

# Area Contingency Plan (CTCACP)



**2022.1**



16471

June 16, 2022

## MEMORANDUM

From: Jason E. Smith  
CG Sector Houston-Galveston (s)

To: Distribution

Subj: PROMULGATION OF THE CENTRAL TEXAS COASTAL AREA CONTINGENCY PLAN

1. This memo promulgates the revised Central Texas Coastal Area Contingency Plan (ACP). This plan is effective immediately and supersedes previous editions of the ACP.

2. The ACP is designed to meet the requirements and intent of the National Oil and Hazardous Substances Pollution Contingency Plan and is aligned with the National Response Framework. It is designed to be used in conjunction with national, regional, and state plans, and provides guidance for a coordinated response by local, state, and federal government agencies as well as nongovernment partners to respond to discharges of oil and hazardous substances.

3. This ACP is electronic, enabling users to rapidly access a wide range of supporting documents that are linked to the ACP. For the ACP to provide maximum support, responders and members of the Area Committee, along with other port partners, must continuously update and revise the ACP based on lessons learned and/or best practices through exercises and actual responses. Response personnel should make themselves familiar with this plan.

4. This ACP highlights the national importance of the Central Texas Coastal area, both environmentally and economically, and is the culmination of excellent cooperation and teamwork from the members of the Area Committee.

5. If you have any questions, please contact Mr. Matthew Tilimon, the Central Texas Coastal ACP Coordinator at (281) 464-4725 or via email at [matthew.d.tilimon@uscg.mil](mailto:matthew.d.tilimon@uscg.mil).

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Dist: Central Texas Coastal Area Committee Members  
CGD EIGHT (dr)  
CG LANTAREA (LANT-55)  
CG NSFCC  
CG GST  
COMDT (CG-MER)



16471

JUN 07 2022

## MEMORANDUM

  
From: R. V. TIMME, RADM  
CGD EIGHT (d)

To: CG SECTOR Houston-Galveston

Subj: APPROVAL OF 2022 CENTRAL TEXAS COASTAL AREA CONTINGENCY PLAN  
(ACP)

Ref: (a) U.S. Coast Guard Marine Environmental Response and Preparedness Manual,  
COMDTINST M16000.14A  
(b) D8 FY22 Operation Planning Direction (OPD)

1. Congratulations to you and your staff! Your subject plan, as updated, has been reviewed by my staff and is determined to be in substantial compliance with references (a) and (b).
2. Please pass along my thanks to your Area Committee (AC) for the effort that went into this update. As you are aware, your ACP will be reviewed by the Coast Guard National Review Panel (CGNRP) in July 2022. The CGNRP convenes annually to assess the adequacy of ACPs from around the country to identify best practices and areas for improvement. You should expect to receive the CGNRP feedback before the end of calendar year 2022. My staff looks forward to assisting in the development of a five-year "improvement plan" that identifies the short to long-term update strategy based on CGNRP recommendations. Continuous improvement, and maintaining the current momentum, will ensure that we are always prepared to effectively respond to oil discharges and hazardous substance releases in the coastal zone.
3. If you have any questions regarding this matter, please contact Ms. Damara "Dee" Oos at (504) 671-2233 or email: [damara.a.oos@uscg.mil](mailto:damara.a.oos@uscg.mil)

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16471

**MAY 06 2024**

## MEMORANDUM

From: *K. M. Donohue, CAPT USCG*  
K. M. DONOHUE, CAPT  
CG SECTOR Houston-Galveston (s)

To: Distribution

Subj: CENTRAL TEXAS COASTAL AREA CONTINGENCY PLAN UPDATE

1. The Central Texas Coastal Area Contingency Plan (ACP), Version 2022.2 meets the required annual revision requirement for 2024.
2. The 2022.2 plan has undergone several updates to include verification of contact numbers through the implementation of the Annex 2, Contact Spreadsheet update process. Hyperlinks throughout the plan were verified, and the Marine Transportation System (MTS) Recovery and Salvage Response Plans were linked into the newly added Section 1700: Relationship to other MTS Focused Response Plans.
3. For the ACP to provide maximum support, responders and members of the Area Committee, along with other port partners, must continuously update and revise the ACP based on lessons learned and/or best practices through exercises and actual responses. Response personnel should make themselves familiar with this plan.
4. This ACP highlights the national importance of the Central Texas Coastal area, both environmentally and economically, and is the culmination of excellent cooperation and teamwork from the members of the Area Committee.
5. If you have any questions, please contact Mr. Matthew D. Tilimon, the Central Texas Coastal ACP Coordinator at (281) 464-4725 or via email at [matthew.d.tilimon@uscg.mil](mailto:matthew.d.tilimon@uscg.mil).

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Enclosures: (1) Record of Changes

Dist: Central Texas Coastal Area Committee Members  
CGD EIGHT (dr)

**Record of Changes**

<b>Change Number</b>	<b>Change Description</b>	<b>Section Number</b>	<b>Change Date</b>	<b>Name</b>
1	Corrected vessel WCD error	3300	May 2023	Tilimon
2	Updated Annex 2a ICS-207	11000	May 2023	Tilimon
3	Updated various links	Various	May 2023	Tilimon
4	Added Annex 12, predesignated vessel decontamination sites	11000	May 2023	Tilimon
5	Updated Annex 2 contacts	11000	May 2023	Tilimon
6	Updated contact numbers and various links	Annex 2	May 2024	Edwards
7	Added MTS Recovery and Salvage Response plans links	1700	May 2024	Oos
8				
9				
10				

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## 1000 Introduction

The Central Texas Coastal Area Contingency Plan (CTCACP) describes the strategy for a coordinated federal, state, tribal, and local response to a discharge or substantial threat of discharge of oil, or a release or substantial threat of release of hazardous substance(s), within the boundaries of the Central Texas Coastal Zone.

