suffolk County Hazardous Materials Law is not a contingency plan but would provide the necessary legal authorities for establishing one. The proposed law, developed by Suffolk County Department of Environmental Control, attempts to cover all pollution aspects of hazardous materials from their transportation and storage to their cleanup during pollution spills. The intent of this law is to:

> "1) establish minimum standards for the transportation, transfer, storage, disposal, and cleanup of environmentally hazardous materials;
>
> 2) provide for permit and inspection procedures governing certain of these activities;
>
> 3) specify a schedule of charges and penalties for release of hazardous materials and for failure to comply with applicable regulations; and
>
> 4) establish procedures for the enforcement of permit conditions and standards, cleanup of released hazardous materials, abatement of unauthorized releases of hazardous materials."[1]

Anyone who transports, handles, stores, or in any other way has access to hazardous materials must have a permit to do so. He would also be required to "possess insurance or to post a bond . . . as evidence of financial responsibility for any assessment which may be levied under section 2.1 (Reimbursement of Departmental Hearings) of this Article".[2]

The proposed local law would empower the commissioner (as yet undefined) or his designee with the authority to take

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[1] Suffolk County Department of Environmental Control, Suffolk County Hazardous Materials Law, Draft No. 4, August 18, 1972, pp.1-2.

[2] Ibid., p.16.

pollution control actions when hazardous pollutants are released to the environment or when there is an imminent threat of a pollution incident. When a pollution incident occurs the commissioner or his designee would be immediately notified, and cleanup operations would be instituted under his direction by "(1) the person or persons who were in possession of the material immediately prior to such release, and (2) the owner of the material and the owner and the operator of any device or facility in which the material was contained immediately prior to such release, and (3) any party whose actions had contributed to the release of the material".[1]

If the department (as yet undefined) had to initiate pollution control activities, the commissioner (as yet undefined) would hold a hearing to "determine responsibility"[2] for the pollution or potential pollution incident, and the "person or persons thereby adjudged responsible shall be liable for an amount not to exceed the full cost of the action so undertaken by the department".[3] The fines would be used to defray the cost of pollution control activities of the department. The fees for the permits would also be utilized for pollution control activities by the department.

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[1]Suffolk County Department of Environmental Control, Suffolk County Hazardous Materials Law, Draft No. 4, August 18, 1972, pp.14-15.

[2]Ibid., p.15.

[3]Ibid.

The Town of Huntington has an Oil Spillage Control Board which was established in compliance with section 60-31 of local law number 7-71. This Board is the organization through which the Town of Huntington coordinates its response to local pollution incidents.

The Oil Spillage Control Board's jurisdiction includes the uplands, "harbours, bays, inlets, estuaries and any of the waters of the contiguous zone surrounding and adjacent to the Town of Huntington".[1]

The Oil Spillage Control Board is composed of seven members who are appointed by the Town Board, and collectively have expertise in the fields of Aquatic and Marine Biology; Ecology; Fish or Aquarium Management, and wholesale and retail distribution of fuel oil. The Board is empowered to issue permits for oil handling operations; to enter into agreements with "Federal or State agencies or other municipalities, oil terminal facilities, groups or other interested persons for the purpose of coordinating and jointly using such equipment and material and personnel"[2] to combat oil pollution; to create an oil pollution fighting fund by requiring "that the owner, operator, charterer, leasee, or other person who shall unload or cause to be unloaded, any liquid fuel, oil or other solvent, shall pay the sum of one mill per every five gallons"[3] of oil handled; to establish an oil pollution team for purposes of implementing local oil pollution control actions; and to assist the United States Coast Guard, under the direction of its On-Scene Coordinator, in pollution control efforts for local spills.

The local oil pollution team has the following obligations and duties:

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[1] Town of Huntington, New York Local Law Number 7-71, Section 60-32 K.

[2] Ibid., Section 60-31 C7.

[3] Ibid., Section 60-32 K.

"1. To develop such techniques as can be used for the removal of spillages of liquid fuel, oil or other solvents in and about the waters adjacent to and the harbors, bays, inlets, beaches, estuaries, wetlands, ponds and marshlands contiguous zones of the Town of Huntington.

2. To purchase such equipment and to have on hand, ready to use in absorbing and removing any spillage or seepage of liquid fuel, oil or other solvent in or about and contiguous to the waters of the Town of Huntington.

3. To have available at all times on the property owned by the Town of Huntington and adjacent to its harbors, bays or inlets, necessary material for the purpose of absorbing and disposing of any liquid fuel, oil or other solvent spillage and seepage on any soil, beach, bay, inlet, marshlands and contiguous zone which may be impregnated as a result of a spillage or seepage.

4. Develop methods of preventing spillage and seepage, of liquid fuel, oil and other solvent materials.

5. To institute any other programs necessary to carry forward, enforce, implement and otherwise engender the spirit and the intent of this program."[1]

The response actions of the Oil Spillage Control Board have been hampered, at the present time, by the litigation, initiated

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[1]Town of Huntington, New York Local Law Number 7-71, Section 60-32 M.

by the affected oil companies, of the legality of section 60-32 K of local law number 7-71 which allows the Board to establish a pollution fighting fund by requiring the oil handlers to pay a charge for every five gallons of oil handled. The decision of the court will, to a large extent, determine the future of Huntington's Oil Spillage Control Board.

The former Mayor of Milford, Connecticut, Mr. Edward J. Kozlowski, (presently the State of Connecticut's Commissioner of Public Waters) proposed in 1970 the formation of a multi-municipality association called Seashore Action For Environment (SAFE), which would attempt to establish mutual aid and cooperation agreements among the member communities for contending with oil pollution incidents as well as for other environmentally deleterious pollution situations.

The association would have been composed of communities (New York, Connecticut, and Rhode Island) bordering Long Island Sound, and would include representatives of Federal, State, and private agencies.

This association and community members would have the following duties:

1) "Set up a local Agency within each Community responsible for 'SAFE' activities. (Local Civil Defense, Health, Public Works, etc.)"

2) "Establish location for the storage of oil containment equipment . . . "

3) "Submit a request to Federal and State Agencies for appropriate funds required to establish seven (7) stations on the perimeter of Long Island Sound."

4) "Establish a common record form for documentation of expenses occurring during an emergency to allow proper claim establishment."

5) "Each Community should review and update procedures and inspection practices of oil-fuel- waste- hazardous material handing facilities."

6) "Communities set weekly or monthly tests for pollution along their shore for the purpose of evaluation of water quality."

7) "Each Community should review the industrial disposal methods being employed."[1]

The proposed association never proceeded past the developmental stage and is presently defunct. There are no plans to revive the SAFE concept and actually form an operational association.

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[1]Second Conference, "Seashore Action for Environment", under the direction of Mayor E. J. Kozlowski, Milford, Connecticut, January 19, 1971, p.7.

Industrial Oil Spill Contingency Plans

In order to combat oil pollution incidents, some of the oil companies located in the Long Island Sound area have banded together into oil spill cleanup cooperatives. The member oil companies for each cooperative pool their resources and form mutual assistance agreements so that in the event of a pollution incident all the member companies can come to the aid of the polluter and help to abate the oil pollution.

There are eight oil cooperatives or committees located in the Long Island Sound area. All of them are located in Connecticut. The names and locations of these oil cooperatives are as follows:

1) Connecticut River Pollution Control Committee, Rocky Hill, Connecticut.

2) New Haven Harbor Petroleum Cooperative, New Haven, Connecticut.

3) Stamford Harbor Cooperative, Stamford, Connecticut.

4) Bridgeport Harbor Pollution Abatement Committee, Bridgeport, Connecticut.

5) Thames River Petroleum Cooperative, Groton, Connecticut.

6) Norwalk Abatement Committee, Norwalk, Connecticut.

7) Portland-Middletown Pollution Abatement Committee, Portland, Connecticut.

8) Byram River-Greenwich Harbor Abatement Committee, Byram River and Greenwich Harbor, Connecticut.

Since this study is concerned with government contingency planning, no details will be given here pertaining to these cooperatives' contingency plans. (See Appendix XVII for copy of a model company oil spills contingency plan.)

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[1] Oil Spills Cleanup Cooperatives, A staff paper by the Committee on Public Affairs and the Committee for Air and Water Conservation of the American Petroleum Institute, January 1972, p.8.

Role of Interstate Agencies in Oil Contingency Plans

The Interstate Sanitation Commission, partially funded through the Pure Waters Division, New York State Department of Environmental Conservation, is an agency of three states (New York, New Jersey, and Connecticut) with responsibilities and programs in water and air pollution. The area of jurisdiction of the Commission, for water pollution, is the Greater New York Metropolitan Area which includes about half of Long Island Sound.

The Commission sets water quality standards, monitors water quality, prepares general plans for the "most practicable and economical method of securing conformity with the standards set",[1] and can "direct its legal representative to commence an action or a proceeding in the name of the interstate sanitation commission in an appropriate court having jurisdiction for the purpose of having such violations /of the pollution standards/ or threatened violations stopped or prevented."[2]

The Interstate Sanitation Commission does not have an oil spill contingency plan, but plays an important role in pollution control programs through its surveillance of industrial and municipal effluents for oil. It can ascertain whether industries or municipalities are meeting pollution control requirements, and if they are not the Commission can take appropriate enforcement actions as defined by the Tri-State Compact.

The Interstate Sanitation Commission makes its laboratory facilities available for analysis of water samples provided by many Federal and State agencies in order to "aid in a strong enforcement program at all levels of government".[3] The Federal Environmental Protection Agency, United States Attorney Offices, the Corps of Engineers, the New Jersey State Department of Environmental Protection, and the New York State Department of

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[1] N.Y. Public Health Law Section 1299g (1971).

[2] Ibid., Section 1299c.

[3] Interstate Sanitation Commission, 1971 Report of the Interstate Sanitation Commission on the Water Pollution Control Activities and the Interstate Air Pollution Program, 1971, p.62.

Environmental Conservation have made use of these facilities during the past year.

The results from water sample analysis are stored in a computer and are provided to regulatory agencies which have jurisdiction in the sampled area, and also to the companies or municipalities sampled. This computer processing ability of the Interstate Sanitation Commission allows vast amounts of data to be stored and made readily available for pollution control investigations and subsequent enforcement.

APPENDIX I

ABBREVIATIONS AND DEFINITIONS FOR FEDERAL PLANS

ABBREVIATIONS AND DEFINITIONS FOR FEDERAL PLANS[1]

Abbreviations

104.1 Department and Agency Title Abbreviations

CEQ	-	Council on Environmental Quality
Commerce	-	Department of Commerce
Corps	-	U. S. Army Corps of Engineers
DHEW	-	Department of Health, Education and Welfare
DOD	-	Department of Defense
DOI	-	Department of Interior
DOT	-	Department of Transportation
EPA	-	Environmental Protection Agency
Justice	-	Department of Justice
MarAd	-	Maritime Administration
NOAA	-	National Oceanic and Atmospheric Administration
OEP	-	Office of Emergency Preparedness
State	-	Department of State
USCG	-	U. S. Coast Guard
USGS	-	U. S. Geological Survey
USN	-	U. S. Navy

104.2 Operational Title Abbreviations

NRC	-	National Response Center
NRT	-	National Response Team
OSC	-	On-Scene Coordinator
RRC	-	Regional Response Center
RRT	-	Regional Response Team

[1] Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, pp.2-4.

Definitions

105.3 United States - means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

105.4 Inland Waters - Generally are those navigable fresh waters upstream from the coastal waters. (See 105.5)

105.5 Coastal Waters - generally are those U.S. marine waters navigable by deep draft vessels.

105.6 Contiguous Zone - means the entire zone established or to be established by the United States under Article 24 of the Convention on the Territorial Sea and the Contiguous Zone. This is assumed to extend 12 miles seaward from the baseline where the territorial sea begins.

105.7 Public Health or Welfare - includes consideration of all factors affecting the health and welfare of man, including but not limited to human health, the natural environment, fish, shellfish, wildlife, and public and private property, shorelines and beaches.

105.9 Oil - means oil of any kind or in any form, including but not limited to, petroleum, fuel oil, sludge, oil refuse and oil mixed with wastes other than dredged spoil.

105.10 Hazardous Polluting Substance - is an element or compound, other than oil as defined in 105.9 which, when discharged in any quantity, into or upon navigable waters of the U.S. or their tributaries, presents an imminent or substantial threat to the public health or welfare.

105.11 Minor Spill - is a discharge of oil of less than 1000 gallons in inland waters, or less than 10,000 gallons in coastal waters or a discharge of any material in a quantity that does not pose a threat to the public health or welfare. Discharges that: (1) occur in or endanger critical water areas; (2) generate critical public concern; (3) become the focus of an enforcement action; or (4) pose a threat to public health or welfare, should be classified as medium or major spills depending on their degree of impact.

105.12 Medium Spill - is a discharge of oil of 1000 gallons to 10,000 gallons in the inland waters or 10,000 gallons in coastal waters, or a discharge of any quantity of any material that poses a threat to the public health or welfare. See 105.11 for a definition of those spills which might be classified as a major spill even though their quantities conform to the definition of a medium spill.

105.13 Major Spill - is a discharge of oil of more than 10,000 gallons in inland waters or more than 100,000 gallons in coastal waters or a discharge of any quantity of material or substance that substantially threatens the public health or welfare, or generates wide public interest.

105.14 Potential Spill - is any accident or other circumstance which threatens to result in the discharge of oil or hazardous polluting substance. A potential spill shall be classified as to its severity based on the guidelines above.

APPENDIX II

FEDERAL LAWS AND LEGAL AUTHORITIES

1700 LEGAL AUTHORITIES [1]

1700.1 Federal Statutues, Regulations and Administration orders relative to oil pollution control are administered by several Departments and Agencies. The following is a tabular summation of the more important of these legal authorities.

1710 Federal Oil Pollution Control Statutes

STATUTES	OPERATING AGENCIES INVOLVED	PROHIBITED ACT OR AUTHORIZATION	TERRITORIAL APPLICATION	SANCTIONS	EXCEPTED DISCHARGES
1711 Refuse Act 1899 (33 U.S.C.407 et seq)	1.CORPS 2.U.S.C.G. 3.Customs 4.JUSTICE	To discharge from ship. . . (foreign & domestic) or from shore or water front facility, any refuse matter of any kind or description (even commercially valuable petroleum).	1.U.S.navigable waters (USNW) 2.Tributaries, if refuse floats or washes into USNW 3.On banks, If likely to be washed into USNW.	1.$500.00 - $2500.00; 30 days to 1 yr. or both 2.Vessel liable "in rem" for penalties.	"sewage" flowing from streets and sewers.
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1712 Water Quality Improvement Act of 1970 PL 91-224	1. EPA 2. DOT 3. CORPS 4. Customs 5. Justice	The discharge of oil into the water in harmful quantities	U.S. navigable waters, adjoining shorelines, the contiguous zone	1.Failing to report prohibited discharges-(a)fine up $10K(b)imprisonment up to one year, or both. 2.Knowingly discharging-penalty up to 10K. 3.Violating regulations-penalty up to $5K. 4.Cleanup costs(a)vessels-up to $14M or $100 per GRT(b)offshore/shoreside facilities-up to $8M.	1.As permitted by regulation. 2.In the contiguous zone as permitted by '54 Convention.
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1713 Oil Pollution Act 1961 as amended (33 U.S.C. 1001-1015)implements International Convention on Prevention of Pollution of Sea by Oil.	1.U.S.C.G. 2.Customs 3.Corps 4.Justice 5.State	1.Any discharge or escape of persistant oil from vessels subject to Act ie. all U.S. seagoing vessels including tankers (whose tanks carry only oil). Except: (a)Tankers under 150 gross tons;. (b)Other vessels under 500 gross tons;. (c)Vessels on whaling operations; (d)Vessels while using Great Lakes & tributaries; and, (e)Naval vessels and auxiliaries.	1.Prohibited zone: (a)Measured from baseline from which territorial sea is established; (b)Generally extends 50 miles to sea; (c)Extends 100 miles to sea off Northeast Coast of U.S.; (d)Extends out 100 miles to sea off West Coast of Canada; and, (e)Modifications published in Notices to Mariners.	1.Penalty: (a)$500.00 to $2500.00 or 1 yr. or both- any person or company; (b)Ship other than one owned & operated by U.S. liable "in rem" for above penalty, and (c)Suspension or revocation of license.	1.Discharges: (a)To secure safety of ship, cargo or life at sea (b)Due to damage to vessel or unavoidable leakage, if all reason able precautions taken after damage occured or leakage discovered (c)Of residue from fuel or lube oil purification or clarification as far from land as possible.

[1] Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, pp.VII-1 - VII-7.

		2.Any discharge of oil from vessel subject to Act, of 20,000 or plus gross tons, whose bldg. contract executed on or after May 18, 1967. 3.Vessels, subject to Act, which are tankers or use oil fuel must keep Oil Record Book with entries of certain discharges or escapes of oils. 4.Forward to State Dept. evidence of discharge or escape from foreign vesl.	2.Unlimited - Except if in Master's opinion special circumstances make it neither reasonable nor practicable to retain oil on board, discharge, outside prohibited zone is permitted. 3.Penalties re. Oil Record Book (a)Person failing to comply-fine of from $500.00 to $1000.00 (b)Person making false entry (i)fine - $500.00 to $1000. (ii)imprisonment for 6 mos. or both. 4.Prohibited zone (No. 1 above).		(d)Oily mixtures from bilges containing only lube oil drained or leaked from machinery spaces. (e)Vessels, other than tanker, proceeding to a port with inadequate reception facilities.
	* * * *	* * * *	* * * *	* * * *	* * * *	* * * *
1714 Federal Water (A) Pollution Control Act, as amended (33 U.S.C. 1151 et. seq.).	1.Administrator EPA	1.To participate in oil & other hazardous substances pollution spills & recommend solutions when requested by State or interstate agencies. 2.To provide technical assistance to public & private agencies. 3.To recommend limits on pollutants, including oil & hazardous substances. 4.To "approve" State adopted water quality standards and to establish Federal standards where State standards are not submitted or are inadequate. Standards ordinarily include criteria limiting discharges of oil or hazardous substances.	1.U.S. navigable waters & tributaries. Interstate waters as defined in this Act., including costal waters.	1.Enforcement-conference pursuant to Sec. 10 may result in Federal legal action to enforce recommendations. 2. Abatement action pursuant to Sec. 10(c) (5) where discharge reduces quality below established standard	
(B) Section 12, Fed. Water Pollution Control Act, as amended by P.L. 91-224(Apr. 3,1970) (33 U.S.C.1151, et. seq.)	Same as 1712	President shall promulgate regulations designating hazardous substances and recommending methods for removal.	Same as 1712	President shall make recommendation to Congress not later than Nov. 1,1970. Clean up fund of Section 11 available here.	

1720 Related Federal Statutes

STATUTES	ADMINISTRATIVE AUTHORITY	AUTHORIZED ACTION	TERRITORIAL CONSIDERATIONS
1721 U.S.Navy Ship Salvage Authority (10 U.S.C. 7361)	Secretary of Navy (U.S. Navy Ship System Command, Supervisor of Salvage)	1. To salvage, by contract or otherwise: (a)U.S. Naval vessels; (b)Private vessel (foreign or domestic) subject to availability of salvage forces; and, (i)if not abandoned nor under governmental control nor other salvage facilities reasonably available & competent private authority requests help, i.e. ship's master, owner, or underwriter, (ii)if abandoned or under control of U.S.C.G.,FWPCA, Corps of Engineers, Office of Emergency Preparedness, or federal court - competent requesting agency becomes customer.	1.(a)for U.S. Naval vessels - Navy has direct responsibility anywhere (b)for private vessels (i)U.S. navigable waters and high seas (ii)U.S. navigable waters, U. S. territorial waters and those within the authority of requesting government agency by law or treaty
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1722 Outer Continental Shelf Land Act of 1953 (43 U.S.C. 1331-1343)	Secretary of the Interior (a) Bur. of Land Mgmt. (b) U.S.G.S. Secretary of Transportation (a) U.S.C.G.	1. To regulate leases for exploitation of Shelf lands, terms & conditions calculated to prevent pollution in off-shore oil or mining operations. Regulations provide that lessee shall not pollute; shall take certain preventive actions and if pollution occurs, lessee shall make appropriate notifications and shall be liable for clean up.	1. U.S. Continental Shelf Lands
* * * *	* * * * *	* * * * *	* * * * *
1723 Disaster Relief Act of 1970 (84 Stat. 1744)	The President Director, Office of Emergency Preparedness per E.O. 11575, Dec. 31, 1970	1. To declare a major disaster at the request of a governor of a State 2. If declared, to direct Federal agencies to assist by: (a)Using or lending, with or without compensation, to state & local governments, equipment, supplies, facilities, personnel, etc. other than extension of credit under any act. (b)Performing, on public or private land, work to preserve life and property	(1) major disaster areas as declared by President (2) U.S., its territories & possessions

	(c) Provide temporary housing or emergency shelter (d) Clear debris & wreckage (e) Make emergency repairs & temporary replacements to public facilities of State and local governments. 3.OEP can give direct financial assistance to State & local governments for items in 2 above.			
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1724 14 U.S.C. 81 et seq.	U.S.C.G.	1.To aid distressed persons & protect property. Sec. 88 (b) in USNW and on the high seas. 2.To establish, maintain & operate aids to maritime navigation in USNW, waters above the U.S. continental shelf and other specified areas. 3.To mark for protection of navigation any wreck in USNW (Sec. 86) not properly marked by owner (33 U.S.C. 409)		
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
1725 14 U.S.C. 141 (a)	U.S.C.G.	1.On request may use personnel & facilities to assist any government agency, to perform any activity for which such personnel are especially qualified.		1. Limited only by international law re. Territorial waters
* * * * *	* * * * *	* * * * *	* * * * *	* * * * *
1726 Magnuson Act (50 U.S.C. 191)	designated U.S.C.G. Officers (33 CFR 6) when directed by Executive order (presently implemented by E.O. 10173 as amended)	1.Prevent anything from being placed on board any vessel or waterfront facility as defined in 33 CFR 6.01-4, when necessary to prevent damage to U.S. waters. 2.Establish security zones into which no person or vessel may enter or take anything. 3.Control vessel movement & take full or partial possession or control of any vessel when necessary to prevent danger to U.S. waters 4.Prevent mooring to or compel shifting of any vessel from waterfront facility if it endangers such vessel, other vessels, harbor, any facility therein because conditions exist in or about water front - not limited to fire hazards & unsatisfactory operations.		1. U.S. Territorial waters

1727 Dangerous Cargo Act (46 USC 170)	U.S.C.G.	1. Authority to establish regulations for handling, stowage, storage and use of dangerous articles or substances on board vessels 2. Authority to establish regualtions for disposing of dangerous articles or substances found to be in an unsafe condition	U.S. Territorial waters
* * * * *	* * * * *	* * * * *	* * * * *
1728 Tank Vessel Act (46 USC 391a)	U.S.C.G.	1. Authority to establish additional rules for provision against hazards of life and property created by vessels having on board inflammable or combustible liquid cargo in bulk.	U.S. Territorial waters
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TITLE	PARTIES	SUBSTANCE OF AGREEMENT	TERRITORIAL APPLICATION
1751 Treaty re. Reciprocal Rights in Conveyance of Prisoners and Wrecking & Salvage (35 Stat.2036, TS 502)	U.S. - Great Britain signed for Canada (1908)	1. Vessels & wrecking equipment of U.S. or Canada permitted to salvage wrecks, render aid to vessels in distress or disabled across the international boundary line.	1. In portion of St. Lawrence River through which boundary line passes. 2. Lakes Ontario, Erie, St. Clair, Huron, Superior. 3. Niagara, Detroit, St. Clair & Ste. Marie River. 4. Canals at Sault Ste. Marie. 5. Shores & territorial waters on Pacific & Atlantic within 30 miles of boundary line.
* * * * *	* * * * *	* * * * *	* * * * *
1752 Boundary Waters Treaty (35 Stat. 2448, TS 548)	U.S. - Great Britain signed for Canada (1909)	1. Established International Joint Commission with jurisdiction over all cases re. use, obstruction or diversion of waters including water pollution. No mechanism for enforcement directly by Commission findings & recommendations reported to respective governments for enforcement action within its territorial limits.	1. U.S. - Canadian boundary waters
* * * * *	* * * * *	* * * * *	* * * * *
1753 Treaty to Facilitate Assistance to & Salvage of Vessels in Territorial Waters (49 Stat. 3359, TS 905)	U.S. - Mexico (1936)	1. Vessels & rescue apparatus, public & private, may aid vessels and crew of its own nationality, when disabled or in distress. 2. Captain, master or owner of rescue vessel of either country must notify that country when entering or intending to enter territorial waters of the other country as early as possible and may freely proceed with rescue unless advised by the other country that adequate assistance is available or for any other reason rescue is not necessary.	1. On shores or within territorial waters of the other nation - (a)Within 720 mile radius of intersection of international boundary line & Pacific Coast or (b)within 200 miles radius of intersection of international boundary line & coast of Gulf of Mexico.

1754	Convention of High Seas (1958) TIAS 5200) (13 U.S.T. 2312)	U.S. (1962)-Denmark, Finland, Italy, Japan, Mexico, Netherlands, U.K., USSR, inter alia	1.Article XXIV - Member nations responsible for drafting regualtions to prevent pollution of seas by oil. 2.Article XXV - same for radioactive wastes & other harmful agents by vessels under its control	High Sea
	* * * * *	* * * * *	* * * * *	* * * * *
1755	Geneva Convention on Territorial Sea & Contiguous Zone (1958) (15 U.S.T. 1606) (TIAS 5639)	U.S. (1964)-Denmark, Finland, Italy, Japan, Netherlands, U.K., USSR, inter alia	1.To exercise necessary controls to prevent infringement of nations sanitary regualtions within its territory or territorial sea.	1.Not to exceed 12 miles outward from the baseline from which the territorial sea is measured.
	* * * * *	* * * * *	* * * * *	* * * * *
1756	Convention on Continental Shelf (1958) (TIAS 5578) (15 U.S.T. 471)	U.S. (1964)-Denmark, Finland, France, Mexico, Netherlands, U.K., USSR, inter alia	Coastal government has: exclusive & sovereign right to explore and exploit natural resources of the Shelf as long as it does not unjustifiably interfere with navigation, fishing or conservation of living sea resources nor with fundamental oceanographic or other scientific research destined for open publication.	U.S. Continental Shelf - 200 meter isobath curve contiguous to land or to a depth that admits of the exploitation of said area.
	* * * * *	* * * * *	* * * * *	* * * * *
1757	Convention for Prevention of Pollution by Sea by Oil, (1954) (12 U.S.T. 2989: (1962) amended 17 U.S.T. 1523)	U.S. (1961)-Belgium, Denmark, Finland, France, West Germany, Greece, Italy, Japan, Liberia, Mexico, Netherlands, Nigeria, Norway, Panama, Spain, Sweden, U.K., inter alia,	1.To prevent discharge or escape of oily substances by sea-going vessels - See Oil Pollution Act of 1961 as amended in 1966 for U.S. implementation. (33 U.S.C. 1001-1015) (Note: Oily substance is defined as presistant oil) 2. Maintenance of Oil Record Book.	1.Prohibited zone: All seas within 50 miles from nearest land (baseline from which territorial sea is established) and other areas as defined in the convention.

APPENDIX III

FEDERAL PRIMARY AND ADVISORY AGENCIES

FEDERAL PRIMARY AND ADVISORY AGENCIES[1]

Primary Agencies

202.5 The Department of Defense, consistent with its operational requirements, may provide assistance in critical pollution spills and in the maintenance of navigation channels, salvage, and removal of navigation obstructions.

202.6 The Department of Interior, through the USGS, supplies expertise in the fields of oil drilling, producing, handling, and pipeline transportation. Also, the USGS has access to and supervision over continuously manned facilities which can be used for command, control and surveillance of spills occurring from operations conducted under the Outer Continental Shelf Lands Act. Additionally, the Department of Interior will provide, through its Regional Coordinators, technical expertise to the OSC and RRT with respect to land, fish and wildlife, and other resources for which it is responsible. DOI is also responsible for American Samoa and the Trust Territory.

202.7 The Department of Transportation provides expertise regarding all modes of movement of oil and hazardous substances. Through the USCG, the Department serves as vice-chairman of the NRT and supplies support and expertise in the domestic/international fields of port safety and security, marine law enforcement, navigation, and construction, manning operation, and safety of vessels and marine facilities. Additionally, the Coast Guard maintains continuously manned facilities that are capable of command, control, and surveillance for spills occurring on the navigable waters of the United States or the high seas. The USCG is responsible for chairing the RRT and for implementing, developing and revising, as necessary, the regional plans for those areas where it is assigned the responsibility to furnish or provide for OSCs (Sec. 306.2). EPA will provide guidance to and coordinate with DOT regarding pollution control and the protection of the environment in the preparation of such plans.

202.8 The Environmental Protection Agency is responsible for chairing the NRT. In this capacity, it will assure that the Plan is effectively and efficiently implemented with optimum coordination among Federal Agencies and will recommend changes in the Plan to CEQ, as deemed necessary.

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[1] Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, pp. 5-6.

EPA is also responsible for chairing the RRT and for development, revision and implementation, as necessary, of regional plans for those areas in which it has responsibility to furnish or provide for the OSC (Sec. 306.2). Through the resources of the Office of Water Programs, EPA will provide technical expertise to NRT and the RRTs relative to environmental pollution control techniques including assessment of damages and environmental restoration.

Advisory Agencies

202.10 The Office of Emergency Preparedness will maintain an awareness of pollution incidents as they develop. The normal OEP procedures will be followed to evaluate any request for a major disaster declaration received from a Governor of a State. If the President declares that a pollution spill constitutes a major disaster under PL 91-606, the Director, OEP, will provide coordination and direction of the Federal response in accordance with OEP policies and procedures.

202.11 The Department of State can provide leadership in developing joint International contingency plans with Canada and Mexico in concert with the United States. It can also provide assistance in coordination when a pollution spill transects international boundaries or involves foreign flag vessels.

202.3 The Department of Commerce, through NOAA and MarAd, provides support to the NRT, RRT and OSC with respect to: marine environmental data; living marine resources; current and predicted meteorological, hydrologic and oceanographic conditions for the high seas, coastal and inland waters; design, construction and operation of merchant ships; and maps and charts, including tides and currents for coastal and territorial waters and the Great Lakes.

202.4 The Department of Health, Education, and Welfare is responsible for providing expert advice and assistance relative to those spills or potential spills that constitute or may constitute a threat to public health and safety.

202.9 The Department of Justice can supply expert legal advice to deal with complicated judicial questions arising from spills and Federal agency responses.

APPENDIX IV

FEDERAL PRIMARY AGENCIES REGIONAL AND DISTRICT BOUNDARIES

1400 PRIMARY AGENCIES REGIONAL AND DISTRICT BOUNDARIES[1]

1400 Geographical Boundaries

1400.1 Maps showing regional and district boundaries of the Primary Agencies and addresses and telephone lists for the principal field offices of these Agencies follow.

1400.2 Regional Planning will be based on the Standard Administrative Regions delineated on the map - 1406.

Agency

1401 Environmental Protection Agency - OWP /Office of Water Program/

1402 Department of Transportation - USCG

1403 Department of Defense

- 1403.1 U.S. Army Corps of Engineers - Division and District Offices
- 1403.2 U.S. Army Continental Army Commands
- 1403.3 U.S. Navy Naval Districts
- 1403.4 U.S. Air Force Reserve Regions

1404 U.S. Department of the Interior

- 1404.1 Field Committee Regions
- 1404.2 U.S. Geological Survey - Regional and District Offices

1405 Standard Administrative Regions

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[1] Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, pp. IV-1 - IV-20.

1401 Environmental Protection Agency

Region I
John F. Kennedy Federal Building
Boston, Massachusetts 02203

Division of Surveillance
and Analysis
Oil & Hazardous Materials Section
240 Highland Avenue
Needham Heights, Mass. 02194

Normal Duty Hours:

Telephone Numbers:

Needham Heights, Massachusetts
John F. Conlon
Carl L. Eidam
Thomas W. Devine
Myron O. Knudson
Edward V. Fitzpatrick

*(617) 223-7265, 7337

E P A NEDM

TWX 710-325-6678

Region I, Regional Office
Kenneth Crotty, Press Officer

*(617) 223-3478
*(617) 223-7223

WPCBOS

TWX 710-321-0068

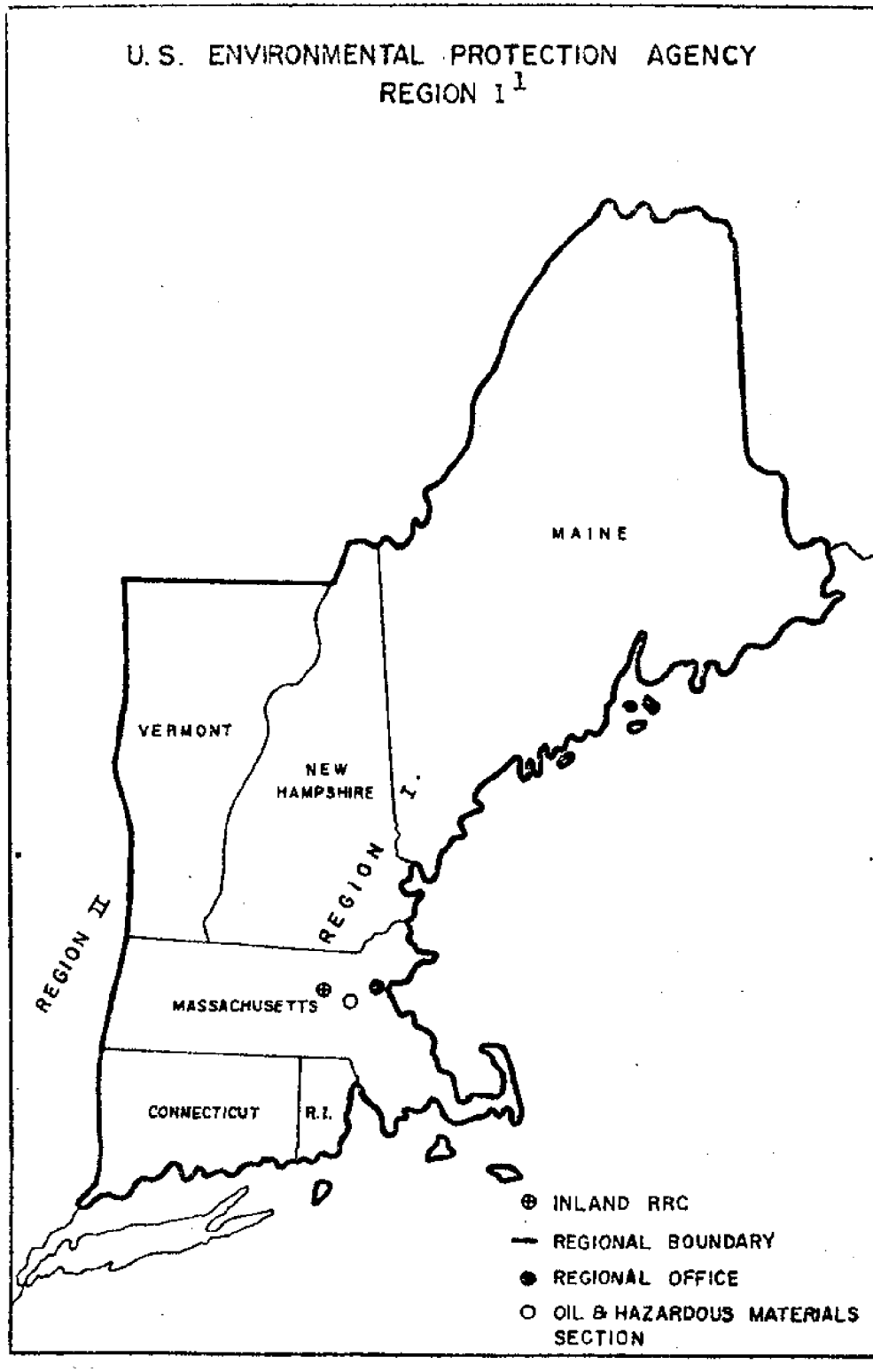
Boston FTS: 8-617-223-2100

Nights and Weekends: Contact nearest Coast Guard Station or 1st Coast Guard District Headquarters at 617-223-3645 and request that they relay the information.

Can Provide:

Federal Funds
Technical Assistance
Laboratory Analysis
Land Transportation (limited)
Public Information Services

*Commercial and FTS



[1]Environmental Protection Agency, Region I Oil and Hazardous Substances Pollution Contingency Plan for Inland Navigable Waters, Volume I - Regional Plan, January 1972, p. IV-3.

Environmental Protection Agency
Region II
Division of Surveillance and Analysis
Edison, New Jersey 08817

(For oil spills on New York side of Lake Champlain)

Normal Duty Hours	Telephone Numbers:
	(201) 548-3000 commercial switchboard
Howard J. Lamp'l	FTS: (201) 548-3515
Paul Elliot	FTS: (201) 548-3548
John Nicol	FTS: (201) 548-3549
National Oil Pollution Laboratory	(201) 548-3000
Richard Dewling	FTS: (201) 548-3501
WPCEDI	TWX 710-998-0598

Nights and Weekends: (201) 548-8730

Can Provide to New England:
Technical Assistance
Laboratory Analysis Services

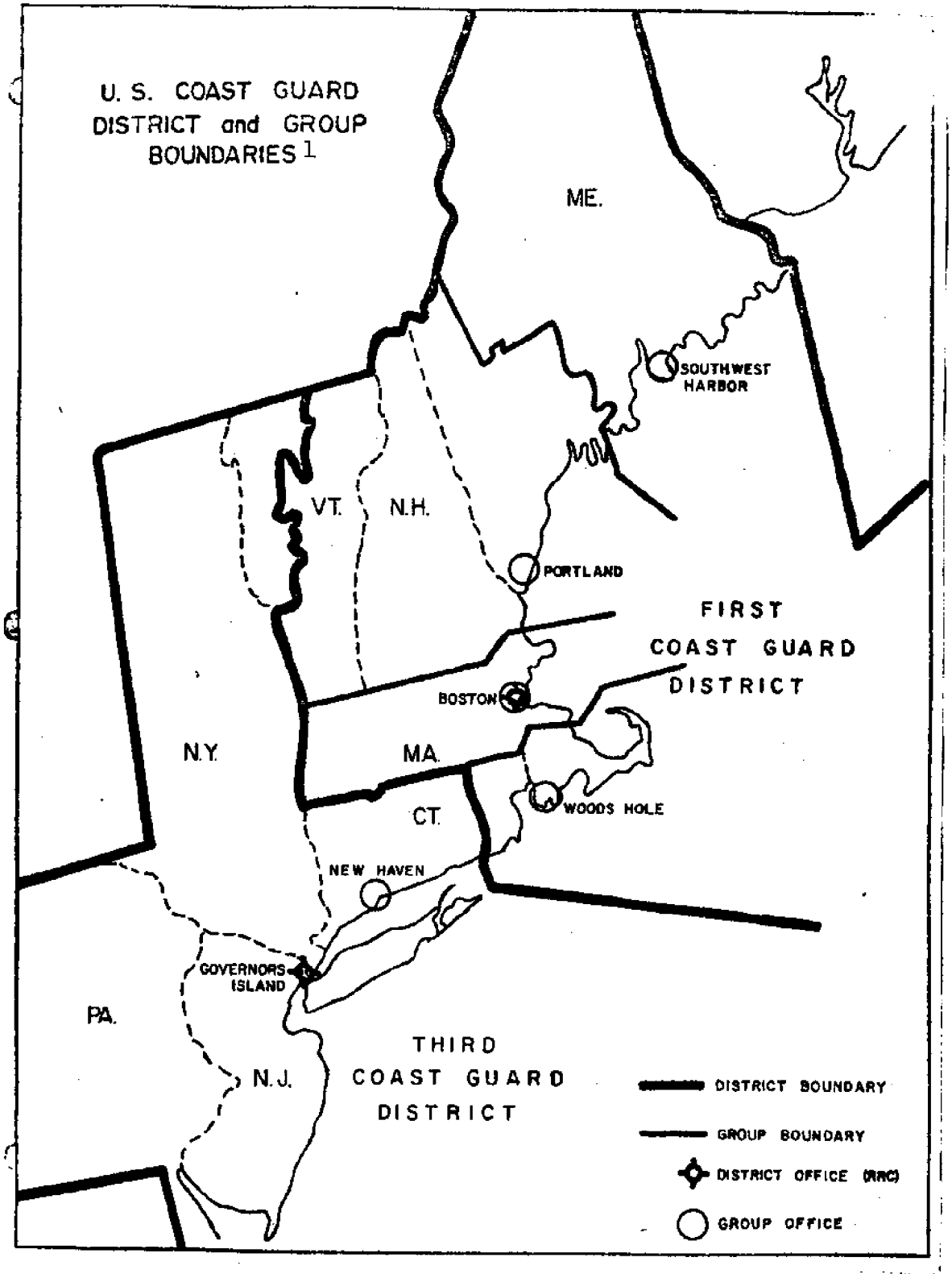
1402 U. S. Department of Transportation
Coast Guard
First District Headquarters

Location	Telephone Numbers:
Rescue Coordination Center (RCC) John F. Kennedy Federal Building Room 1009 Boston, Massachusetts 02203	*(617) 223-3645 (24 hours/day) Boston, FTS: 8-617-223-2100
Commander Fournier	*(617) 223-3630
Mr. Schmecht	*(617) 223-3630
Captain Banks	*(617) 223-6972
Mr. McGrath OCMI	*(617) 223-6972

Facilities and Equipment Available

Location with Conference Room for Coastal RRT
Communications - Radio
Telephone
Teletype
Shipping movement control

*Commercial and FTS



[1]U.S. Coast Guard, Region I Multi-Agency Oil and Hazardous Materials Pollution Contingency Plan (Coastal), December 1, 1970, p. IV-7.