This Area Contingency Plan (ACP) shall be used as a framework to evaluate shortfalls and weaknesses in the response structure before an incident and as a guide for reviewing Vessel Response Plans (VRPs) and Facility Response Plans (FRPs) required by the [Oil Pollution Act \(OPA\) of 1990, 33 U.S.C § 2701 et seq.](#) VRPs and FRPs should be consistent with this ACP and address, among other things, the economically and environmentally sensitive areas within the geographic area, the response equipment (quantity and type) available within the area (this includes federal, state, and local government and industry owned equipment); response personnel available; equipment and personnel needs compared to those available, and protection strategies. This ACP is written in conjunction with OPA, the National Oil and Hazardous Substances Pollution Contingency Plan ([NCP, 40 C.F.R. Part 300](#)) and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ([CERCLA, 42 U.S.C. § 9601 et seq.](#)). As such, when implemented in conjunction with other provisions of the NCP, this ACP should be adequate to remove a worst-case discharge under [§ 300.324](#), and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility operating in or near the area.

*\* Disclaimer: All specific contacts applicable to this ACP have been combined into one "all inclusive" contact spreadsheet located in [Annex 2](#).*

## 1100 Purpose

The purpose of this ACP is:

- To provide effective implementation of response actions to protect people, natural resources, and property of the coastal zone covered by this plan from the impacts of an oil discharge, substantial threat of discharge of oil, a release of hazardous substance, or substantial threat of a release of a hazardous substance, including Weapons of Mass Destruction (WMD), from inland and marine sources.
- To promote coordination and strategy for a unified and coordinated federal, state, tribal, local, potential responsible party, response contractor, response cooperative, and community response.
- To provide guidance to all VRP and FRP reviewers and plan holders to ensure consistency with the CTCACP.
- To provide guidance for responders. Historically, the users of the ACP have been confronted with incidents that were caused by nature (hurricanes, floods, etc.) or from the unintentional actions of individuals (grounding, collision, etc.). In today's world where terrorism is a greater reality, the intentional release of a hazardous substance, oil, biological agent or radiation poses unique challenges to those who respond. Federal and state laws and regulations require oil spills, hazardous substance releases or responses to WMDs be managed with a trained and competent response management organization that

accommodates a unified command structure in recognition of federal, state, tribal or local jurisdiction.

The CTCACP is designed to ensure that the initial actions taken in response to a hazardous substance release, oil spill, radiological, or biological incident that occurs in the maritime environment are effectively managed from the start and incorporate other agency plans and operating procedures as those agencies arrive on-scene. However, incidents are never identical and once initial actions have been taken, responders will assess the incident and tailor their strategies and tactics to match the reality of the situation. ***As such, notwithstanding any statutory or regulatory requirements, this ACP outlines general response protocols for a notional incident (unknown date, time, location, and variables). This ACP is not intended to be a definitive step-by-step guide on all potential items necessary to mitigate any particular incident.***

## 1200 Document Organization

The CTCACP provides guidance for the Area Committee, defines authorities and applicability, outlines plan maintenance and exercise requirements, and describes the overarching strategy for a coordinated multi-agency response to an oil discharge or hazardous substance release. Additionally, the CTCACP contains an overview of the geographic response strategies (GRSs)/geographic response plan (GRPs) and overview of the Fish and Wildlife and Sensitive Environments Plan which encompasses the Environmental Annex information required by the [NCP](#). Finally, the CTCACP contains Quick Response Cards (QRCs), checklists, and other necessary job aids and documents to assist emergency management preparedness specialists and response personnel; all items are “grab and go” format for ease of use.

## 1300 Authority

ACPs are required by OPA, 33 U.S.C.1321 (j), to address the development of a national planning and response system. Area Committees have been established for each area of the United States that has been designated by the President. The Area Committees are comprised of personnel from federal and state agencies that coordinate response actions with tribal and local governments and with the private sector. Area Committees, under the coordinated direction of the Federal On-Scene Coordinators (FOSC), are responsible for developing ACPs for their respective designated areas. Area Committees are also required to work with the response community to develop procedures to expedite decisions for the use of alternative response measures.

## 1400 National Response System

The National Response System (NRS) is a three-tiered response and preparedness mechanism that supports the predesignated FOSC in coordinating national, regional, and local government agencies, industry, and the responsible party during response operations. The NRS was developed to coordinate all government agencies with the responsibility for environmental protection, in a focused response strategy for the immediate and effective clean-up of an oil discharge or a hazardous substance release.

The NRS is designed to support the FOSC and facilitate responses to a discharge or threat of discharge of oil or a release or threat of release of a hazardous substance. The NRS supports the responsibilities of the FOSC, under the direction of the Clean Water Act ([CWA](#)) as amended by OPA. When appropriate, the NRS is designed to incorporate a “unified command and control

support mechanism” (Unified Command) consisting of the FOSC, the state on-scene coordinator (SOSC), and the Responsible Party’s Incident Commander (IC). The UC structure is further described under [Section 6300](#) of this document. The FOSC plans and coordinates response strategy on scene, using the support of the National Response Team (NRT), Regional Response Team (RRT), Area Committees, and responsible parties, as necessary, to supply trained personnel, equipment, and scientific support to complete an effective response to any oil discharge or hazardous substance release.

## 1500 The National Response Framework

The National Response Framework ([NRF](#)) is a guide which provides foundational emergency management doctrine for how the nation responds to many types of incidents, including pollution incidents. The NRF is often activated in anticipation of, or following, a storm event (tropical storm or hurricane) or other natural disaster (flooding event, tornados, etc.). The structures, roles, and responsibilities described in the NRF can be partially or fully implemented in the context of a threat or hazard, in anticipation of a significant event, or in response to an incident. Implementation of NRF structure and procedures allows for a scaled response, delivery of specific resources and capabilities, and a level of coordination appropriate to each incident. Pollution response, under the umbrella of the NRF is possible using plans, capabilities, and partnerships forged in accordance with the NCP, combined with the effective use of the ICS.