U. S. Department of Transportation
Coast Guard Stations

Location	Telephone Numbers:
RHODE ISLAND	
U.S. Coast Guard Station Castle Hill Newport, Rhode Island 02840	(401)846-3675 (24 hour/day) Providence FTS: 8-401-528-1000
Station Commander Chief Warrant Officer - William Muessel	
CONNECTICUT	
U.S. Coast Guard Group Fort Trumbull New London, Connecticut 06320	*(203)449-7245 (24 hour/day
Captain of the Port - LCDR Gary Crosby	
U.S. Coast Guard Station 120 Woodward Avenue New Haven, Connecticut 06512	*(203) 469-6471 (24 hour/da
NEW YORK	
U.S. Coast Guard Eatons Neck Station Northport, New York 11768	(516)261-6868 (24 hour/day) New York FTS:8-212-460-0100
Third District Headquarters U.S. Coast Guard Air/Sea Rescue Center Captain of the Port, New York	*(212) 264-4800 (24 hour/da

Law Enforcement and Intelligence Branch: *(212) 264-4916
CDR R. J. Hanson Lt. J. C. Clow
LCDR G. J. Seney LTJG A. H. Schieck

Facilities and Equipment Available for all of the above:

Coast Guard Boats	Sample Collection Service
Communications	Location for Command Post
Water Transportation	Emergency Towing Capabilities
Air Transportation (limited)	Control Shipping Movements

1401 ENVIRONMENTAL PROTECTION AGENCY
Office of Water Programs
Regional Offices

Environmental Protection Agency
Region I, Room 2303
John F. Kennedy Federal Building
Boston, Massachusetts 02203
Tel: (617) 223-7210

Environmental Protection Agency
Region II, Room 847
26 Federal Plaza
New York, New York 10007
Tel: (212) 264-2525

Environmental Protection Agency
Region III
P. O. Box 12900
Philadelphia, Pennsylvania 19108
Tel: (215) 597-9151

Environmental Protection Agency
Region IV, Suite 300
1421 Peachtree St., N.E.
Atlanta, Georgia 30309
Tel: (404) 526-5727

Environmental Protection Agency
Region V
33 East Congress Parkway
Chicago, Illinois 60605
Tel: (312) 353-5250

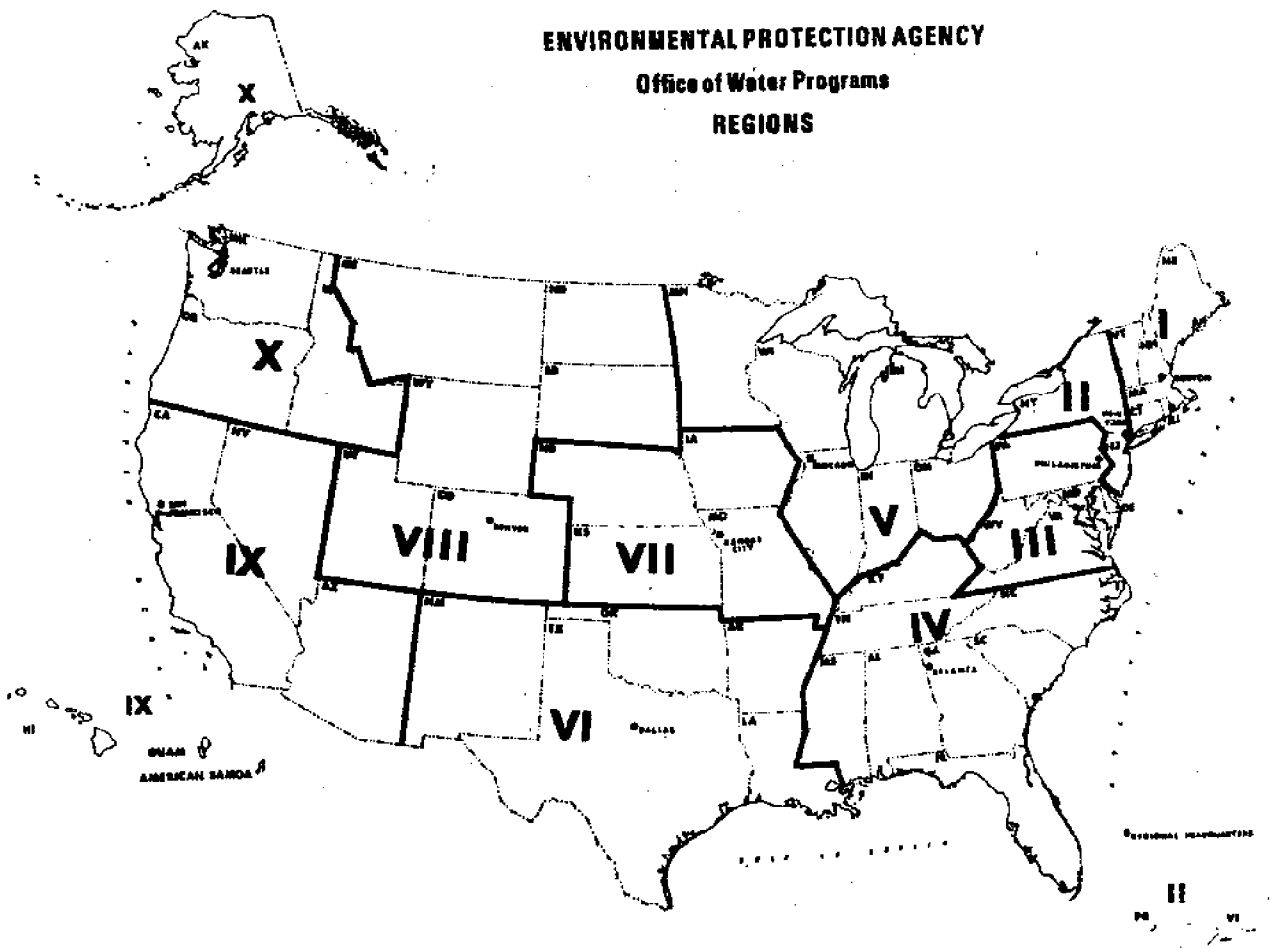
Environmental Protection Agency
Region VI
1114 Commerce Street
Dallas, Texas 75202
Tel: (214) 749-2827

Environmental Protection Agency
Region VII, Room 702
911 Walnut Street
Kansas City, Missouri 64106
Tel: (816) 374-3778

Environmental Protection Agency
Region VIII, Suite 900
1860 Lincoln Street
Denver, Colorado 80203
Tel: (303) 837-3895

Environmental Protection Agency
Region IX
760 Market Street
San Francisco, California 94102
Tel: (415) 556-4303

Environmental Protection Agency
Region X
1200 Sixth Avenue
Seattle, Washington 98101
Tel: (206) 442-1200


ENVIRONMENTAL PROTECTION AGENCY
Office of Water Programs
REGIONS
X
X
I
II
III
IV
V
VI
VII
VIII
IX
IX
GUAM
AMERICAN SAMOA
II

1402 DEPARTMENT OF TRANSPORTATION
U. S. Coast Guard Districts

1st Coast Guard District
J. F. Kennedy Federal Bldg.
Government Center
Boston, Mass. 02203
Duty Officer: (617) 223-3645

2nd Coast Guard District
Federal Building
1520 Market Street
St. Louis, Mo. 63103
Duty Officer: (314) 622-4614

3rd Coast Guard District
Governors Island
New York, N. Y. 10004
Duty Officer: (212) 264-4800

5th Coast Guard District
Federal Building
431 Crawford Street
Portsmouth, Va. 23705
Duty Officer: (703) 393-6081

7th Coast Guard District
Room 1018, Federal Bldg.
51 S.W. 1st Avenue
Miami, Fla. 33130
Duty Officer: (305) 350-5611

8th Coast Guard District
Customhouse
New Orleans, La. 70130
Duty Officer: (504) 527-6225

9th Coast Guard District
1240 East 9th Street
Cleveland, Ohio 44199
Duty Officer: (216) 522-3983

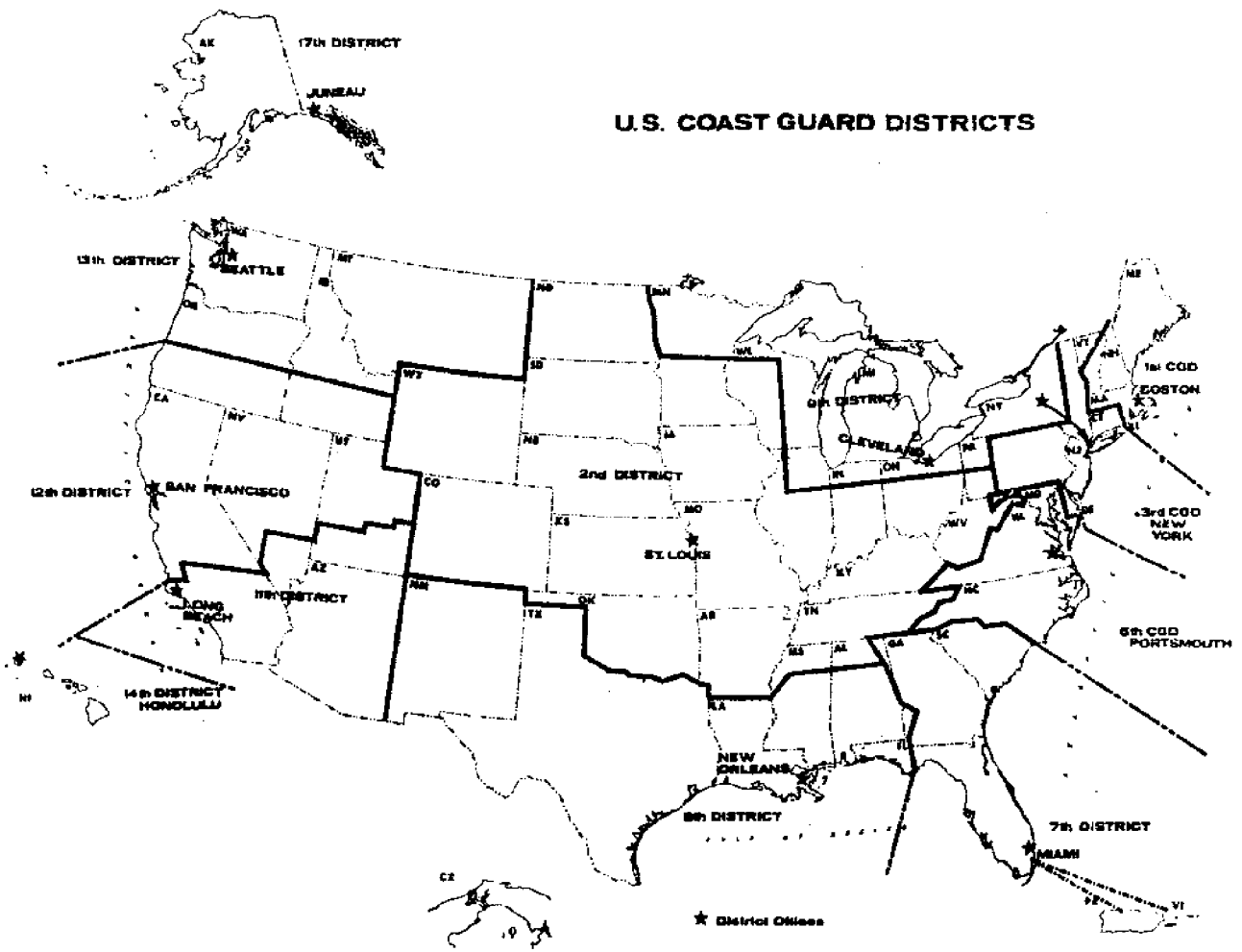
11th Coast Guard District
Heartwell Bldg.
19 Pine Avenue
Long Beach, Calif. 90802
Duty Officer: (213) 437-2944 (FTS)
213-437-2941 (COMMERCIAL)

12th Coast Guard District
630 Sansome Street
San Francisco, Calif. 94126
Duty Officer: (415) 556-5500

13th Coast Guard District
618 2nd Avenue
Seattle, Wash. 98104
Duty Officer: (206) 624-2902

14th Coast Guard District
677 Ala Moana Blvd.
Honolulu, Hawaii 96813
Duty Officer: (Hono) 588-841
(COMMERCIAL ONLY)
AUTOVON - (315) 732-4800 DROP 223

17th Coast Guard District
P. O. Box 3-5000
Juneau, Alaska 99801
Duty Officer: (907) 586-7340
(COMMERCIAL ONLY)


U.S. COAST GUARD DISTRICTS
17th DISTRICT
JUNEAU
13th DISTRICT
SEATTLE
12th DISTRICT
SAN FRANCISCO
11th DISTRICT
LONG BEACH
14th DISTRICT
HONOLULU
2nd DISTRICT
ST. LOUIS
9th DISTRICT
CLEVELAND
1st COD
BOSTON
3rd COD
NEW YORK
5th COD
PORTSMOUTH
8th DISTRICT
NEW ORLEANS
7th DISTRICT
MIAMI
★ District Offices

1403 DEPARTMENT OF DEFENSE
U. S. Army Corps of Engineers
1403.1 Division and District Offices

U.S. Army Engr. Div. Lower Miss. Valley
Corner Crawford and Walnut Sts.
P. O. Box 80
Vicksburg, Miss. 39180
Tel. Duty Hours - (601) 636-1311
Non Duty Hours - (601) 636-9367

U. S. Army Engr Dist, MEMPHIS
668 Federal Office Bldg.
Memphis, Tenn. 38103
Tel. Duty Hours - (901) 534-3221
Non Duty Hours - (901) 397-7501

U. S. Army Engr Dist, NEW ORLEANS
P. O. Box 60267
Foot of Prytania St.
New Orleans, La, 70160
Tel. Duty Hours - (504) 865-1121
Non Duty Hours - (504) 865-1041
861-2203

U. S. Army Engr Dist, ST. LOUIS
906 Olive St.
St. Louis, Mo. 63101
Tel. Duty Hours - (314)268-2817
Non Duty Hours - (314) 726-4735

U. S. Army Engr Dist, VICKSBURG
P. O. Box 60
USPO & Courthouse
Vicksburg, Miss. 39180
Tel. Duty Hours - (601) 636-1311
Non Duty Hours - (601) 636-7111

U. S. ARMY ENGR DIV, MISSOURI RIVER
P. O. Box 103 Downtown Station
USPO & Courthouse
215 North 17th Street
Omaha, Nebraska 68101
Tel. Duty Hours - (402)221-1221
Non Duty Hours - (402) 453-0202

U. S. Army Engr Dist, KANSAS CITY
700 Federal Office Bldg.
601 E. 12th Street
Kansas City, Mo. 64106
Tel. Duty Hours - (816) 374-3896
Non Duty Hours - (913) 649-6086

U. S. Army Engr Dist. OMAHA
7410 USPO & Courthouse
215 North 17th Street
Omaha, Nebraska 68102
Tel. Duty Hours - (402) 221-1221
Non Duty Hours - (402) 453-0202

U. S. ARMY ENGR DIV, NEW ENGLAND
424 Trapelo Road
Walthan, Mass. 02154
Tel. Duty Hours - (617) 894-2400
Non Duty Hours - (617) 894-2404

U. S. ARMY ENGR DIV, NORTH ATLANTIC
90 Church Street
New York, N.Y. 10007
Tel. Duty Hours - (212) 264-3311
Non Duty Hours - (212) 269-2491

U. S. Army Engr Dist, BALTIMORE
P. O. Box 1715
31 Hopkins Plaza
Baltimore, Md. 21203
Tel. Duty Hours - (301) 962-3311
Non Duty Hours - (301) 828-5195

U. S. Army Engr Dist, NEW YORK
26 Federal Plaza
New York, N. Y. 10007
Tel. Duty Hours (212) 264-3311
Non Duty Hours - (212) 264-3311

U. S. Army Engr Dist, NORFOLK
Ft. Norfolk
803 Front Street
Norfolk, Va. 23510
Tel. Duty Hours - (703) 625-8201
Non Duty Hours - (703) 622-7043

U. S. Army Engr Dist, PHILADELPHIA
US Custom House
2nd & Chestnut Street
Philadelphia, Pennsylvania 19106
Tel. Duty Hours - (215) 597-3311
Non Duty Hours - (215) 649-5702

U. S. ARMY ENGR DIV, NORTH CENTRAL
536 S. Clark Street
Chicago, Ill. 60605
Tel. Duty Hours (312) 353-6385
Non Duty Hours - (312) 646-2183

U. S. Army Engr Dist, BUFFALO
1776 Niagara Street
Buffalo, N. Y. 14207
Tel. Duty Hours - (716) 876-5454
Non Duty Hours - (716) 876-5454

X-34

U. S. Army Engr Dist. CHICAGO
219 S. Dearborn Street
Chicago, Illinois 60604
Tel. Duty Hours - (312) 353-6406
Non Duty Hours - (312) 646-2183

U. S. Army Engr Dist, DETROIT
P. O. Box 1027
150 Michigan Avenue
Detroit, Mich. 48231
Tel. Duty Hours - (313) 963-1261
Non Duty Hours - (313) 568-2840

U. S. Army Engr Dist, ROCK ISLAND
Clock Tower Building
Rock Island, Illinois 61201
Tel. Duty Hours - (309) 788-6361
Non Duty Hours - (309) 762-0658

U. S. Army Engr Dist, ST. PAUL
1210 USPO & Customhouse
St. Paul, Minnesota 55101
Tel. Duty Hours - (612) 725-7506
Non Duty Hours - (612) 941-2060

U.S. Army Engr Dist, LAKE SURVEY
630 Federal Bldg. & US Courthouse
Detroit, Michigan 48226
Tel. Duty Hours - (313) 226-6161
Non Duty Hours - (313) 568-2840

U. S. ARMY ENGR DIV, NORTH PACIFIC
220 S.W. 8th Street
Portland, Oregon 97209
Tel. Duty Hours - (503)226-3361
Non Duty Hours - (503) 224-3275

U.S. Army Engr Dist, ALASKA
P. O. Box 7002
Anchorage, Alaska 99501
Tel. Duty Hours - (907) 752-9114
Non Duty Hours - (907) 279-1132

U. S. Army Engr. Dist, PORTLAND
P. O. Box 2946
2850 S.E. 82nd Avenue
Portland, Oregon 97208
Tel. Duty Hours - (503) 771-4441
Non Duty Hours - (503) 771-1305

U. S. Army Engr Dist. SEATTLE
1519 Alaskan Way, South
Seattle, Washington 98134
Tel. Duty Hours - (206) 682-2700
Non Duty Hours - (206) 682-2700

U. S. Army Engr Dist, WALLA WALLA
Bldg. 602, City-County Airport
Walla Walla, Washington 99362
Tel. Duty Hours - (509) 525-5500
Non Duty Hours - (509) 525-3178

U. S. ARMY ENGR DIV, OHIO RIVER
P. O. Box 1159
550 Main Street
Cincinnati, Ohio 45201
Tel. Duty Hours - (513) 684-3001
Non Duty Hours - (513) 561-3758

U. S. Army Engr Dist, HUNTINGTON
P. O. Box 2127
502 8th Street
Huntington, W. Va. 25721
Tel. Duty Hours - (304) 529-2318
Non Duty Hours - (304) 525-8332

U. S. Army Engr Dist, LOUISVILLE
830 West Broadway
Louisville, Ky. 40202
Tel. Duty Hours - (502) 582-5011
Non Duty Hours - (812) 256-3371
X-3238

U. S. Army Engr Dist, NASHVILLE
P. O. Box 1070
306 Federal Office Building
Nashville, Tenn. 37202
Tel. Duty Hours - (615) 242-8321
Non Duty Hours - (615) 242-2769
352-2871

U. S. Army Engr. Dist, PITTSBURGH
2032 Federal Bldg.
1000 Liberty Avenue
Pittsburgh, Pa. 15222
Tel. Duty Hours - (412) 644-3311
Non Duty Hours - (412) 366-0947

U. S. ARMY ENGR DIV, PACIFIC OCEAN
Bldg. 96
Ft. Armstrong
Honolulu, Hawaii 96813
Tel. Duty Hours - (808) 40-0531
Non Duty Hours - (808) 5432-033

U. S. Army Engr Dist, HONOLULU
Bldg. 96
Ft. Armstrong
Honolulu, Hawaii 96813
Tel. Duty Hours - (808) 403711
Non Duty Hours - (808) 868846

U. S. ARMY ENGR DIV, SOUTH ATLANTIC
510 Title Bldg.
30 Pryor St., S.W.
Atlantic, Georgia 30303
Tel. Duty Hours - (404) 526-0111
Non Duty Hours - (404) 233-7837

U. S. Army Engr Dist, CHARLESTON
P. O. Box 919
Federal Building
334 Meeting Street
Charleston, S. C. 29402
Tel. Duty Hours - (803) 577-4171
Non Duty Hours - (803) 766-5772

U. S. Army Engr Dist, JACKSONVILLE
Federal Building
400 West Bay Street
Jacksonville, Florida 32202
Tel. Duty Hours - (904) 791-2011
Non Duty Hours - (904) 389-8268

U. S. Army Engr Dist, MOBILE
P. O. Box 2288
2301 Airport Blvd.
Mobile, Alabama 36601
Tel. Duty Hours - (205) 473-0311
Non Duty Hours - (205) 473-7362

U. S. Army Engr Dist, SAVANNAH
P. O. Box 889
200 East Saint Julian St.
Savannah, Ga. 31402
Tel. Duty Hours - (912) 233-8822
Non Duty Hours - (912) 233-8825

U. S. Army Engr Dist, WILMINGTON
P. O. Box 1890
308 Federal Building
US Courthouse
Wilmington, N. C. 28401
Tel. Duty Hours - (919)763-9971
Non Duty Hours - (919) 762-7035

U. S. ARMY ENGR DIV, SOUTH PACIFIC
630 Sansome St. Rm 1216
San Francisco, California 94111
Tel. Duty Hours - (415) 556-9000
Non Duty Hours - (415) 556-0914

U. S. Army Engr Dist, LOS ANGELES
P. O. Box 2711
300 North Los Angeles St.
Los Angeles, Calif. 90053
Tel. Duty Hours - (213) 688-5522
Non Duty Hours - (213) 688-5522

U. S. Army Engr Dist, SACRAMENTO
650 Capital Mall
Sacramento, Calif. 95814
Tel. Duty Hours - (916) 449-2000
Non Duty Hours - (916) 452-1535

U. S. Army Engr Dist, SAN FRANCISCO
100 McAllister Street
San Francisco, Calif. 94102
Tel. Duty Hours - (415) 556-9000
Non Duty Hours - (415) 556-3660

U.S. ARMY ENGR DIV, SOUTHWESTERN
1114 Commerce Street
Dallas, Texas 75202
Tel. Duty Hours - (214) 748-5611
Non Duty Hours - (214) 526-5007

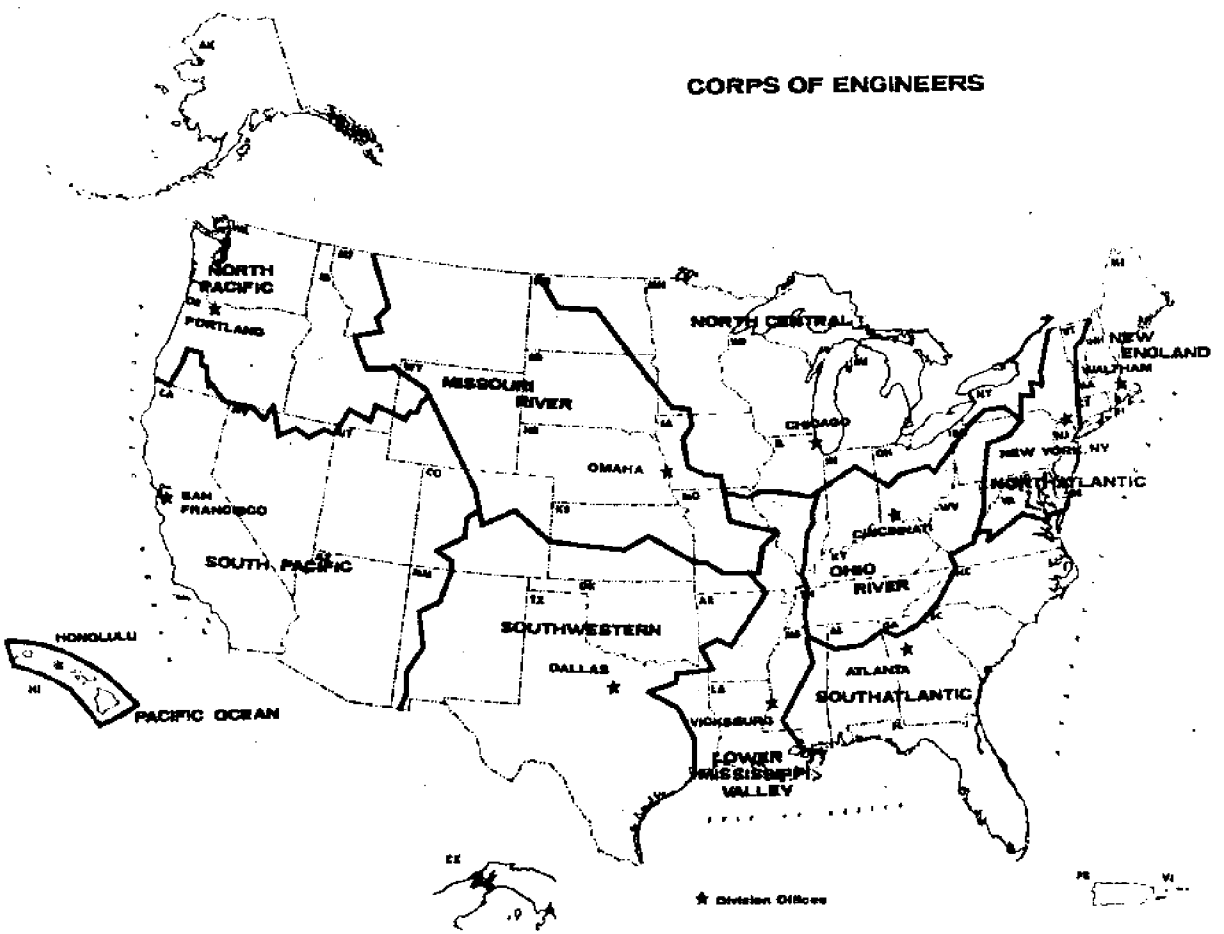
U. S. Army Engr Dist, ALBUQUERQUE
P. O. Box 1580
517 Gold Avenue S.W.
Alburquerque, N. M. 87103
Tel. Duty Hours - (505) 843-0311
Non Duty Hours - (505) 298-4556

U. S. Army Engr Dist, FORT WORTH
P. O. Box 17300
819 Taylor Street
Fort Worth, Texas 76102
Tel. Duty Hours - (817) 334-3011
Non Duty Hours - (817) 451-4420

U. S. Army Engr Dist, GALVESTON
P. O. Box 1229
Galveston, Texas 77550
Tel. Duty Hours - (713) 763-1211
Non Duty Hours - (713) 762-0314

U. S. Army Engr Dist, LITTLE ROCK
P. O. Box 867
700 W. Capitol
Little Rock, Ark. 72203
Tel. Duty Hours - (501) 372-4361
Non Duty Hours - (501) 372-2011

U. S. Army Engr Dist, TULSA
P. O. Box 61
224 South Boulder
Tulsa Oklahoma 74103
Tel. Duty Hours - (918) 584-7151
Non Duty Hours - (918) 587-0311


CORPS OF ENGINEERS
NORTH PACIFIC
PORTLAND
MISSOURI RIVER
OMAHA
NORTH CENTRAL
CHICAGO
NEW ENGLAND
WALTHAM
NEW YORK, NY
NORTH ATLANTIC
SAN FRANCISCO
SOUTH PACIFIC
CINCINNATI
OHIO RIVER
SOUTHWESTERN
DALLAS
ATLANTA
SOUTH ATLANTIC
VICKSBURG
LOWER MISSISSIPPI VALLEY
HONOLULU
PACIFIC OCEAN
★ Division Offices

1403.2 U. S. ARMY
CONTINENTAL COMMANDS

Headquarters
U. S. Continental Army Command
Ft. Monroe, Virginia 23351
Tel. 24 hours/day (703) 727-2256

Headquarters
First United States Army
Ft. George G. Meade
Maryland 20755
Tel. 24 hours/day (301) 677-2082

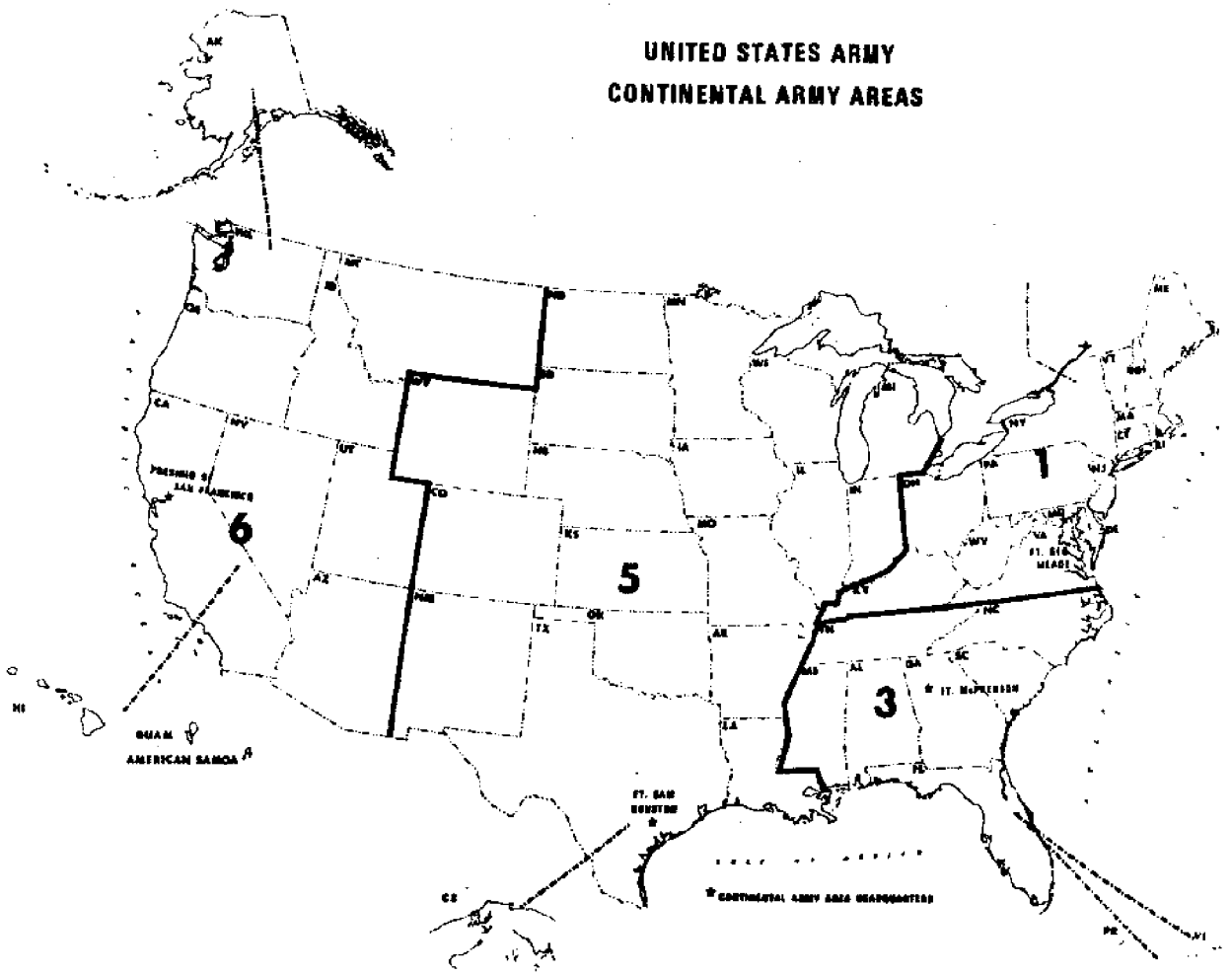
Headquarters
Fifth United States Army
Chicago, Illinois 60615
Tel. Duty Hours (312) 926-3145
Non Duty Hours (312) 926-2238

Headquarters
Third United States Army
Ft. McPherson
Georgia 30330
Tel. Duty Hours (404) 752-2105
Non Duty Hours (404) 752-3606

Headquarters
Sixth United States Army
Presidio of San Francisco
California 94129
Tel. Duty Hours (415) 561-3891
Non Duty Hours (415) 561-2497

Headquarters
Fourth United States Army
Ft. Sam Houston
Texas 78234
Tel. Duty Hours (512) 221-5347
Non Duth Hours (512) 221-4746

Headquarters
Military District
Washington
Washington, D. C. 20315
Tel. 24 hours/day (202) 697-3722


UNITED STATES ARMY
CONTINENTAL ARMY AREAS
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6
GUAM
AMERICAN SAMOA
FT. SAM HOUSTON
FT. McPHERSON
FT. GEO. MEADE

1403.3 U. S. NAVY

NAVAL DISTRICTS

Headquarters, 1st Naval District
495 Summer Street
Boston, Massachusetts
Tel. (617) LI 2-5100
AUTOVON 955-9110

Headquarters, 3rd Naval District
90 Church Street
New York, New York 10007
Tel. (212) RE2-9100
AUTOVON 796-1110

Headquarters, 4th Naval District
Philadelphia, Pennsylvania 19112
Tel. (215) 755-4114
AUTOVON 443-1110

Headquarters, 5th Naval District
Norfolk, Virginia 23511
Tel. (703) 444-3589
AUTOVON 690-0110

Headquarters, 6th Naval District
Naval Base
Charleston, South Carolina 29408
Tel. (803) 743-2650
AUTOVON 794-4111

Headquarters, 8th Naval District
New Orleans, Louisiana 70140
Tel. (504) 366-2311

Headquarters, 9th Naval District
Building I
Great Lakes, Illinois 60088
Tel. (312) 688-4810
AUTOVON 792-2000

Headquarters, 10th Naval District
San Juan, Puerto Rico
Tel. (809) 722-0080
AUTOVON 894-3641

Headquarters, 11th Naval District
San Diego, California 92130
Tel. (714) 235-3401
AUTOVON 933-8011

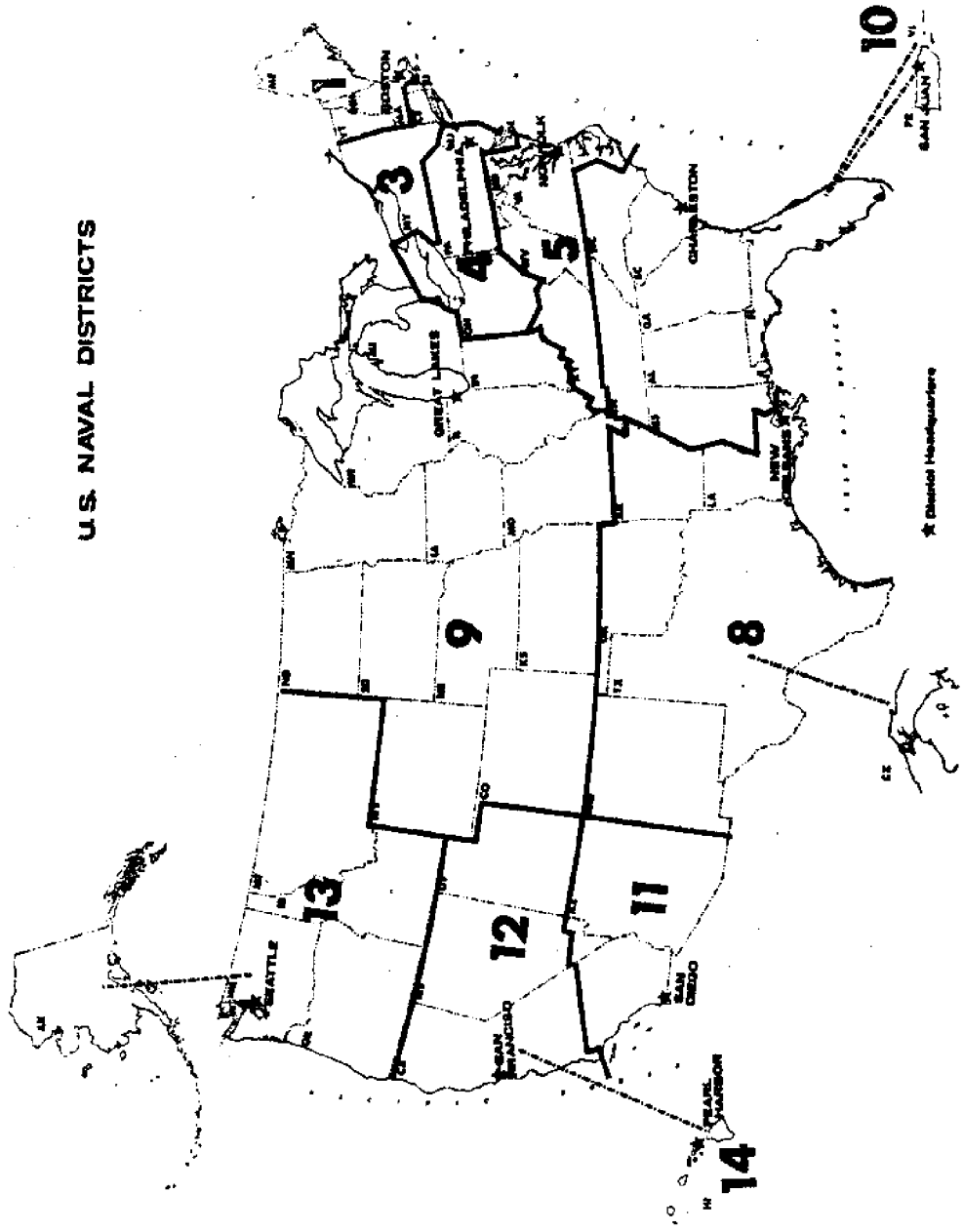
Headquarters, 12th Naval District
Federal Office Building
59 Fulton Street
San Francisco, California 94102
Tel. (415) 621-3828
AUTOVON 869-0111