Other useful natural disaster response resources include the [National Response Team Abandoned Vessel Authorities and Best Practices Guidance](#) and the NRF’s [Emergency Support Function \(ESF\) #10 – Oil and Hazardous Materials Response Annex](#). For more information, please refer to the Eighth Coast Guard District Natural Disaster Pollution Response guidance document located in [Annex 19](#) of the RRT-6 RCP.

## 1501 Nuclear/Radiological Incident Annex to the NRF

The Nuclear/Radiological Incident Annex ([NRIA](#)) to the NRF describes the policies, situations, concepts of operations, and responsibilities of the federal departments and agencies governing immediate response and short-term recovery activities for releases of radioactive materials. These incidents may occur on federally-owned or –licensed facilities, privately owned property, urban centers, or other areas and may vary in severity from the small to the catastrophic. The incidents may result from inadvertent or deliberate acts. The NRIA applies to incidents where the nature and scope of the incident requires federal response to supplement the state, tribal, and/or local incident response.

**Note:** There is one nuclear plant located just outside of the Central Texas Coastal Area on the west bank of the Colorado River, southwest of Bay City, TX, in Matagorda County. Any releases from this facility would originate in the South Texas Coastal Zone, within the MSD Victoria area of responsibility. However, since this facility is located across the river from the Central Texas Coastal Area, an incident could impact the Sector Corpus Christi as well as the Sector Houston-Galveston COTP Zone.

- [South Texas Project Electric Generating Station, Bay City, TX](#)

## 1600 Contingency Plans

Contingency plans serve to formalize and document activities to be undertaken to plan for incidents and in the event of an incident. The following diagram depicts the relationship of many of the response plans discussed below.

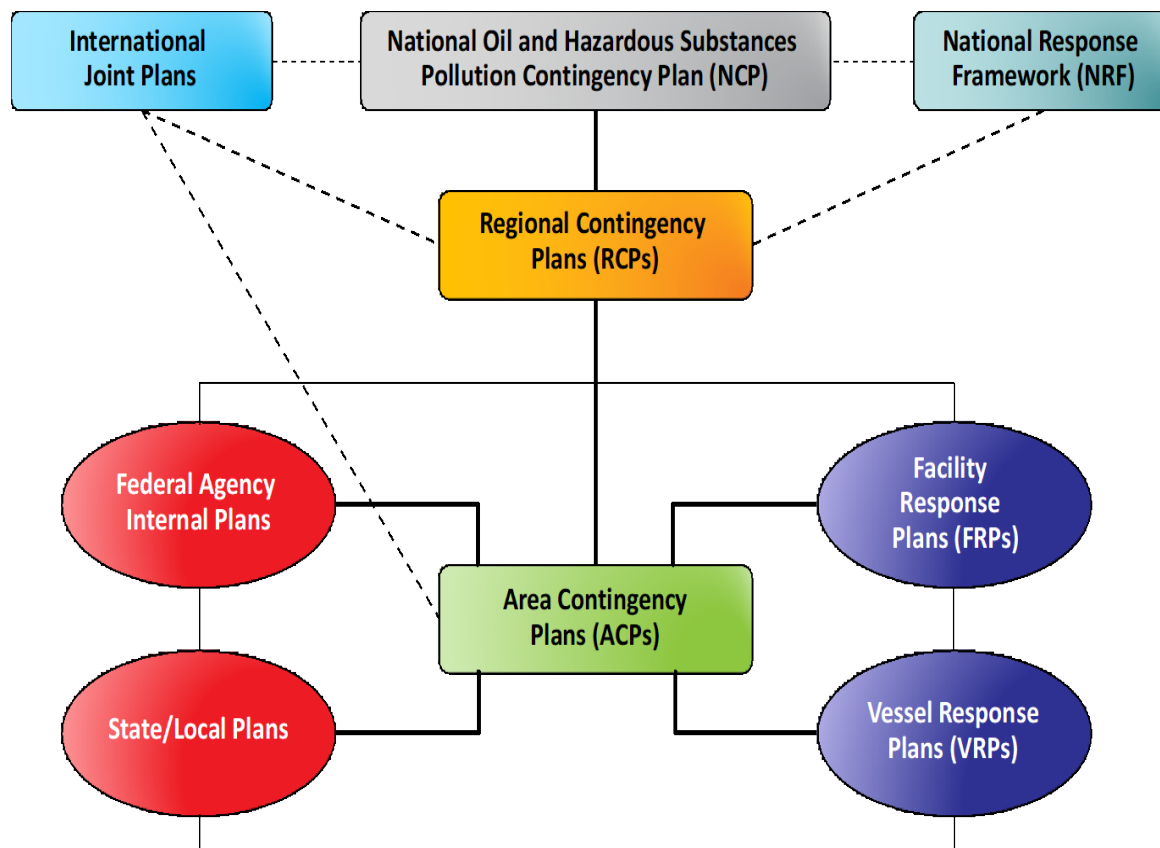


Figure 1: Relationship of Plans

### 1601 Contingency Plans under the NRS

There are three levels of contingency plans under the NRS: The National Contingency Plan (NCP), Regional Contingency Plans (RCP), and Area Contingency Plans (ACPs). The [NCP](#) addresses the national response structure and identifies requirements for regional and area preparedness development. RCPs provide the organizational structure and procedures for preparing for and responding to discharges of oil and releases of hazardous substances, pollutants, or contaminants by Regional Response Team (RRT). ACPs are developed under the leadership of the USCG FOSC, following guidelines within the [NCP](#) and RCP, as applicable. Composed of federal, state, and local governmental representatives, the Area Committee develops an ACP for responses to oil discharges and hazardous substance releases within their geographic area.

### 1602 Local Plans

Local Emergency Planning Committees (LEPCs) are responsible for the development and maintenance of local emergency response plans in accordance with the Emergency Planning and Community Right to Know Act (EPCRA), Sections 301 to 303. LEPC membership includes various representatives from local governmental agencies, emergency responders, environmental

groups, and local industry. These emergency plans include, among other things, the identity and location of hazardous materials, procedures for immediate response to a chemical accident, ways to notify members of the public of actions to take in the event of a discharge or release, names of coordinators at plants, and schedules for testing the plan. The local emergency response plan is reviewed by the State Emergency Response Commission (SERC). RRTs may review these plans and provide assistance if the SERC or LEPC makes such a request. Federal contingency plans provide for coordination with local governments.

## **1603 International Plans**

### **1603.1 MEXUS Plan and MEXUSGULF Annex**

In the event an incident could affect or threaten the marine environment of Mexico, the USCG FOSC or designated representative will immediately notify the USCG Eighth District to discuss protocols with the MEXUSGULF Joint Response Team Regional Chair. The USCG Eighth District Incident Management and Preparedness Advisor serves as the Regional Chair. The following links provide access to the [MEXUS Plan](#) and the [MEXUSGULF Annex](#). This Plan and Annex provide communication and coordination protocols (not tactical). USCG FOSC and staff personnel are encouraged to review and be familiar with the Plan and Annex contents; however, the Eighth District is responsible for international engagement under MEXUS.

### **1604 Responsible Party Plans**

Facility and tank vessel response and non-tank vessel plan regulations, including plan requirements for the Coastal Zone, are located in [33 C.F.R. 154](#) and [33 C.F.R. 155](#) respectively, [30 C.F.R. 254](#) for Off-shore facilities, and [49 C.F.R. 194](#) for Pipelines. Facility response plan regulations for the inland zone are located in [40 C.F.R. 112](#). Complex facilities are facilities that are regulated by both the USCG and the EPA. Therefore, they would have a facility response plan meeting the requirements of 33 C.F.R. 154 and 40 C.F.R. 112, or an Integrated Contingency Plan (ICP), capturing both federal agencies' requirements in one plan.

## **1700 Relationship to other Marine Transportation System (MTS) Focused Response Plans**

Depending on the size and complexity of an oil spill discharge or hazardous substance release, the following contingency plans developed for the Houston-Galveston Captain of the Port (COTP) Zone may be activated to minimize disruption of the Marine Transportation System (MTS):

- The MTS Recovery Plan provides planning and coordination to facilitate the recovery of the MTS following any man-made or natural disaster.
- The [Salvage Response Plan](#) provides planning and coordination to facilitate salvage operations in conjunction with [Annex 9](#), the Marine Fire Fighting Plan (MFF).

## **2000 Central Texas Coastal Area Committee**

The CTCAC is a spill preparedness and planning body made up of federal, state, and local agency, industry, and non-governmental organization representation. The CTCAC, under the direction of the Houston-Galveston Captain of the Port (COTP), is responsible for developing an ACP. The CTCAC is also responsible for working with state and local officials to plan for joint response efforts, including appropriate procedures for mechanical recovery, dispersant use, shoreline cleanup, protection of sensitive environmental areas, and protection, rescue, and rehabilitation of

fisheries and wildlife. The CTCAC is also required to work with state and local officials to expedite decisions for the use of dispersants and other mitigating substances and devices.

The geographical boundaries of this plan are defined in [Section 3000](#) of this document.

### **2001 Mission Statement:**

The mission of the CTCAC is to ensure the highest state of readiness of the spill response community. The CTCAC will strive to accomplish this by developing a comprehensive and useful ACP, preparing the response community through training and exercises, developing coordination mechanisms to facilitate effective responses, and educating our stakeholders and the public.

The CTCAC will function as an efficient organization for ensuring effective response to environmental threats in our area. The CTCAC will collaborate, sharing information and resources, to produce the best possible plans and creative solutions to problems. The CTCAC will employ best available research and technology in both problem solving and decision-making. The CTCAC will learn from responses and activities, improve processes, and develop as individuals and as an organization.

## **2100 AC Organization**

The CTCAC is comprised of representatives from federal, state, and local governments as *appointed members* and *members at large* from non-governmental agencies such as the maritime industry, wildlife rehabilitation organizations, and academia, as advisors.

### **2101 Committee Chair and Vice-Chairs**

The Sector Houston-Galveston COTP, as predesignated Federal On-Scene Coordinator (FOSC), shall Chair the Area Committee (AC). There are three lead agencies for oil and hazardous substance incidents in Texas. A representative from the Texas General Land Office (TGLO) is the lead state agency representative for oil spills in Texas. A representative from the Texas Commission on Environmental Quality (TCEQ) is the lead agency representative for hazardous materials, and incidents involving radioactive materials in Texas. A representative from the Texas Railroad Commission (TRRC) is the lead agency representative for incidents involving pipelines in Texas. Representatives from TGLO, TCEQ, and TRRC shall serve as Vice-Chairs.

### **2102 Executive Secretary / AC Coordinator**

The AC Coordinator from USCG Sector Houston-Galveston (SHG) will coordinate with state agencies to prepare meeting agendas, schedules, and meeting notifications. The USCG will record, draft, and publish meeting summaries and attendance roster and coordinate remote participation access for meeting attendance.

### **2103 Executive Steering Group (ESG):**

The Executive Steering Group (ESG) is the strategic decision-making body of the AC. The ESG consists of *appointed AC members*; specifically, the FOSC, State On-Scene Coordinators, local emergency coordinator representatives, subcommittee chairs, and an executive secretary.

The ESG leads the AC by providing agenda items and establishing guidance for the work of the CTCAC. The duties and responsibilities of the ESG are to:

- Set the goals and priorities for the AC
- Assign and monitor projects of subcommittees
- Vote on issues



- Represent all entities who participate in the AC

The ESG meets on an annual basis, although special meetings may be called when needed in order to align the local, state, and regional level response priorities.

The list of ESG members can be found in [Table 1](#).