Headquarters, 13th Naval District
Seattle, Washington 98115
Tel. (206) AT 3-5200
AUTOVON 941-3111

Headquarters, 14th Naval District
Pearl Harbor, Hawaii
Tel. (808) 40053 Ext. 22101
AUTOVON 421-6823

Headquarters, 15th Naval District
Fort Amador Canal Zone
Canal Zone 882226
AUTOVON 221-3312

Headquarters, Naval District,
Washington, D. C.
Washington Navy Yard
Washington, D. C. 20390
Tel. (202) OX 3-2572-or OX-3-2670
AUTOVON 223-2572/2670


U.S. NAVAL DISTRICTS
1
3
4
5
10
9
8
13
12
11
14
BOSTON
PHILADELPHIA
NORFOLK
CHARLESTON
SAN JUAN
GREAT LAKES
NEW ORLEANS
SEATTLE
SAN DIEGO
SAN FRANCISCO
PEARL HARBOR
★ District Headquarters

1403.4 U. S. AIR FORCE

RESERVE REGIONS

First Air Force Reserve Region
Andrews Air Force Base
Washington, D. C. 20331
Tel. Duty Hours (301) 981-2345
Non Duty Hours (301) 981-9111

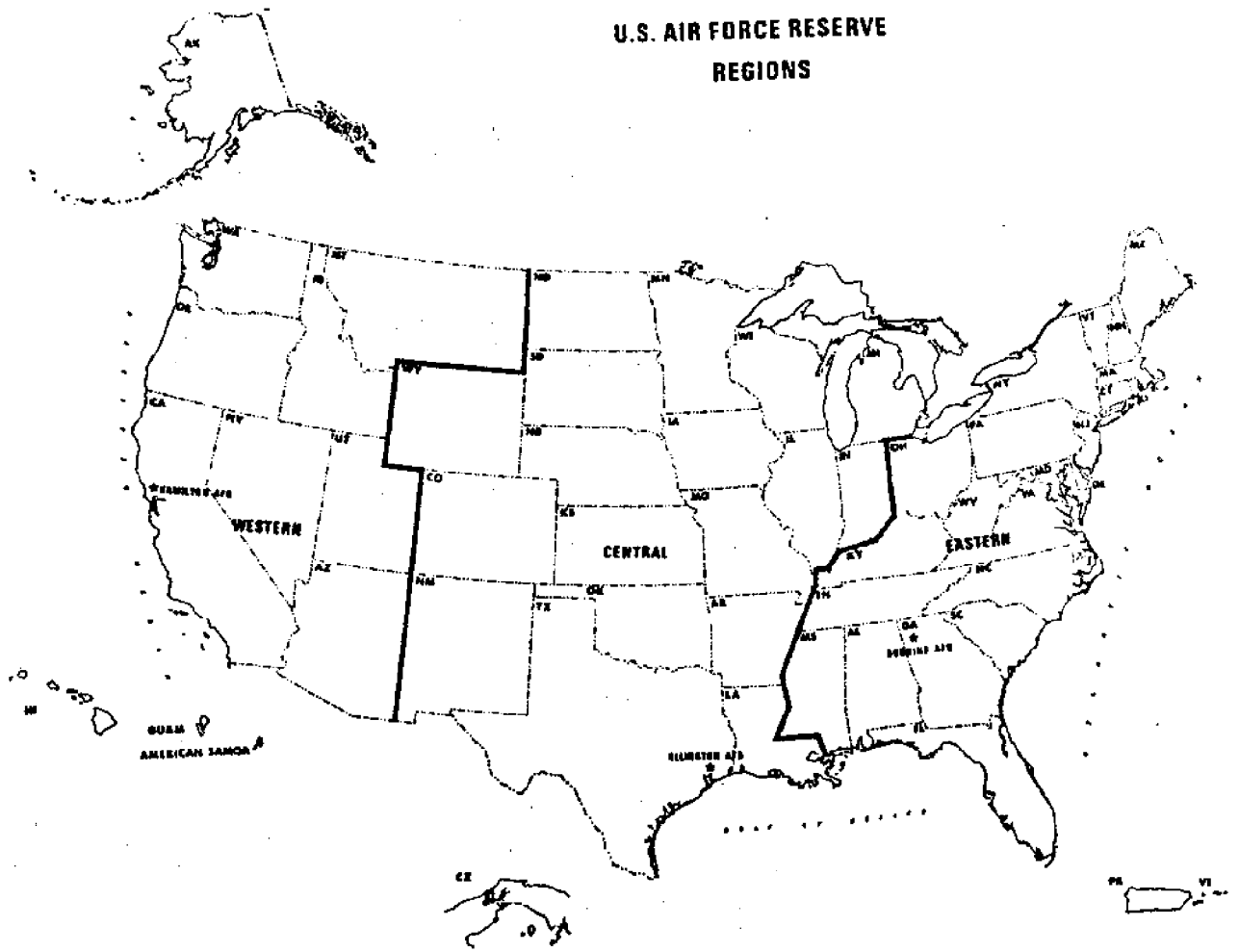
Third Air Force Reserve Region
Dobbins Air Force Base
Georgia 30060
Tel. Duty Hours - (404) 428-4461
X-741
Non Duty Hours - (404) 428-4461

Fourth Air Force Reserve Region
Randolph Air Force Base
Texas 78148
Tel. Duty Hours (512) 729-3350
Non Duty Hours (512) 652-1110

Fifth Air Force Reserve Region
Selfridge Air Force Base
Michigan 48045
Tel 24 hours/day (313) 465-1241
X -5240
4233

Sixth Air Force Reserve Region
Hamilton Air Force Base
California 94934
Tel. Duty Hours (415) 883-3811
Non Duty Hours (415) 883-7711

U.S. AIR FORCE RESERVE REGIONS



1404 DEPARTMENT OF THE INTERIOR
1404.1 FIELD COMMITTEE REGIONS

NORTHEAST REGION
Regional Coordinator
Department of the Interior
John F. Kennedy Federal Building
Room 2003K-- Government Center
Boston, Massachusetts 02203
Tel: (617) 223-2973

NORTH CENTRAL REGION
Field Representative
Department of the Interior
2510 Dempster Street, Rm. 217
Des Plaines, Illinois 60016
Tel: (312) 298-3375

PACIFIC SOUTHWEST REGION
Field Representative
Department of the Interior
450 Golden Gate Avenue
P. O. Box 36098
San Francisco, California 94102
Tel: (415) 556-8200

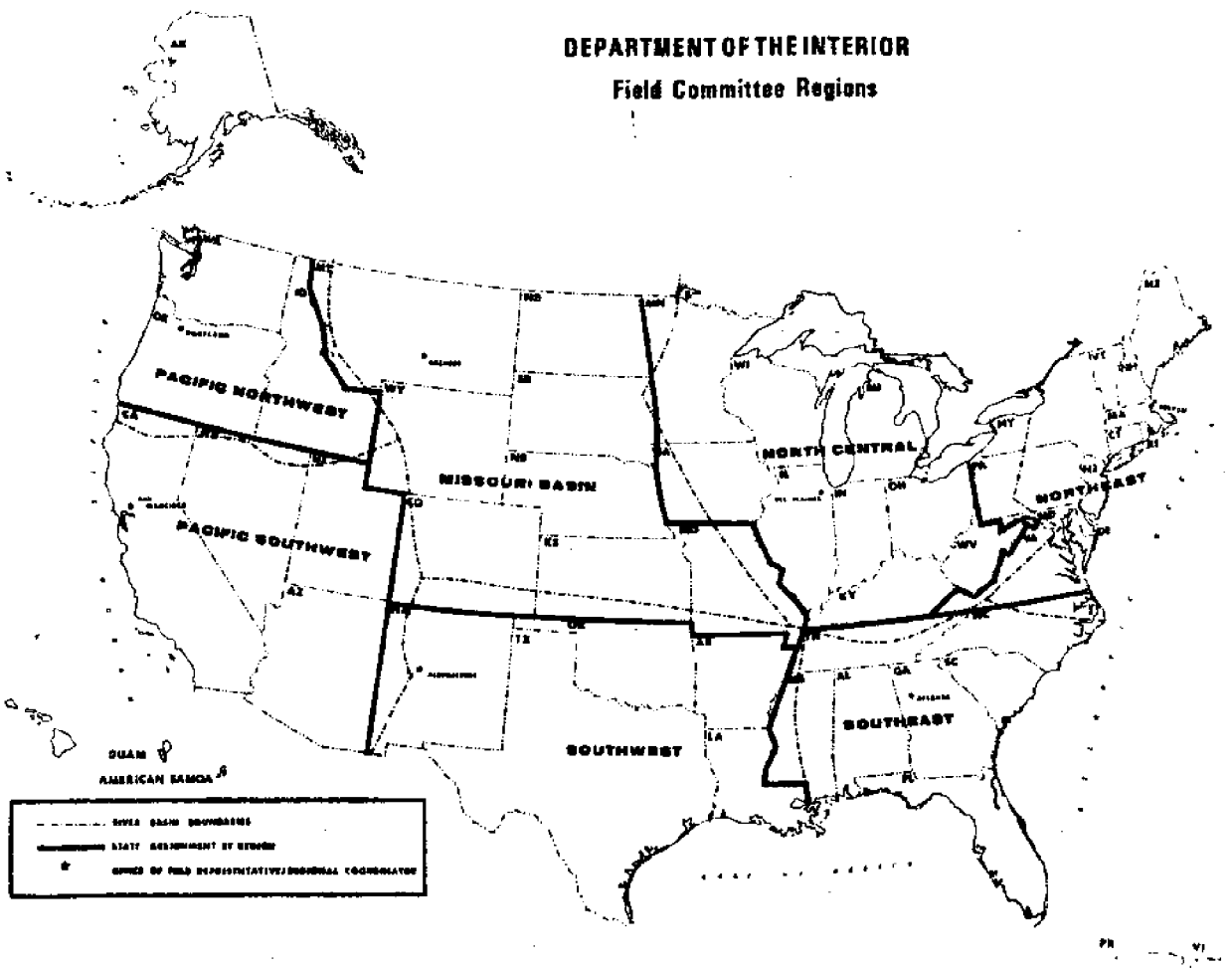
PACIFIC NORTHWEST REGION
Field Representative
Department of the Interior
Federal Building, Room 702
1002 N. E. Holladay Street
P. O. Box 3621
Portland, Oregon 97208
Tel: (503) 234-5138 or 39
234-4710

SOUTHEAST REGION
Field Representative
Department of the Interior
404 Financial Services Bldg.
148 Cain Street, N.E.
Atlanta, Georgia 30303
Tel: (404) 526-4524

MISSOURI BASIN REGION
Regional Coordinator
Department of the Interior
Federal Office Bldg., Rm. 5311
316 North 26th Street
P. O. Box 2530
Billings, Montana 59103
Tel: (406) 245-6373

ALASKA REGION
Field Representative
Department of the Interior
338 Denali Street
MacKay Building, Suite 1407
Anchorage, Alaska 99501
Tel: (206) 583-0150
(907) 279-0712 or
272-5561,
X - 422 or 433

SOUTHWEST REGION
Field Representative
Department of the Interior
Federal Building, Room 4030
517 Gold Street, S. W.
Albuquerque, New Mexico 87101
Tel: (505) 843-2838 or 2839


DEPARTMENT OF THE INTERIOR
Field Committee Regions
PACIFIC NORTHWEST
PACIFIC SOUTHWEST
MISSOURI BASIN
NORTH CENTRAL
NORTHEAST
SOUTHWEST
SOUTHEAST
GUAM
AMERICAN SAMOA

1404.2 U.S. GEOLOGICAL SURVEY
Regional and District Offices

HEADQUARTERS

Chief, Branch of Oil & Gas Operations
U. S. Geological Survey-CD
3227 General Services Admin. Bldg.
18th & F Streets, N. W.
Washington, D. C. 20242
Tel: (202) 343-4528

ALASKA REGION

Regional Oil and Gas Supervisor
U. S. Geological Survey-CD
Post Office Box 259
Room 214, Skyline Bldg.
218 E. Street
Anchorage, Alaska 99501
Tel: (907) 277-0570
Thru Seattle (206) 583-0150

EASTERN REGION

Regional Oil and Gas Supervisor
U. S. Geological Survey-CD
Room 3227, GSA Bldg.
Washington, D. C. 20242
Tel: (202) 343-4528

MID-CONTINENT REGION

Regional Oil and Gas Supervisor
U. S. Geological Survey-CD
4562 Federal Building
333 West Fourth Street
Tulsa, Oklahoma 74103
Tel: (918) 584-7631

District Offices

District Engineer
U. S. Geological Survey-CD
Oklahoma City District
4321 Federal Court House &
Office Building
Oklahoma City, Oklahoma 73102
Tel: (405) 231-4806

District Engineer
U. S. Geological Survey-CD
Shreveport District
201 Oil and Gas Building
323 Market Street
Shreveport, Louisiana 71101
Tel: (318) 425-6355

District Engineer
U. S. Geological Survey-CD
Tulsa District
3413 Federal Building
333 W. Fourth Street
Tulsa, Oklahoma 74103
Tel: (918) 584-7633

GULF COAST REGION

Regional Oil and Gas Supervisor
U. S. Geological Survey-CD
Suite 336
3301 N. Causeway Blvd.
Metairie, Louisiana 70004
Tel: (504) 527-2424

District Offices

District Engineer
Lafayette District No. 1
P. O. Box 52289
239 Bendel Road
Lafayette, Louisiana 70501

District Engineer
Lafayette District No. 2
P. O. Box 52289

New Orleans District
Suite 322
Imperial Office Bldg.
3301 N. Causeway Blvd.
Metairie, Louisiana 70004
Tel: (504) 527-6119

NORTHERN ROCKY MOUNTAIN REGION

Regional Oil and Gas Supervisor
U. S. Geological Survey
P. O. Box 2859
2002 Federal Building
Casper, Wyoming 82601
Tel: (307) 265-3405

SOUTHERN ROCKY MOUNTAIN REGION

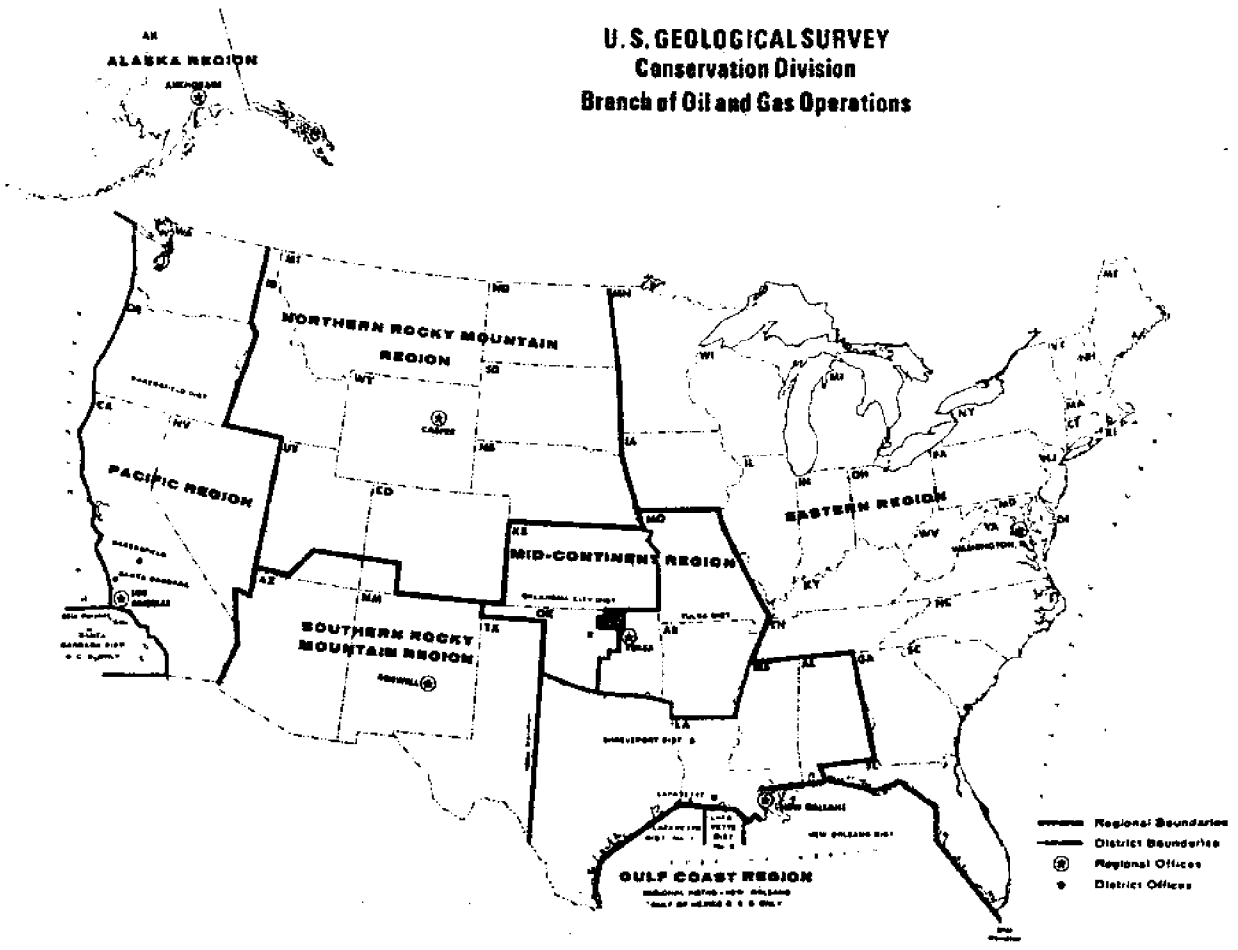
Regional Oil and Gas Supervisor
U. S. Geological Survey-CD
Federal Building and U. S. Court House
Richardson Ave. at Fifth St.
Roswell, New Mexico 88201
Tel: (505) 622-9857

PACIFIC REGION

Regional Oil and Gas Supervisor
U. S. Geological Survey-CD
7744 Federal Building
300 N. Los Angeles St.
Los Angeles, California 90012
Tel: (213) 688-2846

District Office

Santa Barbara District
209 Post Office Building
836 Anacapa Street
Santa Barbara, California 93101
Tel: (805) 963-3305


U.S. GEOLOGICAL SURVEY
Conservation Division
Branch of Oil and Gas Operations
ALASKA REGION
NORTHERN ROCKY MOUNTAIN REGION
PACIFIC REGION
MID-CONTINENT REGION
EASTERN REGION
SOUTHERN ROCKY MOUNTAIN REGION
GULF COAST REGION
Regional Boundaries
District Boundaries
Regional Offices
District Offices

APPENDIX V

FEDERAL RESPONSES PHASES

FEDERAL RESPONSE PHASES[1]

401 Phase I -- Discovery and Notification

401.1 Discovery of a spill may be by a report received from the discharger in accordance with statutory requirements, through deliberate discovery procedures such as vessel patrols, aircraft searches, or similar procedures, or through random discovery by incidental observations of government agencies or the general public. In the event of receipt of a report by the discharger, written verification of such notification shall be provided by the receiving Federal agency within 7 working days. In the event of deliberate discovery, the spill would be reported directly to the RRC. Reports from random discovery may be initially through fishing or pleasure boats, police departments, telephone operators, port authorities, news media, etc. Reports generated by random discovery should be reported to the nearest CG or EPA office. Regional plans should provide for such reports to be channeled to the RRC as promptly as possible to facilitate effective response action.