### **2104 Members and Members at Large**

A list of CTCAC members and members at large will be maintained by the AC Coordinator and can be found in [Table 2](#) and [Table 3](#).



## **2105 Subcommittees**

Subcommittees are established to work on functional items pertaining to the AC. Workgroups will be formed under the applicable subcommittee to complete assigned projects, tasks, and goals that are developed by the Executive Steering Group (ESG). The three functional subcommittees, under which tasks are assigned, are:

- Preparedness
- Response
- Science and Technology

**Note:** Specific subcommittee chair designation letters, subcommittee tasks/priorities and projects will be maintained by the AC Coordinator.

## **2200 AC Meetings**

AC meetings are open meetings. The USCG FOSC Chair shall attend/lead each meeting and provide an opportunity for participation by each regulatory member, each non-regulatory participant, and any public attendees; ensuring adherence to the agenda; maintaining order; and reviewing recommendations submitted to the ESG. In the absence of the FOSC, these duties shall be performed by the Sector Houston-Galveston Deputy, who serves as the Alternate FOSC.

### **2201 Meeting Frequency**

AC meetings shall be held at least semi-annually on the first Thursday of the months February and September.

### **2202 Texas Area Committee Executive Steering Group (TACESG) Meetings**

The TACESG, comprised of members from the State of Texas and USCG personnel, provides input to all three Area Committees that cover Texas, including the CTCAC. The TACESG does not intend to conflict with, or supersede, the authorities and responsibilities of each AC. The TACESG endeavors to provide efficiencies across the three Area Committees, working to develop and coordinate planning and preparedness activities and to ensure a higher probability of consistency and effectiveness during pollution response actions.

Meetings of the TACESG typically occur semi-annually, ideally closely associated with the semi-annual RRT6 Meetings. Additional periodic teleconferences may be held throughout the year.

### **2203 Remote Access Attendance**

The USCG may provide remote access availability to AC members, participants, and presenters who are unable to attend meetings in person to maximize stakeholder participation and communication. USCG D8 Incident Management Branch (drm) has established Adobe Connect sites for each COTP in All Partners Access Network (APAN) and is available to assist with set-up and maintenance for Adobe Connect and other virtual attendance technology.

## **2300 ACP Annual Update, Review, and Approval Process**

The CTCACP shall be updated annually. The CTCACP shall be reviewed and approved by the CTCAC, USCG D8, and the Coast Guard National Review Panel (CGNRP) every five years.

### **2301 Annual ACP Updates**

The CTCAC will review the ACP and document any changes or updates in the Record of Changes page. Additionally, and at a minimum, the AC will update the ACP version number and contact information; confirm phone numbers, addresses, links, and notification procedures; and incorporate lessons learned as a result of real-world events and/or exercises. Annual updates will continue to be managed locally between the USCG unit, Vice-Chair(s), and AC and be completed by 1 May.

### **2302 ACP Approval and CGNRP Review**

In coordination with the Chair, Vice-Chair(s), and other members of the AC, USCG D8 formally reviews and approves coastal ACPs every five years. After approval, USCG D8 submits the ACP for national review by the CGNRP. The CGNRP, comprised of CG-MER, USCG Atlantic and Pacific Area, National Strike Force Coordination Center, and District representatives, convene annually to review selected ACPs nation-wide. Nationwide, each coastal ACP is on a 5-year CGNRP review schedule.

Additional CGNRP information and requirements, including specific scheduling and expectations will be coordinated from USCG D8 to USCG field units.

### **2400 Area PREP Exercises**

Per the [National Preparedness for Response Exercise Program \(PREP\) Guidelines](#), which provides the framework for an effective oil spill and hazardous substance response exercise program, the CTCAC shall hold three annual Incident Management Team (IMT) Tabletop Exercises (TTXs) and one Full-Scale Exercise (FSE) per 4-year period.

### **2401 Exercise Schedule**

USCG D8 (drm) will maintain the Area Exercise schedule and ensure visibility by the CTCAC and PREP Compliance, Coordination and Consistency Committee (PREP 4C). The CTCAC will validate the proposed timeframe and identify the industry plan holder who will participate in each PREP exercise. Any schedule change requests shall be routed to USCG D8 (drm).

### **2402 Documentation**

Additional PREP-related exercise requirements, including development of Concept of Exercise (COE), After Action Report (AAR), Remedial Action Issues (RAIs), and Real-World Event (RWE) credit requests will be coordinated from USCG D8 to USCG field units.

Table 1: Executive Steering Group (ESG)		
Personnel from the following entities serve on the ESG:		
1.	Federal	USCG Sector Houston-Galveston
		USCG MSU Texas City
		U.S. Environmental Protection Agency (EPA), Region 6
		Bureau of Safety and Environmental Enforcement (BSEE)
2.	State	Texas General Land Office (TGLO)
		Texas Commission on Environmental Quality (TCEQ)
		Texas Railroad Commission (TRRC)
3.	Executive Administer	USCG Sector Houston-Galveston Emergency Management and Force Readiness (EMFR): Emergency Management Specialist

Table 2: Area Committee Members		
Below is list of <i>appointed</i> Area Committee Members:		
1.	Federal	U.S. Army Corps of Engineers (USACE)
		U.S. Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA) - Scientific Support Coordinator (SSC)
		U.S. Department of Energy (DOE), Strategic Petroleum Reserve
		U.S. Department of the Interior (DOI), Bureau of Safety and Environmental Enforcement (BSEE)
		U.S. Department of the Interior (DOI), U.S. Fish and Wildlife Service (USFWS)
		U.S. Environmental Protection Agency (EPA), Region 6
		National Weather Service (NWS)
		U.S. Coast Guard
2.	State	Texas General Land Office (TGLO)
		Texas Commission on Environmental Quality (TCEQ)
		Railroad Commission of Texas (TRRC)
		Texas Parks and Wildlife Department (TPWD)
		Texas Historical Commission (THC), State Historic Preservation Office (SHPO)
		Texas Department of State Health Services (DSHS)
		Texas Department of Emergency Management (TDEM)
		Texas Department of Public Safety (DPS)
3.	Local	Brazoria County OEM
		Chambers County OEM
		City of Houston OEM
		City of Pasadena
		Galveston County Health District
		Galveston County OEM
		Harris County Fire Marshal's Office
		Harris County OHSEM
		Harris County Pollution Control
		Harris County Public Health
		Houston Fire Department
		Montgomery County OEM
		Texas City OEM

**Note:** Specific AC designation letters will be maintained by the AC Coordinator

Table 3: Area Committee Members at Large		
Below is a list of Area Committee <i>Members at Large</i> :		
1.	Consulting	CTEH
		ECM Maritime Services
		J. Connor Consulting/IMR
		NJR
		The Response Group (TRG)
		Witt O'Brien's
		Gallagher Marine Systems
2.	Academia and Hospitals	Rice University
		Texas A&M Engineering Extension Service
		University of Houston
		University of Texas Medical Branch
3.	Co-Op	Clean Gulf Associates (CGA)
		HWCG, LLC
		Marine Well Containment Company (MWCC)
		Wild Well Control
4.	Facility Owners or Operators	BP
		Chevron
		Clean Channels Association
		DOW Chemical
		Exxon Mobil
		Kinder Morgan
		Lubrizol
5.	Offshore Owners or Operators	Targa
		Apache Corporation
		Anadarko/ Occidental
		BHP
		Equinor
		Hess Corporation
6.	Shipping	Shell
		Buffalo Marine
		Florida Marine
		Kirby Marine
7.	Pipeline	AET Tankers
		Plains Pipeline
		Williams Pipeline
8.	Wildlife Care Organization	Wildlife Response Services, LLC
		Wildlife Center of Texas
		International Bird Rescue
9.	Volunteer/ Environmental	A to Sea Environmental
		Coast Guard Auxiliary

		Galveston Bay Foundation
10.	Salvage Companies	T&T Marine
		Resolve Marine
11.	OSROs	American Environmental and Industrial Services
		American Pollution Control (AMPOL)
		Garner Environmental
		Horizon Environmental
		Marine Spill Response Corporation (MSRC)
		National Response Corporation (NRC)
		OMI Environmental Solutions
		Phoenix Services
		Ramboll
		SWS Environmental
		U.S. Environmental Services (USES)

## 3000 Geographic Information

### 3100 ACP Area Covered

The Houston-Galveston COTP Zone is defined in [33 C.F.R. 3.40-28](#) and depicted in Figure 4 below. Within this COTP Zone, the USCG COTP/FOSC area of responsibility for the CTCACP planning area is the Coastal Zone (see 3102 below). The precise inland zone and coastal zone response boundary is agreed upon between the U.S. Coast Guard Eighth District and EPA Region 6 and is documented in the [Memorandum of Agreement \(MOA\) dated 14 Apr 2010](#). Figure 2 below depicts the 13 Regional Response Teams and Figure 3 depicts the U.S. Coast Guard Areas and Districts.

### 3101 Inland Zone Boundary Designation

The U.S. Environmental Protection Agency (EPA) Region 6 provides the predesignated FOSC for pollution response in the Inland Zone. All discharges or releases, or substantial threats of such discharges or releases of oil or hazardous substances originating within the Inland Zone are the responsibility of the EPA. Included are discharges and releases from unknown sources or those classified as “mystery spills.” However, discharges or releases within the inland zone that involve a commercial vessel or an oil or hazardous material transfer operation on the marine transportation-related portion of a MTR facility are USCG’s responsibility per existing MOA.

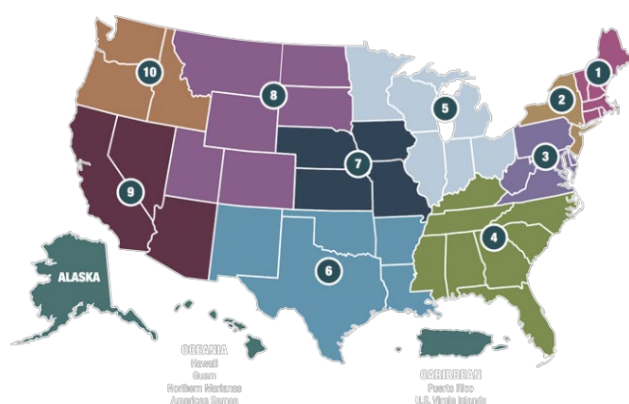


Figure 2: RRT Areas



Figure 3: U.S. Coast Guard Districts

### 3102 Coastal Zone Boundary

The relevant coastal USCG COTP is the predesignated FOSC for pollution response in the Coastal Zone. All discharges or releases, or substantial threats of such discharges or releases of oil or hazardous substances originating within the Coastal Zone are the responsibility of the USCG FOSC. Included are discharges and releases from unknown sources or those classified as “mystery spills.” Specifically, a dashed line on a layer within NOAA’s Environmental Response Management Application (ERMA) depicts the [Inland Zone / Coastal Zone boundary](#) within the CTCACP planning area.