401.2 The severity of the spill will determine the reporting procedure and the participating Federal Agencies to be notified promptly of the spill. The severity of the spill is determined by the nature and quantity of materials spilled, the location of the spill and the resources adjacent to the spill area which may be affected by it. Regional plans should specify critical water use areas and detail alerting procedures and communication links. All spills should be reported to the OSC and the RRC. A major or potential major spill shall immediately be reported to the RRC and NRC via telephone and teletype. Members of the RRT and NRT shall be notified by the appropriate response center depending on the severity of the spill. Medium spills shall be reported to the RRC and the NRC as soon as practicable, utilizing teletype whenever possible.

402 Phase II -- Containment and Countermeasures

402.1 These are defensive actions to be initiated as soon as possible after discovery and notification of a spill. After the OSC determines that further Federal response actions are needed and depending on the cir-

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[1] Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, pp. 12-13.

cumstances of each particular case, various actions may be taken. These may include, public health protection activities, source control procedures, salvage operations, placement of physical barriers to halt or slow the spread of a pollutant, emplacement or activation of booms or barriers to protect specific installations or areas, control of the water discharge from upstream impoundments and the employment of chemicals and other materials to restrain the pollutant and its effects on water related resources. Surveillance activities will be conducted as needed to support Phase II and III actions.

403 Phase III -- Cleanup and Disposal

403.1 This includes those actions taken to remove the pollutant from the water and related onshore areas such as the collection of oil through the use of sorbers, skimmers, or other collection devices, the removal of beach sand, and safe, non-polluting disposal of the pollutants which are recovered in the cleanup process.

404 Phase IV -- Restoration

404.1 This includes those actions taken to restore the environment to its pre-spill condition, including assessment of damages incurred, and actions such as reseeding shellfish beds.

405 Phase V -- Recovery of Damages and Enforcement

405.1 This includes a variety of activities, depending on the location of and circumstances surrounding a particular spill. Recovery of Federal cleanup costs and recovery for damage done to Federal, State or local government property is included; however, third party damages are not dealt with in this Plan. Enforcement activities under appropriate authority such as sections 11 and 12 of the Act, the Refuse Act of 1899, and State and local statutes or ordinances are also included. The collection of scientific and technical information of value to the scientific community as a basis for research and development activities and for the enhancement of our understanding of the environment may also be considered in this phase. It must be recognized that the collection of samples and necessary data must be performed at the proper times during the case for enforcement and other purposes.

APPENDIX VI

FEDERAL SCHEDULE OF DISPERSANTS AND OTHER CHEMICALS

ANNEX X[1]

2000 SCHEDULE OF DISPERSANTS AND OTHER CHEMICALS TO TREAT OIL SPILLS

2001 General

2001.1 This schedule shall apply to the navigable waters of the United States and adjoining shorelines, and the waters of the contiguous zone as defined in Article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

2001.2 This schedule applies to the regulation of any chemical as hereinafter defined that is applied to an oil spill.

2001.3 This schedule advocates development and utilization of mechanical and other control methods that will result in removal of oil from the environment with subsequent proper disposal.

2001.4 Relationship of the Environmental Protection Agency with other Federal agencies and State agencies in implementing this schedule: in those States with more stringent laws, regulations or written policies for regulation of chemical use, such State laws, regulations or written policies shall govern. This schedule will apply in those States that have not adopted such laws, regulations or written policies.

2002 Definitions. Substances applied to an oil spill are defined as follows:

2002.1 Collecting agents - include chemicals or other agents that can gell, sorb, congeal, herd, entrap, fix, or make the oil mass more rigid or viscous in order to facilitate surface removal of oil.

2002.2 Sinking agents - are those chemical or other agents that can physically sink oil below the water surface.

2002.3 Dispersing agents - are those chemical agents or compounds which emulsify, disperse or solubilize oil into the water column or act to further the surface spreading of oil slicks in order to facilitate dispersal of the oil into the water column.

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[1] Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, pp. X-1 - X-4.

2003 Collecting Agents. Collecting agents are considered to be generally acceptable providing that these materials do not in themselves or in conbination with the oil increase the pollution hazard.

2004 Sinking Agents. Sinking agents may be used only in marine waters exceeding 100 meters in depth where currents are not predominately onshore, and only if other control methods are judged by EPA to be inadequate or not feasible.

2005 Authorities Controlling Use of Dispersants

2005.1 Regional response team activated: dispersants may be used in any place, at any time, and in quantities designated by the On-Scene Coordinator, when their use will:

2005.1 - 1 in the judgment of the OSC, prevent or substantially reduce hazard to human life or limb or substantial hazard of fire to property;

2005.1 - 2 in the judgment of EPA, in consultation with appropriate State agencies, prevent or reduce substantial hazard to a major segment of the population(s) of vulnerable species of waterfowl; and,

2005.1 - 3 in the judgment of EPA, in consultation with appropriate State agencies, result in the least overall environmental damage, or interference with with designated uses.

2005.2 Regional response team not activated: provisions of Section 2005.1-1 shall apply. The use of dispersants in any other situation shall be subject to this schedule except in States where State laws, regulations, or written policies that govern the prohibition, use, quantity, or type of dispersant are in effect. In such States, the State laws, regulations or written policies shall be followed during the cleanup operation.

2006 Interim Restrictions on Use of Dispersants for Pollution Control Purposes. Except as noted in 2005.1 dispersants shall not be used:

2006.1 on any distillate fuel oil;

2006.2 on any spill of oil less than 200 barrels in quantity;

2006.3 on any shoreline;

2006.4 in any waters less than 100 feet deep;

2006.5 in any waters containing major populations, or breeding or passage areas for species of fish or marine life which may be damaged or rendered commercially less marketable by exposure to dispersant or dispersed oil;

2006.6 in any waters where winds and/or currents are of such velocity and direction that dispersed oil mixtures would likely, in the judgement of EPA, be carried to shore areas within 24 hours; or

2006.7 in any waters where such use may affect surface water supplies.

2007 Dispersant Use. Dispersants may be used in accordance with this schedule if other control methods are judged to be inadequate or infeasible, and if:

2007.1 information has been provided to EPA, in sufficient time prior to its use for review by EPA, on its toxicity, effectiveness and oxygen demand determined by the standard procedures published by EPA. /Prior to publication by EPA of standard procedures, no dispersant shall be applied, except as noted in Section 2005.1-1 in quantities exceeding 5 ppm in the upper 3 feet of the water column during any 24-hour period. This amount is equivalent to 5 gallons per acre per 24 hours./; and

2007.2 applied during any 24-hour period in quantities not exceeding the 96 hour TL_{50} of the most sensitive species tested as calculated in the top foot of the water column. The maximum volume of chemical permitted, in gallons per acre per 24 hours, shall be calculated by multiplying the 96-hour TL_{50} value of the most sensitive species tested, in ppm, by 0.33; except that in no case, except as noted in Section 2005.1-1, will the daily application rate of chemical exceed 540 gallons per acre or one-fifth of the total volume spilled, whichever quantity is smaller.

2007.3 Dispersant containers are labeled with the following information:

2007.3 - 1 name, brand or trademark, if any, under which the chemical is sold;

2007.3 - 2 name and address of the manufacturer, importer or vendor;

2007.3 - 3 flash point;

2007.3 - 4 freezing or pour point;

2007.3 - 5 viscosity;

2007.3 - 6 recommend application procedure(s), concetration(s), and conditions for use as regards water salinity, water temperature, and types and ages of oils; and

2007.3 - 7 date of production and shelf life.

2007.4 Information to be supplied to EPA ON THE:

2007.4 - 1 chemical name and percentage of each component;

2007.4 - 2 concentrations of potentially hazardous trace materials, including, but not necessarily being limited to lead, chromium, zinc, arsenic, mercury, nickel, copper or chlorinated hydrocarbons;

2007.4 - 3 discription of analytical methods used in determining chemical characteristics outlined in 2007.4-1, 2 above;

2007.4 - 4 methods for analyzing the chemical in fresh and salt water are provided to EPA or reasons why such analytical methods cannot be provided; and

2007.4 - 5 for purposes of research and development, EPA may authorize use of dispersants in specified amounts and locations under controlled conditions irrespective of the provisions of this schedule.

*NOTE:

In addition to those agents defined and described in Section 2002 above, the following materials which are not a part of this Schedule, with cautions on their use, should be considered:

1. Biological agents - those bacteria and enzymes isolated, grown and produced for the specific purpose of encouraging or speeding biodegradation to mitigate the effects of a spill. Biological agents shall be used to treat spills only when such use is approved by the appropriate State and local public health and water pollution control officials.

2. Burning agents - are those materials which, through physical or chemical means, improve the combustibility of the materials to which they are applied. Burning agents may be used and are acceptable so long as they do not in themselves, or in combination with the material to which they are applied, increase the pollution hazard and their use is approved by appropriate Federal, State and local fire prevention officials.

APPENDIX VII

FEDERAL ON-SCENE COORDINATOR'S GENERAL PATTERN OF RESPONSE ACTIONS

504 GENERAL PATTERN OF RESPONSE ACTIONS[1]

504.1 When the On-Scene Coordinator receives a report of a spill, or potential spill, the report should be evaluated. In most situations, the sequence of actions shown below should be followed.

504.1-1 Investigate the report to determine pertinent information such as the threat posed to public health or welfare, the type and quantity of material spilled, and the source of the spill.

504.1-2 Effect notification in accordance with the applicable regional plan.

504.1-3 Designate the severity of the situation and determine the future course of action to be followed.

504.2 The result of the report probably can be categorized by one of five classes. Appropriate action to be taken in each specific type case is outlined below.

504.2-1 If the investigation shows that the initial information overstated the magnitude or danger of the spill and there is no environmental pollution involved, it should be considered a false alarm and the case should be closed.

504.2-2 If the investigation shows a minor spill with the discharger taking appropriate cleanup action, contact is made with the discharger, the situation is monitored and information is gathered for possible enforcement action.

504.2-3 If the investigation shows a minor spill with improper action being taken, the following measures should be taken:

a. Attempt should be made to prevent further discharges from the source.

b. The discharger should be advised of the proper action to be taken.

c. If, after providing advice to the discharger and this advice is not followed, the discharger should be warned of legal responsibility for cleanup and violations of law.

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[1] Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, pp. 15-16.

d. Information should be collected for possible enforcement action.

e. The OSC should notify appropriate State and local officials. He should keep the Regional Response Center advised and initiate Phase II and III activities as conditions warrant.

504.2-4 When a report or investigation indicates that a medium spill has occurred or that a potential medium spill situation exists, the OSC should follow the same general procedures as for a minor spill. Additionally, the OSC should make a recommendation on convening the RRT.

504.2-5 When a report indicates that a major spill has occurred, that a potential major spill situation exists, or that a spill or potential spill which could arouse wide public concern has occurred, the OSC should follow the same procedures as for minor and medium spills. RRC and NRT should, however, be notified immediately of the situation even if the initial report has not been confirmed.

APPENDIX VIII

FEDERAL FUNDING

1900 FUNDING[1]

1900 General

1900.1 The primary thrust of this Plan is to encourage the person responsible for a spill to take appropriate remedial actions promptly. Usually this will mean that the cost of containment, countermeasures and cleanup of spills should be borne by the person responsible for the discharge. The OSC and other officials associated with the handling of a spill should make a substantial effort to have the responsible person accept voluntarily this financial responsibility.

1900.2 Actions undertaken by the Primary Agencies in response to pollution spill emergencies shall be carried out under existing programs and authorities insofar as practicable.

1900.3 It is not envisioned that any Federal agency will make resources available, expend funds or participate in operations in connection with spills unless such agency can so respond in conformance with its existing authority. Authority to expend resources will be in accordance with agencies' basic statutes and, if required, through cross-servicing agreements. This Plan encourages interagency agreements whenever specific reimbursement agreements between Federal agencies are deemed necessary to insure that the Federal resources will be available for a timely response to a pollution emergency.

1901 Funding Responsibility

1901.1 The funding, including reimbursement to Federal agencies, other agencies, contractors and others, of pollution removal activities is the responsibility of the agency providing the predesignated OSC. This funding may be provided through normal operating expense accounts of the agency or through special funding arrangements such as the Pollution Revolving Fund described hereinafter.

1901.2 Funding of response actions not associated with the removal activity, such as scientific investigations, law enforcement or public relations is the responsibility of the agency having statutory or executive responsibility for those specific actions.

1902 Agency Funding

1902.1 The Environmental Protection Agency can provide funds to insure timely initiation of cleanup actions in those

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[1] Council on Environmental Quality, National Oil and Hazardous Substances Pollution Contingency Plan, August 1971, pp. IX-1 - IX-4.

instances where the OSC is an EPA representative. Funding of continuing cleanup actions, however, will be determined on a case-by-case basis by the Headquarters Office of EPA. Inasmuch as EPA does not have funds provided for this purpose, by statute or regulation, initiation of containment and cleanup activities is funded out of operating program funds.

1902.2 The U.S. Coast Guard pollutions control efforts are funded under "Operating Expenses." These funds are utilized in accordance with applicable regional plans and agency directives.

1902.3 The Department of Defense has two specific sources of funds which may be applicable to a pollution incident under appropriate circumstances. (This does not consider military resources which might be made available under specific circumstances.)

1902.1-1 Funds required for removal of a sunken vessel or similar obstruction to navigation are available to the Corps of Engineers through Civil Functions Appropriations, Operations and Maintenance, General.

1902.1-2 The U.S. Navy has funds available on a reimbursable basis to conduct salvage operations.

1903 Disaster Relief Funds

1903.1 Certain pollution control response activities may qualify for reimbursement as disaster relief functions. In making a declaration of a major disaster for a stricken area, the President may allocate funds from his Disaster Relief Fund, administered by the Director, Office of Emergency Preparedness. After the President has declared a major disaster and authorized allocation of funds, the Director may authorize certain reimbursements to Federal agencies for disaster assistance provided under direction of his office. Applicable policies and procedures are stated in Title 32, Chapter XVII, Part 1709, "Reimbursement of Other Federal Agencies Performing Major Disaster Relief Functions."

1903.2 The Director may also make financial assistance available to State Governments and through the States to local governments in accordance with policies and procedures stated in Title 32, Chapter XVII, Part 1710, "Federal Disaster Assistance."

1904 Pollution Revolving Fund

1904.1 A pollution revolving fund (hereinafter referred to as the Fund) administered by the Commandant, USCG, has been established under the provisions of Section 11 of the Act. This Fund is available to pay specified costs associated with spill response operations. Regulations governing administration and use of the funds are contained in 33 CFR Part 153D, April 13, 1971.

1904.2 The Fund is available to pay the cost of removal of oil discharged into the navigable waters and adjoining shorelines of the United States. It is also available to pay the cost of removal of discharges of hazardous polluting substances, provided the material has been designated as a hazardous polluting substance pursuant to Section 12(a) of the Act.

1904.3 Examples of specific costs reimbursable to a Federal agency for spill response operations are:

1904.3-1 Costs incurred by industrial type facilities, including charges for overhead, in accordance with the agency's industrial accounting system;

1904.3-2 Out-of-pocket costs specifically and directly incurred as a result of recovery activities such as:

-2.1 Travel, including transportation and per diem, when specifically requested by the OSC.

-2.2 Supplies, materials and minor equipment procured specifically for response activities.

1904.4 Some limitations on use of the Fund are:

1904.4-1 Restriction of reimbursement for expenditures made for Phase II and Phase III response actions;

1904.4-2 Personnel and equipment costs which are funded by other appropriations and which would have been incurred during normal operations; and

1904.4-3 Costs of surveillance activities, restoration of damages following a spill, or investigative functions performed in support of enforcement action or scientific documentation.

1904.5 The Commandant, USCG, will prepare and distribute detailed instructions to assist in determination of appropriate costs by the OSC when available, these instructions shall be included in this Plan.

1905 General Limitations on Funding

1905.1 Care must be exercised to ensure that misunderstandings do not develop about reimbursement of funds expended for containment and cleanup activities. The OSC should not knowingly request services for which reimbursement is mandatory unless reimbursement funds are known to be available. Similarly, the agency supplying a reimbursable service should determine the source of reimbursement before committing resources necessitating reimbursement.

1906 Planning

1906.1 The availability of funds and requirements for the reimbursement of expenditures by certain agencies must be included in resource utilization planning. Regional and subregional contingency plans should show what resources are available under what conditions and cost arrangements. Local interagency agreements may be necessary to specify when reimbursement is required.

APPENDIX IX

NEW YORK STATE LAWS AND LEGAL AUTHORITIES

WATER QUALITY ACCIDENTS

NEW YORK STATE LAWS[1]

New York State Statutes, Regulations and Administration orders relative to water quality accidents are administered by the Department of Environmental Conservation and the Attorney General's Office. The following is a summation of the more important of these legal authorities.

NEW YORK STATE POLLUTION CONTROL STATUTES

STATUTE - Public Health Law, Article 12, Water Pollution Control

OPERATING AGENCIES - (1) Environmental Conservation Department; (2) Attorney General's Office.

PROHIBITED ACT OR AUTHORIZATION - (1) To safeguard the waters of the State from pollution by: (a) preventing any new pollution, and (b) abating existing pollution; (2) To classify the waters and adopt standards; (3) To throw, drain, run or otherwise discharge organic or inorganic matter that shall cause or contribute to a condition in contravention of the standards adopted; (4) Garbage, cinders, ashes, oils, sludge or refuse of any kind shall not be thrown, dumped or permitted to run from any vessel or building, on land or water into the water of any marine district; (5) The making or use of a new outlet into the waters of the State without a valid permit; (6) Increasing or altering the content of the wastes discharged through an outlet into the waters by a change in volume or physical chemical or biological characteristics without a permit.

TERRITORIAL APPLICATION - All waters of the State ground and surface both fresh and salt.

SANCTIONS - (1) Civil Liability: (a) $250.00 to $2500.00 plus $500.00 per day during which violation continues; (b) may be enjoined from continuing violation; (2) Criminal Liability: (a) guilty of misdemeanor; (b) $500.00 to $2500.00 or imprisionment of not more than one year or both for each violation; (c) each day upon which such violation occurs shall constitute a separate violation.

EXCEPTED DISCHARGES - (1) Act of God; (2) Act of war; (3) Act of strike; (4) Act of riot; (5) Any catastrophe

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[1] New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, pp. N-1 - N-2.

as to which negligence or willful misconduct on the part of such person was not the proximate cause.

STATUTE - Environmental Conservation Law [April 22, 1970]

OPERATING AGENCIES - (1) Environmental Conservation Department; (2) Attorney General's Office

PROHIBITED ACT OR AUTHORIZATION - (1) Provide for prevention and abatement of all water pollution; (2) Prevent pollution through the regulation of the storage, handling and transport of solids, liquids and gases which may cause or contribute to pollution; (3) Enter and inspect any property or premises for the purpose of investigating either actual or suspected sources of pollution or contamination or for the purpose of ascertaining compliance or non-compliance with any law, rule or regulation which may be promulgated pursuant to this law.

TERRITORIAL APPLICATION - All waters of the State, ground and surface, both fresh and salt.

SANCTIONS - Notwithstanding any inconsistent provisions of law, whenever the Commissioner finds, after investigation, that any person is causing, engaging in or maintaining a condition or activity which, in his judgement, presents an imminent danger to the health or welfare of the people of the State or results in or is likely to result in irreversible or irreparable damage to natural resources, and relates to the prevention and abatement power of the Commissioner and it therefore appears to be prejudicial to the interests of the people of the State to delay action until an opportunity for a hearing can be provided, the Commissioner may, without prior hearing, order such person by notice, in writing whenever practicable or in such other form as in the Commissioner's judgement will reasonably notify such person whose practices are intended to be prescribed, to discontinue, abate or alleviate such condition or activity, and thereupon such person shall immediately discontinue, abate or alleviate such condition or activity.

EXCEPTED DISCHARGES -None

APPENDIX X

RESPONSIBILITIES OF DEPARTMENT OF ENVIRONMENTAL CONSERVATION UNITS

RESPONSIBILITIES OF DEPARTMENT OF ENVIRONMENTAL CONSERVATION UNITS[1]

1. Regional Engineer Environmental Quality

   A. Investigates water quality accidents with assistance from field staff, as required.

   B. Determines course of action to identify the cause of the accident and to contain and clean up damage.

   C. Notifies and maintains contact with:

      - Division of Pure Waters (Water Quality Surveillance), to insure the effectiveness of any action taken or contemplated.