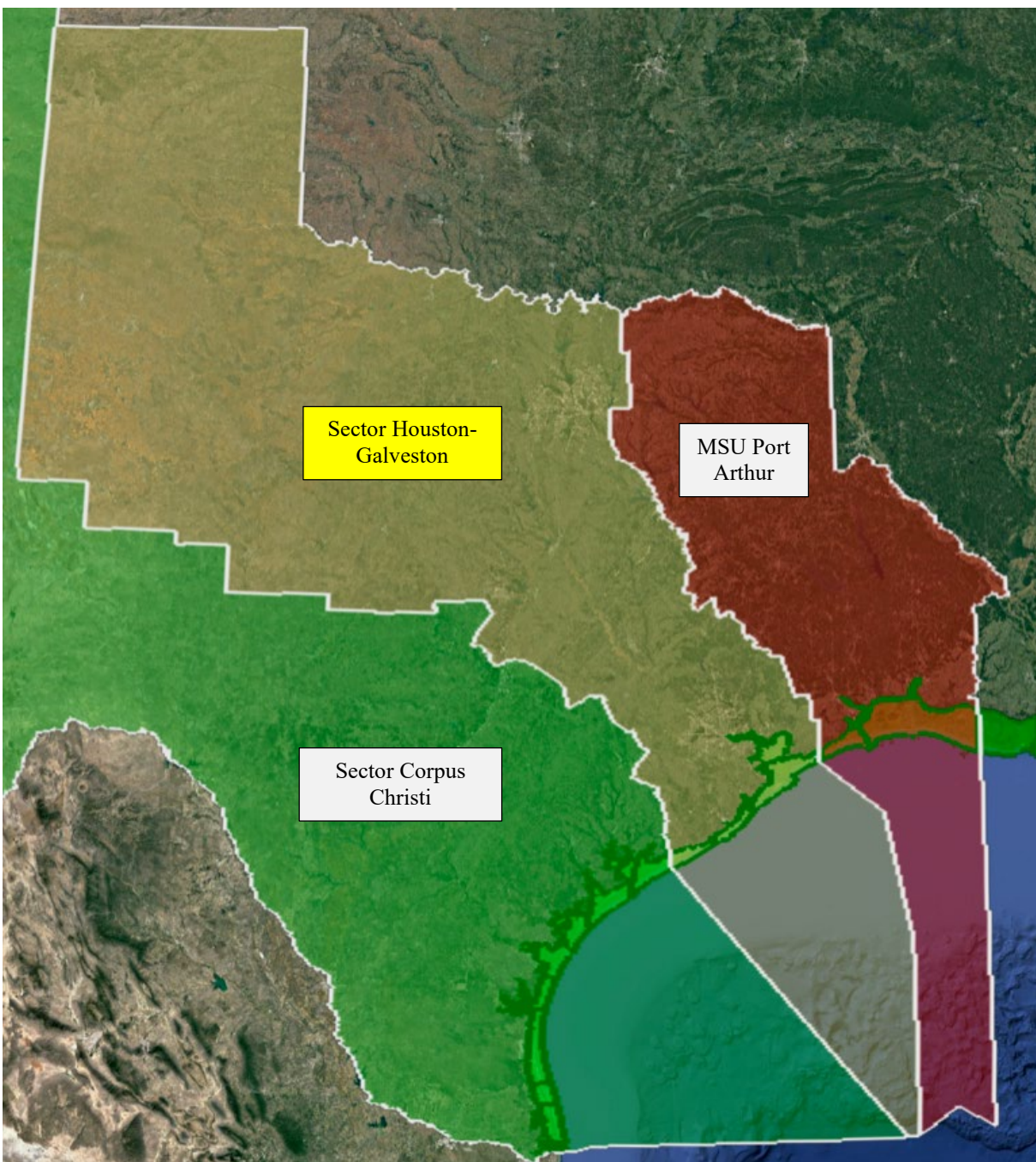


Figure 4: Map of Sector Houston-Galveston COTP Zone

### 3103 Area Counties

The counties covered in the CTCACP planning area are as follows:

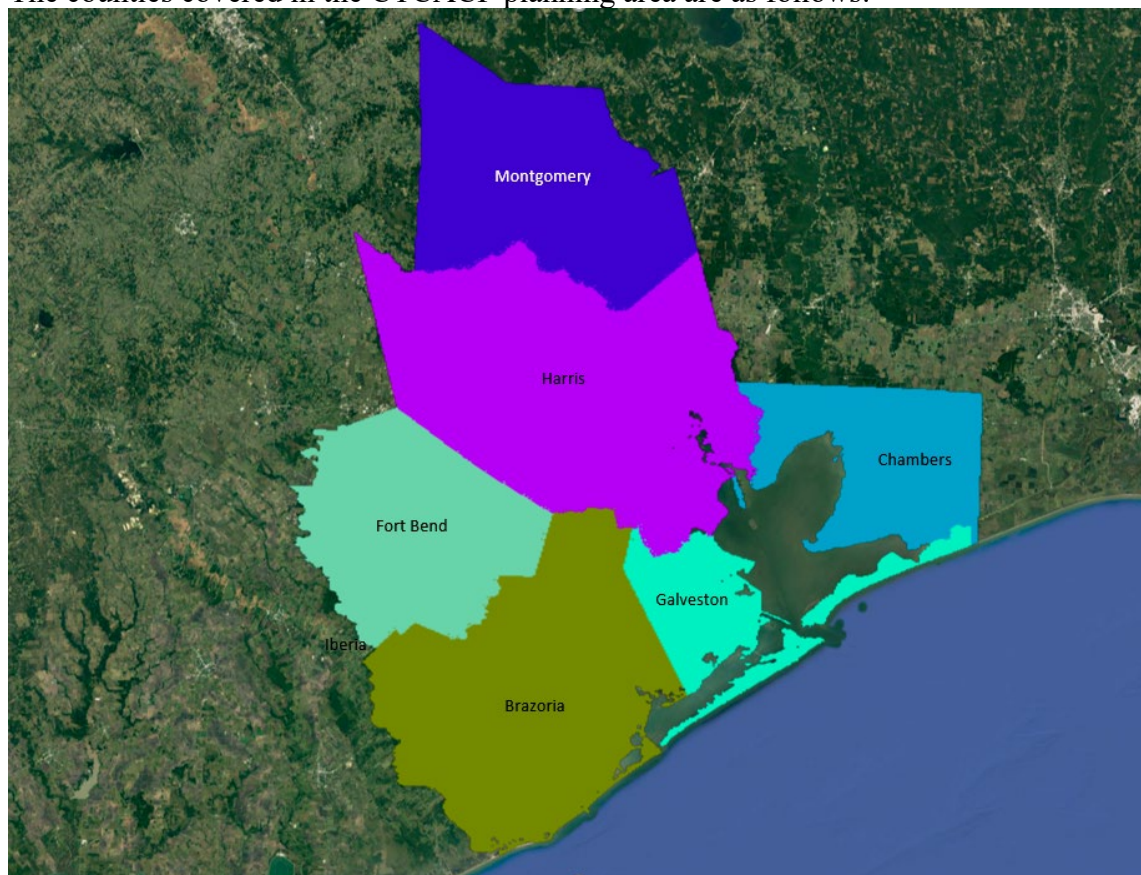


Figure 5: Area Counties

Table 4: Area Counties	
1.	Harris
2.	Galveston
3.	Chambers
4.	Brazoria
5.	Montgomery
6.	Fort Bend