      - Regional Director to determine the support from the regional staff or the main office.

   D. Notifies other interested local public or private agencies, individuals, and organizations; and local offices of various State and Federal agencies as required.

   E. Directs all field activities related to containing and cleaning up the spill.

   F. Prepares case reports and follow-up action on case and sends copies to:

      - Division of Pure Waters

      - Regional Director

      - Local agencies and other interested parties, as required.

2. Regional Director

   A. Assists Regional Engineer Environmental Quality in logistic support needed from field units or main office (Office of Legal Affairs and Law Enforcement, Division of Fish and Wildlife, etc.).

   B. Notifies and maintains contact with the Office of Field Services to obtain logistic support and to report progress of cleanup and enforcement activities.

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[1] New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, pp. D-2 - D3.

C. Follows up on case until final legal action is taken.

3. Division of Pure Waters, (Water Quality Surveillance)

A. Alerts other agencies of accident and contemplated action as required; Federal Government, other states and interstate and international groups.

B. Reviews plan developed by regional office to determine its effectiveness.

C. Maintains log on actions taken to identify causes of accident and cleanup.

D. Maintains contact with Office of Field Services on action taken to contain, clean up, investigate and take legal action.

4. Office of Field Services

A. Alerts Commissioner's Office, Public Relations Office, other Divisions and other State agencies as required and reports status of field work.

B. Reviews logistic support requirements and coordinates support from main office divisions.

C. Maintains contact with Division of Pure Waters (Water Quality Surveillance) on action taken to contain, cleanup, investigate and take legal action.

APPENDIX XI

RESPONSIBILITIES OF NEW YORK STATE RESPONSE TEAM

RESPONSIBILITIES OF NEW YORK STATE RESPONSE TEAM[1]

The State Response Team (SRT) consists of representatives of the primary divisions as indicated for the WQAC and shall act as an emergency response team to be activated in the event of a pollution incident involving oil or other hazardous material which: (a) exceeds the response capability of the region in which it occurs; (b) transects regional boundaries; or (c) presents a major hazard to substantial numbers of persons or significant amounts of property. A representative of Division of Pure Waters shall be chairman and he shall maintain records of the SRT activities along with State and regional plans for water quality accident responses. When the SRT is activated because of a water pollution emergency situation, the Chairman of the SRT will assume the role of principa coordinator of SRT activities.

A continual log and surveillance of incoming reports from the RRC's will be maintained in SRC. Whenever reports which require or appear to require a state response are received, the members of SRT will be advised of the receipt of such reports and the SRT may be activated on the request of any member.

During pollution incident operations, the SRC will act as the focal point for public information releases and for information transfer between OSC and the other agencies concerned, thereby promoting rapid and accurate information transfer and minimizing the radiation of spurious and incomplete information about any given situation.

During a pollution incident, the SRT will log and evaluate reports coming from the OSC, requesting additional information as may be indicated. The SRT will coordinate the actions of other regions in supplying needed assistance to the OSC. The SRT may recommend courses of action through the RRT for consideration by the OSC, but has no operational control of the OSC, except for the use of dispersants, sinking agents, emulsifiers, etc. Copies of all reports and documents developed by the SRT and RRT's as a result of water quality accidents will be provided to the WQAC for its evaluation.

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[1] New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, pp. D-6 - D-7.

APPENDIX XII

NEW YORK STATE REGIONAL RESPONSE TEAM HEADQUARTERS AND JURISDICTION

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION [1]

50 Wolf Road - Albany, New York 12201

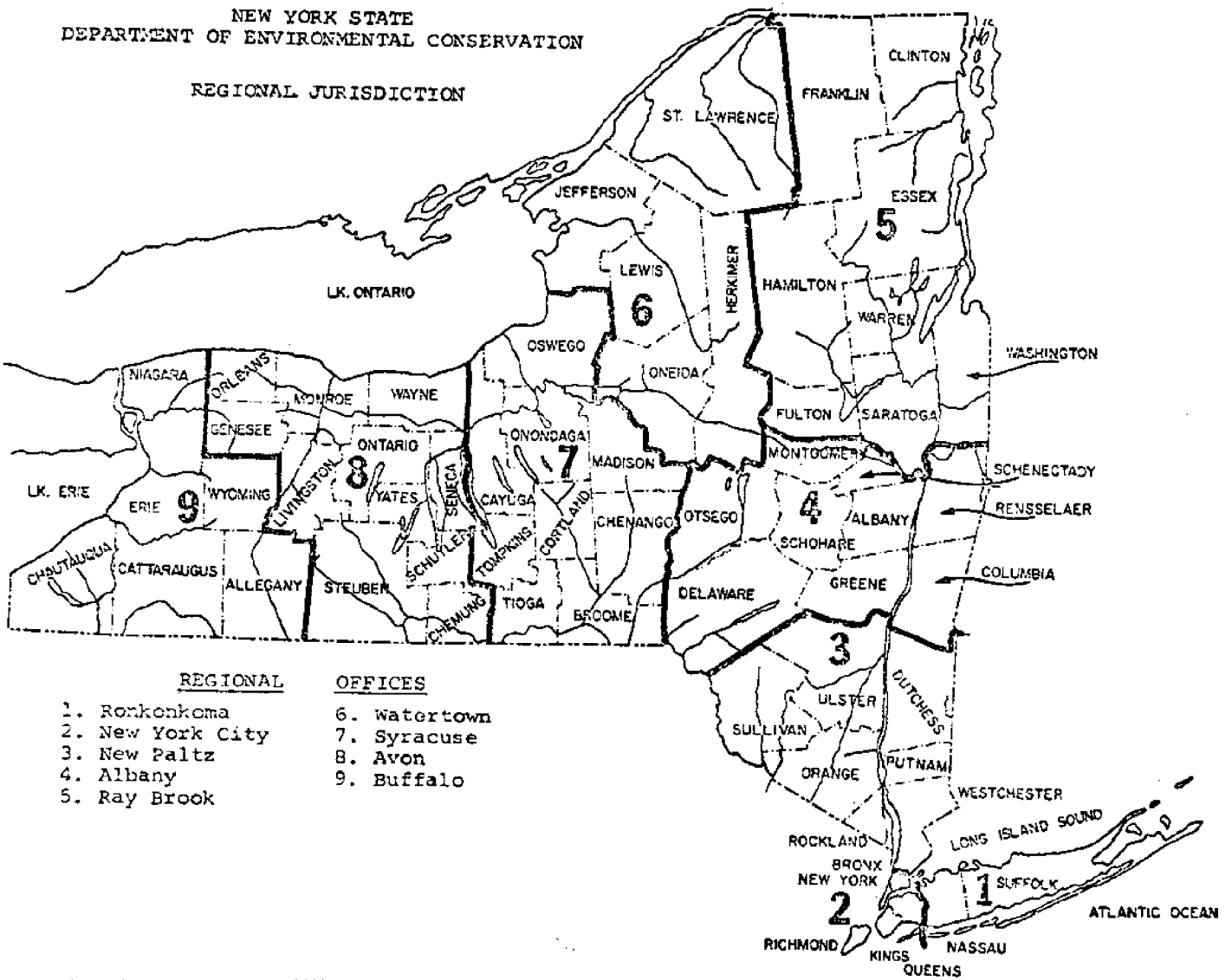
REGIONAL HEADQUARTERS

Region		Address
1	Ronkonoma	4175 Veterans Memorial Highway Ronkonkoma, New York 11779
2	New York	1700 Broadway New York, New York 10019
3	New Paltz	21 So. Putt Corners Road New Paltz, New York 12561
4	Albany	50 Wolf Road Albany, New York 12201
5	Ray Brook	Ray Brook New York 12977
6	Watertown	P.O. Box 84 Theresa Road, Route 37 Watertown, New York 13601
7	Syracuse	State Office Building 333 E. Washington Street Syracuse, New York 13202
8	Avon	P.O. Box 57 Avon, New York 14414
9	Buffalo	584 Delaware Avenue Buffalo, New York 14202

[1] New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, pp. L-2 - L-3.

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

REGIONAL JURISDICTION



REGIONAL OFFICES

1. Ronkonkoma
2. New York City
3. New Paltz
4. Albany
5. Ray Brook
6. Watertown
7. Syracuse
8. Avon
9. Buffalo

APPENDIX XIII

NEW YORK STATE RESPONSE PHASES

WATER QUALITY ACCIDENTS

RESPONSE PHASES[1]

The actions taken to combat a spill can be separated into four distinct phases. These are: Phase I - Discovery, Notification and Surveillance: Phase II - Containment and Countermeasures: Phase III - Clean-up, Restoration and Disposal, and Phase IV - Investigation and Enforcement.

PHASE I

DISCOVERY, NOTIFICATION AND SURVEILLANCE: Are the first response actions to spills. Discovery of a spill may be a result from deliberate searching procedures or random discovery.

The OSC for a particular area is assigned responsibility to undertake and implement Phase I activities in that area. Other agencies should incorporate Phase I activities into their on-going programs whenever practicable. Upon receipt of information, either from deliberate or random discovery activities, that a spill has occurred, the OSC and RRT for the affected area will be notified. Subsequent action and dissemination of information will be in accordance with the applicable regional plan.

All spills of oil and other hazardous materials that may impair the State's waters shall be reported immediately to the Regional Director, the Division of Pure Waters (WQS), and the Office of Field Services.

Upon notification and determination of the extent of a spill the Division of Pure Waters (WQS) will then contact other agencies who may be concerned or may become involved. If a major spill is indicated, representation from each agency will be required to provide the necessary advice and action at the scene of a spill.

PHASE II

CONTAINMENT AND COUNTERMEASURES are defensive responses to be initiated as soon as possible after discovery and notification of a spill. The OSC is assigned responsibility for the initiation of Phase II actions and should take immediate steps to effect containment or other appropriate

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[1] New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, pp. E-1 - E-3.

countermeasures. Depending on the circumstances, these may include the placing of physical barriers to control the spread of oil, the placement of booms or barriers to protect onshore areas, and the use of dispersants, sorbents, gelling or burning agents or other materials to mitigate the effects of a spill.

PHASE III

CLEAN-UP, RESTORATION AND DISPOSAL include those actions to remove the oil from the water such as the collection of oil through the use of sorbents, skimmers or other collection devices to restore the environment to its natural state and to safely dispose of oil which is recovered in the clean-up and restoration phase. The OSC is assigned the responsibility for conduct of Phase III activities.

PHASE IV

INVESTIGATIONS AND ENFORCEMENT will include a variety of activities depending on the location and circumstances of the spill. An essential aspect of this phase is the collection of samples and other data as quickly as possible to substantiate the source for later recovery of damages.

Phase IV activities shall be carried out by the individual agencies in accordance with existing statutes, with such assistance as is needed from other agencies.

The removal of the pollutant from the water, the restoration of the environment to its pre-spill conditions; the disposal of the pollutants recovered in clean-up and restoration are the primary responsibility of the polluter. Collection of samples and necessary supporting information must be made to determine the source and extent of the damages.

Each response to a pollution incident involves certain costs which must be borne by the polluter. Recommended action is to hold the polluters responsible for the incident including the costs of clean-up. Moreover, the nature of a pollution incident is such that it is of primary concern to commence containment and clean-up action immediately.

In the event the source of the spill cannot be determined or the person or persons responsible are unwilling or unable to effectively carry out the necessary clean-up operations, notify the Division of Pure Waters (WQS) for coordination of clean-up, restoration and disposition of the pollutants.

APPENDIX XIV

NEW YORK STATE ON-SCENE COORDINATOR'S PATTERN OF RESPONSE ACTIONS

GENERAL PATTERNS OF RESPONSE ACTIONS[1]

When the On-Scene Coordinator receives a report of a spill or potential spill, the report should be evaluated. In most situations, the sequence of actions shown below should be followed.

1 - Investigate the report to determine pertinent information such as type and quantity of material, source of spill, and the threat posed to public health or welfare.

2 - Designate the severity of the situation and determine the future course of action to be followed.

3 - Effect notification in accordance with regional plan.

The result of the report probably can be categorized by one of five classes. Appropriate action to be taken in each specific type case is outlined below:

1 - If the investigation shows that the initial information overstated the magnitude or danger of the spill and there is no water pollution involved, it should be considered a false alarm and the case should be closed.

2 - If the investigation shows a minor spill with the discharger taking appropriate cleanup action, contact is made with the discharger, the situation is monitored and information is gathered for possible enforcement action.

3 - If the investigation shows a minor spill with improper action being taken the following measures would be taken.

a. Attempt should be made to prevent further discharges from the source.

b. The discharger should be advised of the proper action to be taken.

c. If after providing advice to the discharger and this advice is not followed, the discharger should be warned of legal responsibility for cleanup and violations of law.

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[1]New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, pp. E-4 - E-5.

d. Information should be collected for possible enforcement action.

e. The On-Scene Coordinator should notify appropriate State and local officials. He should keep the Regional Response Center advised and initiate Phase II and III activities as conditions warrant.

4 - When the initial report or investigation indicates that a moderate spill has occurred or that a potential moderate spill situation exists, the On-Scene Coordinator should follow the same general procedures as for a minor spill. Additionally, the On-Scene Coordinator should make a recommendation on declaration of a pollution incident.

5 - When the initial report indicates that a major spill has occurred or that a potential major spill situation exists, the On-Scene Coordinator should follow the same procedures as for minor and moderate spills. RRC should, however, be notified immediately of the situation even if the initials report has not been confirmed.

APPENDIX XV

NEW YORK STATE FUNDING

WATER QUALITY ACCIDENTS

FUNDING[1]

It should be noted that a primary thrust of the Plan is to encourage the person responsible for a spill to take appropriate remedial action. Usually this will mean that the cost of containment and cleanup with respect to spills of oil or other hazardous substances should be borne by the person permitting or causing the spill. The OSC and other officials associated with the handling of a water quality accident should make substantial efforts to have the responsible person accept voluntarily this financial responsibility.

STATE FUNDING

Actions undertaken by DEC in response to water quality accidents shall be carried out under existing programs and authorities so far as practicable.

FEDERAL FUNDING

Various Federal agencies may have funds available specifically for dealing with spills of oil or other hazardous materials. It is not envisioned that any Federal agency will make resources available, expend funds or participate in operations in connection with water quality accidents unless such agency can so respond in conformance with its existing authority. Authority to expend resources will be in accordance with the agency's basic statutes.

The Water Quality Improvement Act of 1970 (PL91-224) authorizes a revolving fund of up to $35 million to be used to carry out provisions of the National Contingency Plan.

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[1] New York State Department of Environmental Conservation, Division of Pure Waters, Bureau of Water Quality Management, Water Quality Surveillance Section, New York State Water Quality Accident Contingency Plan, 1972, p. P-1.

APPENDIX XVI

NEW YORK MARINE COUNTIES OIL SPILL TEAM (NYMCOST) RESPONSE PHASES

NEW YORK MARINE COUNTIES OIL SPILL TEAM (NYMCOST) RESPONSE[1] PHASES

5.0 Response Operations

The actions taken to combat a pollution incident can be separated into four relatively distinct classes or phases. For descriptive purposes, these are labeled as: Phase I. Surveillance, Discovery and Notification; Phase II. Containment and Countermeasures; Phase III. Cleanup, Restoration and Disposal; and Phase IV. Recovery of Damages and Enforcement. It must be recognized that elements of any one phase may take place concurrently with one or more other phases.

5.1 Phase I. Surveillance, Discovery and Notification

To minimize pollution damage, timely countermeasures must be taken promptly. Surveillance, Discovery and Notification are the first response actions to a pollution incident.

Discovery of an incident may be through deliberate discovery procedures such as vessel patrols, aircraft searches or similar procedures, or through random discovery by the incidental observations of government agencies, private agencies or the general public.

In the event of deliberate discovery, the incident would be reported directly to the operating center of the county team nearest to the site of the incident.

Reports from random discovery may be initially made through police departments, telephone operators, port authorities, fire departments, conservation department, news media, etc., or through a special well-publicized pollution control telephone number. County plans should arrange to have such reports channelled as promptly as possible to the operating center of the county team nearest the site of the incident to facilitate prompt reaction.

The severity of the pollution incident will determine the next reporting procedure and the specific persons or offices to be notified of the spill. The severity of a spill is determined by the nature and quantity of materials spilled, the location of the spill and the resources adjacent to the spill area which may be affected by it. Contingency plans should consider these factors in establishing alerting

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[1] County Executive of Nassau County, New York, A Plan for the Establishment of the New York Marine Counties Oil Spill Team (NYMCOST), by Sherwin Allen, May 27, 1969, pp. 10-14.

procedures; however, the operating center of NYMCOST should be notified by the county team immediately of all pollution incidents except those of a minor nature and quantity which are contained within the waters of one county.

5.2 Phase II. Containment and Countermeasures

The second response actions, Containment and Countermeasures, are defensive actions to be initiated as soon as possible after discovery and notification of a pollution incident.

Depending on the circumstances of a particular incident, these actions may include the placing of physical barriers to halt or slow the spread of a pollutant, the emplacement or activation of booms or barriers to protect specific installations or areas, and the employment of chemical treatment such as absorption agents for collection, and dispersants and emulsifiers to speed the biological degradation of hydrocarbons.

This phase of the response will require the greatest degree of coordinated team effort, and will require efficient utilization of the facilities and resources and technical know-how available to the various teams in order to provide the maximum protection to the marine resources in the threatened area.

5.3 Phase III. Cleanup, Restoration and Disposal

The third response actions, Cleanup, Restoration, and Disposal include those actions taken to remove the pollutant from the water such as the collection of oil through the use of skimmers or other collection devices, actions taken to restore the environment to its pre-spill condition such as removal and replacement of beach sand or re-seeding of a shellfish bed decimated by the toxic effect of a pollutant, and non-polluting disposal of the pollutants which are recovered in the cleanup and restoration activities.

The basic objective of the cleanup phase is to remove the pollutant as rapidly and as completely as possible. Effective cleanup requires the rapid and coordinated application of manpower, materials and equipment, and technology. Prompt cleanup action is necessary to minimize pollution damages and restore the affected waters and shorefaces to productive use.

Restoration of damaged resources should be undertaken as soon as practicable. The cleaning of oil-blackened beaches and recreation areas is the most common need. Restoration of damaged marine resources such as shellfish beds and fishing areas may also be

desirable. In some circumstances, removal and re-establishment of fish, shellfish, and waterfowl into unpolluted areas might need to be evaluated.

Disposal of oil that has been recovered from the sea and from the shore areas presents yet another problem. If it is thoughtlessly disposed of near drainages it may flow back into the water supplies and fisheries. If it is buried it may affect underground aquifiers causing serious contamination of those waters, and if carelessly burned near population centers it could cause serious air pollution. Wherever practicable, reuse of recovered oils appears to offer the best solution to the disposal and may offer some financial return on the spilled material.

5.4 Phase IV - Enforcement and Recovery of Damages

The response actions for the fourth phase do not necessarily wait until the conclusion of the first three; rather, many of these activities overlap the others. Enforcement and Recovery of Damages may include a variety of activities depending on the location and circumstances surrounding a particular oil spill.

The collection of samples and necessary data must be performed at the proper time during the pollution incident for enforcement purposes to be useful as evidence in litigation, as well as for other purposes. The collection of scientific and technical information of value to the scientific community as a basis for research and development activities and for the enhancement of our understanding of the environment may also be considered in this Phase. To assure uniform success this work must be performed by special individuals similar to the Conservation Department's Enforcement Officers who are trained in the task of collecting field specimens for biological and chemical analysis.

Enforcement activities will be pursued under appropriate statutes and ordinances.

Recovery of damages done to state or local government property, including the costs of cleanup, is part of this Phase. Action to recover damages to private property will be prosecuted by the owner, and is not considered here.

APPENDIX XVII

A MODEL COMPANY

OIL SPILLS CONTINGENCY PLAN

Prepared by the
Subcommittee on Oil Spills Cleanup
Committee for Air and Water Conservation
American Petroleum Institute

PREFACE

The following document is designed to help any company organization develop an in-house Oil Spills Contingency Plan for dealing with oil spills emergencies. It is neither a "master plan" nor an "ideal plan." Rather, it is a framework, with generalized language, which can be utilized for the construction of a plan suited to a company's specific organizational needs.

The purpose of a company Oil Spills Contingency Plan is fourfold:

1. To provide a list of jobs that must be done when oil is spilled, with some indication of priority and importance.

2. To provide for the assignment of such jobs prior to an oil spill, with appropriate designation of authority.

3. To provide communication patterns to assure coordination of efforts.

4. To provide reference materials that might be useful to those responsible for the various duties that occur as the result of a spill.

The plan will require modification from time to time, as personnel change, as technologies advance, and as experience dictates improvements. For this reason, the final plan adopted by a company might be issued in a binder that allows for the deletion and addition of sheets.

It would be desirable to have the plan reviewed at least twice yearly to assure that it is up to date. The company Oil Spills Task Force described in this plan might provide such a review.

It is suggested that the Oil Spills Contingency Plan be limited to materials that help personnel solve the problems that arise from spills. The addition of extraneous material will tend to make the manual less useful when it is needed most, when oil is already on the water. For the same reason, it is suggested that generalized statements of management concern for the appropriate handling of oil spills be limited to an introductory section or to an appendix.

COMPANY OIL SPILLS CONTINGENCY PLAN MANUAL

Contents

INTRODUCTION

Major oil spills can generate complex technical, legal, and public relations problems for the company. It cannot be emphasized too strongly that the best way to handle oil spills is to prevent their occurrence. Good housekeeping, adequate equipment maintenance, and adherence to proper operation procedures are the best insurance against oil spills.

If, in spite of the best care, accidental spills do occur, they will require the immediate coordination of efforts of many company divisions and, perhaps, the assistance of outside agencies.

This Oil Spills Contingency Plan is designed to help company personnel respond quickly and effectively to the problems presented by accidental spills. Its primary goal is to limit, as far as practicable, damage to property, wildlife, or the ecology from such a spill.

Within this Oil Spills Contingency Plan Manual, you will find descriptions of the duties that are to be discharged when oil is spilled. It provides affected personnel with procedures for handling such spills effectively.

Some of the procedures are mandatory, and they are so identified. Others are merely suggested, as their application might be dependent on the conditions of the spill.

The cleanup techniques described in the appendices are subject to modification as technology improves.* Additions and revisions, which will be provided from time to time, should be added to the Manual to keep it up to date.

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*Each individual company will necessarily have to develop and establish cleanup techniques adapted to the conditions and the locale in which its operations are conducted.

ALERT PROCEDURE

This alert procedure will become effective immediately upon the observance of an oil spill from a company installation of any kind which could possibly pollute shorelines, coastal or inland waters, or the open sea, or which could damage, foul, or endanger any property or wildlife onshore or offshore.

Internal Alert Procedure

1. Any company employee observing an oil spill of any quantity must immediately notify his supervisor. (Mandatory notification.)

2. The supervisor will confirm the spill, its cause and basic nature, and notify the manager responsible for the department concerned. (Mandatory notification.)

3. The manager will make a preliminary determination of the seriousness of the spill and, at his discretion, notify:

   A. The vice president or senior executive of his department.

   B. The company coordinator of air and water conservation or other specifically designated person.

4. The coordinator of air and water conservation will alert the corporate Oil Spills Task Force (see page XVII-9) by notification of the following:

	Phone Numbers	
	Office	Home
A. Manager, Public Relations Department	_____	_____
B. Manager, Legal Department	_____	_____
C. Manager, Insurance Department	_____	_____
D. Others as designated	_____	_____

External Alert Procedure

Managers, or designated supervisors, will notify the following outside agencies immediately after they have notified the senior executive of their department:

		Phone Numbers
1.	*U.S. Coast Guard - Rescue Center (24 hours daily)	_____
2.	U.S. Coast Guard - Captain of the Port	_____
3.	**U.S. Geological Survey (offshore)	_____
4.	Port Authorities	_____
5.	***Directors of Oil Spills Cooperatives	_____
6.	Fire Department	_____
7.	State Stream Control Commission	_____
8.	State Conservation Commission (Oil & Gas Board, etc.)	_____

* In conformity with the National Multiagency Oil & Hazardous Material Contingency Plan, the U.S. Coast Guard has agreed to notify all federal and certain state and local agencies when spills are reported. Check the Coast Guard list in your area to be positive that all agencies interested are notified.

** To be notified by all operators of Outer Continental Shelf leases, in addition to the Coast Guard, regardless of note above.

*** Cooperative programs for the cleanup of oil spills are in existence in a number of harbors and port areas around the U.S. Such programs allow for the pooling of equipment, supplies, and manpower, insuring a more effective response to oil spills problems. Participation in such local cooperative programs is encouraged as a matter of company policy. (See also Appendix A.)

Information to be transmitted as part of the alert procedure:

1. Time spill occurred or was first observed.
2. Where spill occurred and present location if moving.
3. Type of oil spilled.
4. Estimate of amount spilled or rate of release if continuing.
5. Environmental conditions - such as wind direction and speed, wave action, and currents.
6. If from barges or vessels, name of craft, registry, owner or consignee, deadweight tonnage and draft.
7. Description of area likely to be affected - such as river banks, beaches, properties, wildlife areas.
8. Cause of spill, if determined.
9. Action being taken to combat spill, if any.
10. Agencies or persons already notified.

ACTION PROCEDURE

Actions to control, contain, remove, and clean up oil spills are to begin whenever an oil spill is reported by any employee. The immediate responsibility for these actions rests with the ranking company employee on the scene. Responsibility will move to higher levels of management depending upon the size of the spill, the ability of local units to control it, and the potential for damage.

Levels of Responsibility

1. Local supervisors will be responsible for all spills within their areas which their local organizational units can handle without involvement of other company units or outside parties.

2. Division or regional managers will be responsible for larger spills whose size or nature indicates that they may escape beyond the local area or exceed the control capabilities of the local organizational unit. When such spills occur, regional managers will arrange for appropriate assistance from other company units and outside cleanup services, and from members of oil spill cooperatives, where established.

3. Vice presidents or senior executives will be responsible for extremely large spills where the possibility exists for extensive contamination of larger areas of water or shorelines or for damage to property or wildlife. Spills of major severity may require total company effort and close cooperation with government agencies.

Tanker Spills in Open Sea or Territorial Waters

If the spill involves no threat to any shore area, the general manager of the marine transportation department will designate the supervisor of the cleanup operations. If the spill is close to land, he may, in

conjunction with general manager of the department operating the nearest land-based facility, designate a land-based executive as supervisor of cleanup operations.

If an executive of a land-based facility is assigned responsibility for cleanup operations resulting from a tanker operation or accident, the marine transportation department will make available to him a senior executive to advise on measures that might involve the safety, handling or disposition of the ship or its cargo.

If the marine transportation department provides the executive responsibility for cleanup, a senior executive of the nearest land-based facility will be made available to insure coordination of efforts and full use of company resources.

OIL SPILLS TASK FORCE

A standing corporate Oil Spills Task Force will be designated to insure coordination of all company oil spill cleanup efforts. It will be so constituted that its members are free to devote their time to the handling of any major spill. They will have prior clearance for the necessary travel and expenses they may incur when the Task Force is called upon for assistance.

The task force will include as regular members:

1. A senior executive of the company, or his designee, whose department is likely to be responsible for the handling of the majority of oil spills.

   Name: _____

   Phone: _____

2. The coordinator of air and water conservation, or some designated person, to provide advice and technical assistance on cleanup procedures and to arrange for coordination with government agencies when appropriate.

   Name: _____

   Phone: _____

3. A representative of the legal department to provide counsel to protect the company's interest.

   Name: _____

   Phone: _____

4. A representative of corporate public relations to provide on-the-scene public relations assistance.

   Name: _____

   Phone: _____

The Task Force may include others on a temporary basis such as:

1. The local refinery or terminal oil pollution control coordinator, if such a coordinator has been appointed.

2. An insurance or claims adjuster to adjust claims promptly.

3. Representatives of medical, transportation, and communications departments, as appropriate.

Regional or divisional task forces, similarly constituted, may be formed in designated areas upon the recommendations of the division heads or corporate headquarters.

ADVANCE PREPARATIONS

Heads of all departments likely to be involved in oil spill operations are responsible for:

1. Advance assignment of personnel who might be needed in the event of a spill.

2. Clear definition and distribution of duties of personnel in the event of a spill.

3. Training and orientation of personnel with advance assignments.

4. Arranging for travel clearances, including passports, in advance of need.

The coordinator of air and water conservation will:

1. Provide an inventory of the company's personnel and equipment for dealing with major spills.

2. Provide a periodic review of the company's readiness for dealing with oil spills.

3. Distribute technical data and training materials to personnel who will be responsible in the event of a spill, and provide appropriate technical material for the appendices of this manual.

PUBLIC RELATIONS

No statements regarding a spill will be made by any company employee except as follows:

1. Immediately following a spill, the ranking company official at the scene will be responsible for issuing simple statements of fact and no others.

2. As soon as possible after a spill, a single official spokesman for the company will be designated by the company official in charge, in consultation with company headquarters.

3. Before any detailed statements are issued regarding a major spill, they are to be cleared through the company official in charge and the Oil Spills Task Force, which will determine the accuracy of the statements.

The public relations officer on the scene will:

1. Set up communications facilities for news media.

2. Make any arrangements necessary to get local reporters to the scene of the spill or back to public communications facilities.

3. Provide regular briefings to press and government officials.

4. Monitor press and TV coverage and forward reports to corporate public relations.

5. Forward all written statements to corporate headquarters.

6. Transmit to corporate headquarters all verbal statements given to media "as reconstructed" as soon as practical.

Initial press statements should:

1. Give the name of the installation or vessel(s), involved, the time of the accident, the destination of the vessel(s), and any other facts that are not in dispute (such as the

steps the company has taken to contain, control, or handle the spill).

2. State explicitly that it is the company's policy to prevent pollution of the sea, coastline, or inland waters - whatever is appropriate - and to minimize damage to property or the ecology.

As the following information becomes available, press statements should:

1. Note that containment and cleanup experts are (on) (being called to) the scene to supervise the operation.

2. Give the type of product spilled - light or heavy oil? Other?

3. Report whether the spill has been controlled.

4. Give the size of the spill - quantity and area affected.

5. Tell how spill is moving, and what factors can affect its movement, such as wind, current, and tides.

6. Describe cleanup measures that have been taken and planned - types and quantities of equipment being used and manpower involved.

7. Describe special efforts taken to protect property and wildlife.

No statements shall be made containing any of the following, unless cleared by corporate headquarters:

1. Speculations concerning liability for the spill or its legal consequences.

2. Speculations regarding the cause of the spill. An extended inquiry may be needed to determine the actual cause, and legal liability could be affected by what is said.

3. Estimates of damage expressed in dollars.

4. Estimates of how long cleanup will take or of cleanup costs.

5. Promises that property, ecology, or anything else will be restored to normal.

6. Opinions concerning the appropirateness of government response to the oil spill.

If incorrect statements or unfounded speculations are published, the following steps are suggested:

1. Provide the source with correct information. Arrange for representatives to fly over the spill, or otherwise visit it, to confirm company estimates as to size and damage.

2. Avoid direct rebuttal of erroneous statements; ask for amendments of incorrect details.

3. Do not rebut statements by scientists unless you use a comparable scientific source to back up any statement you make.

APPENDIX A
EQUIPMENT GUIDE

The following recommendations for equipment and supplies are only general guides to minimum needs. "The trouble potential" for accidental spills is as varied as the environmental and topographic conditions where petroleum products are handled.

Each manager of a company installation will have to evaluate the probability of spills of varying sizes occurring within his area of responsibility. After such evaluation, he should accumulate the equipment and supplies required to handle adequately the maximum serious spill a prudent man could anticipate.

Participation in local cooperative oil spill cleanup programs can help insure adequate supplies and equipment, and broaden the base of trained manpower available to handle the specialized equipment and supplies.

While the full resources of the company will be made available to managers facing catastrophic spills, it is expected that small or medium spills will be handled effectively at division and area levels.

Small spills are spills that should be handled by the installation itself without aid from other units or outside parties, utilizing equipment and manpower already in the vicinity of the spill. Basic equipment required would include: floating boom (200-500 feet), chemical dispersant (2-10 barrels), bales of straw (10-25), 1 small boat, 1 eductor or other means of agitation, 1 skimming device, hand tools such as sprayers, rakes and pitchforks.

Medium spills are spills which may escape beyond the local area or exceed the control capabilities of the local organization, thereby requiring the assistance of other company units or third-party services. Where cooperative programs are established, they would be involved. Basic equipment required: floating boom (500-1000 feet), chemical dispersant (10-20 barrels), bales of straw (25-100), small boats (2-4) - at least one powered, 1 straw blower, spraying equipment for dispersants, several means of agitation, such as boat propellers or fire hose, several skimming devices such as skimmer vessels, vacuum pumps and floating skimmers, hand tools in sufficient quantity, waterside cleanup equipment (third party).

Large spills are spills which may possibly affect large water areas, shorelines, beaches, or other properties. They will require total company effort and possibly outside services. It may be expected that certain governmental agencies will become involved.

The quantities of some equipment required may range upward from that required for medium spills by factors of ten to twenty or more.

APPENDIX B

EQUIPMENT AND MATERIAL AVAILABLE

To be completed by each terminal or other installation on or near water. One copy to be sent to coordinator of air and water conservation and one copy to be kept in this manual.

Cooperative Cleanup Program

Name of Contact:_____ Phone:_____

Contractor Cleanup Services

Name:_____ Phone:_____

_____ _____

_____ _____

Equipment Available	Quantity/Length/Size	Source or Location
Booms, types_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
Skimmers_____	_____	_____
_____	_____	_____
_____	_____	_____
Vacuum trucks	_____	_____
	_____	_____
Collapsible storage containers, slop	_____	_____
	_____	_____
Fire hose and monitors_____	_____	_____
	_____	_____

Small Craft	Quantity/Length/Size	Source & Location
size _____	_____	_____
size _____	_____	_____
size _____	_____	_____
Barge-mounted vacuum equipment	_____	_____
	_____	_____
Dispersants		
type _____	_____	_____
type _____	_____	_____
type _____	_____	_____
Absorbents		
Straw _____	_____	_____
_____	_____	_____
Other _____	_____	_____
_____	_____	_____

OTHER APPENDICES

Additional appendices may include subjects such as:

1. A suggested press release, to be used by local managers in the event of spills when public relations counsel is not available. It will consist of a sample statement, with blanks for addition of basic data, such as date, place and nature of spill.

2. A suggested report form for all oil spills, to be completed after spill has been cleaned up. In addition to basic data about the spill, it will request: cause of spill and possible remedial action for prevention of future spills; cleanup techniques used and evaluation of them; public relations observations.

3. Technical material describing current oil spill cleanup practices and equipment. The material will include data on: containment, dispersal and sinking agents, physical removal from water, and cleanup of boats and shore installations.

4. Selected bibliography of material available on handling oil spills.

5. List of oil spill cooperative programs participated in by corporate units, and general policy statement for guidance of divisional and local managers regarding such cooperative programs.

APPENDIX XVIII

CONNECTICUT STATE LAWS

AND

LEGAL AUTHORITIES

House Bill No. 5355

Public Act No. 252

AN ACT CONCERNING THE FEE FOR LICENSURE OF TERMINALS FOR LOADING OR DISCHARGE OF PETROLEUM OR CHEMICAL PRODUCTS FROM VESSELS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (b) of section 25-54cc of the 1971 supplement to the general statutes is repealed and the following is substituted in lieu thereof: The commissioner shall (1) license all terminals in the state for the loading or discharge of petroleum or chemical liquids or products from vessels and shall issue reasonable regulations in connection therewith for the purposes of protecting the public safety and for preventing the discharge or spilling of oil or petroleum or chemical liquids or products into the waters of the state. Each license issued under this section shall be valid for a period of not more than one year commencing July first, unless sooner revoked by the commissioner, and there shall be charged for each such license or renewal thereof a fee of [ten] ONE HUNDRED TWENTY-FIVE dollars, (2) provide by regulations, in accordance with the provisions of subdivision (a) of section 22a-6, for the establishment and maintenance in operating condition and position of suitable equipment to contain as far as possible any oil, petroleum or chemical liquids or products spilled or discharged into the waters of the state, (3) inspect periodically all hoses, gaskets, tanks, pipelines and other equipment used in connection with the transfer, transportation or storage of oil, petroleum or chemical liquids or products to make certain that they are in good operating condition, and shall order the renewal of any of such equipment found unfit for further use, (4) require by regulations, in accordance with said subdivision (a), that suitable equipment be readily available and in operating position to remove from the waters of the state any oil, petroleum or chemical liquids or products spilled or discharged therein, (5) require the payment of reasonable fees by any person, firm or corporation which directly or indirectly transfers, transports or stores any oil, petroleum or chemical liquids or products and such fees shall be used to reimburse the state for the cost of inspections required by sections 25-54bb to 25-54hh, inclusive. Any person, firm or corporation which operates any such terminal in this state after January 1, 1970, without a license to do so, issued by the commissioner, shall be fined one hundred dollars per day during any period of

unlicensed operation of such terminal.

Sec. 2. This act shall take effect July 1, 1972.

House Bill No. 5178

Public Act No. 217

AN ACT CONCERNING OIL POLLUTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 25-54ee of the 1971 supplement to the general statutes is repealed and the following is substituted in lieu thereof: Any person, firm or corporation which directly or indirectly causes pollution and contamination of any land or waters of the state through the discharge, spillage, seepage, filtration or otherwise of oil or any petroleum or chemical liquid or product WHICH POLLUTION OR CONTAMINATION WILL RESULT IN DAMAGES IN EXCESS OF FIVE THOUSAND DOLLARS, AS ESTIMATED BY THE COMMISSIONER, shall be liable for all costs and expenses incurred by said commissioner in containing and removing such pollution and contamination, provided, if such pollution or contamination was [caused by gross negligence] NEGLIGENTLY CAUSED, such person, firm or corporation may, at the discretion of the court, be liable for [treble] damages EQUAL TO ONE AND ONE-HALF TIMES THE COSTS AND EXPENSES INCURRED BY SAID COMMISSIONER Upon request of the commissioner, the attorney general shall bring a civil action to recover all such costs and expenses. All costs and expenses so recovered shall be applied (1) to reimburse the state for all sums of money advanced or expended by it under sections 25-54bb to 25-54hh, inclusive, in containing and removing any such pollution and contamination and (2) for the general purposes of said sections without further appropriation.

House Bill No. 5173

Public Act No. 237

AN ACT CONCERNING OIL SPILL CLEAN-UP CONTRACTORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 25-54hh of the 1971 supplement to the general statutes is repealed and the following is substituted in lieu thereof: No person shall engage in the business of collecting waste oil or petroleum or chemical liquids or products OR OF ACTING AS A CONTRACTOR TO CONTAIN OR REMOVE SPILLS OF SUCH MATERIAL or shall dispose of waste oil or petroleum or chemical liquids or products in any waters of the state, without a permit from the commissioner. Such permit, which shall be in writing and valid for not more than one year beginning July first and for which an annual charge of five dollars shall be made, shall not be granted unless the commissioner is satisfied that such disposition will not result in further pollution or contamination. The commissioner shall consult with and advise persons engaged in or intending to engage in the business of disposing of waste oil and petroleum or chemical liquids or products OR CONTRACTING FOR THEIR CONTAINMENT OR REMOVAL as to the most appropriate and best method of disposal, CONTAINMENT OR REMOVAL. He shall conduct a program of study and research and demonstration, relating to new and improved methods of waste oil and petroleum or chemical liquids or products disposal.

Sec. 2. This act shall take effect July 1, 1972.