### 3200 Areas of Special Economic or Environmental Importance

As required by [40 C.F.R. 300.210\(c\)\(3\)\(i\)](#), areas of special economic or environmental importance shall be identified for protection from the impacts of a spill. Considerations include each location's significance, sensitivity to oil, anticipated impacts, and the extent to which potential losses can be recovered/ restored/ compensated. Potential economically sensitive areas include water intakes, high tourism coastal areas, significant port/industrial facilities, marinas, aquaculture sites, and fishing grounds.

### 3201 Areas of Special Economic or Environmental Importance

*To be Developed.*



### 3300 Worst Case Discharge Information

As per the CWA, a Worst Case Discharge (WCD) is defined as, in the case of a vessel, a discharge in adverse weather conditions of its entire cargo, and in the case of an offshore facility or onshore facility, the largest foreseeable discharge in adverse weather conditions.

### 3301 WCD Table for All Transportation Modes in CTCACP Planning Area

Table 5: Worst Case Discharges for CTCACP Planning Area (all transportation modes)				
FOSC-Sector Houston-Galveston				
Type	Owner / Operator Vessel / Facility Name	Location	Amount	Product
MTR Facility	ExxonMobil Baytown	Baytown	37,103 bbl	Oil Products
Pipeline	Contact DOT PHMSA Hotline (888) 719-9033	Chambers County	3,047,688 gals (72,564 bbl)	Refined Oil Products
Pipeline- Breakout Tank		Harris County	9,450,000 gals (225,000 bbl)	Crude Oil
OCS Facility	COX Operating, LLC- OCS Pipeline	East Cameron Block 240, 70 mi from Shore	30,902 bbl / 1,297,884 gals	Oil Products
FGB Facility/OCS	Castex Offshore, Inc.	High Island Block A380 180 mi from shore	94,479 bbl/day 3,968,118 gals/day	Oil Products
Vessel	VLCC	Freeport Lightering Area	2,000,000, bbl	Oil Products
Rail	Union Pacific Railroad/BSNF Lines	Harris County	12,857 bbl 540,000 gal	Oil Products

### 3302 Area Planning and Risk Analysis

Additional risk analysis and area specific worst case scenario planning information for CTCACP planning area is located in [Annex 1a](#).

### 3303 Gulf of Mexico Offshore Technical Information for Area Contingency Planning

The Bureau of Safety and Environmental Enforcement (BSEE) is leading an offshore Gulf of Mexico WCD project. During this multi-year project (2019-2023), a series of technical documents were developed (please see below).

- Oil and Gas Infrastructure (GOM Technical Document #1)
- Worst Case Discharge Scenarios (GOM Technical Document #2 and Appendices 2A-F)
- Response Concept of Operations (GOM Technical Document #3)
- Response Strategies and BMPs (GOM Technical Document #4)
- Sensitive Species Profiles (GOM Technical Document #5) – under development

These documents are being developed specifically for incorporation by reference into the coastal zone ACPs and will be hosted on the [BSEE Oil Spill Preparedness Division's \(OSPD\) website](#). In addition to the above technical documents, an inventory of offshore spill response equipment and a set of offshore Environmental Sensitivity Indices (ESI) maps will be created and embedded in NOAA's Environmental Response Management Application (ERMA). Collectively, these materials provide a foundation of risk assessment, resources at risk, and conceptual response information to inform coastal zone ACP planning and responses to a significant offshore facility oil spill incident.

## **4000 Government Agency Roles and Responsibilities**

Nationally, the U.S. Coast Guard (USCG) has designated its coastal Captains of the Port (COTP) as the predesignated Federal On-Scene Coordinator (FOSC) within the coastal zone. As such, the USCG FOSC is the Chair of the respective Area Committee (AC) and oversees the development, maintenance and implementation of the Area Contingency Plan (ACP) for their COTP zone.

## **4100 Federal Agency Roles and Responsibilities**

Refer to the RRT-6 [Regional Contingency Plan Volume 1](#) and the [NRT website](#) for a list of federal agencies and their roles and responsibilities related to ACP planning, preparedness and response.

## **4200 Texas State Agency Roles and Responsibilities**

### **4201 Texas General Land Office ([TGLO](#))**

TGLO is the lead state agency for response to oil spills that enter or threaten to enter the coastal waters of Texas. TGLO also coordinates the activities of other state agencies and provides scientific support for response and contingency planning in coastal and marine areas, including predictions of movement and dispersion of oil through trajectory and hydrologic modeling and information on the sensitivity of coastal environments to oil and hazardous substances.

TGLO maintains the [Oil Spill Toolkit](#), a robust response tool that provides easy access to all Area Contingency Plans (ACPs) within U.S. Coast Guard District 8, maps, Regional Response Team 6 (RRT-6) guidance, documents, and much more.

### **4202 Texas Commission on Environmental Quality ([TCEQ](#))**

TCEQ is the state's lead agency in spill response to certain inland oil spills (crude oil spills emanating from oil or gas exploration, development, or production facilities are Railroad Commission jurisdiction), all hazardous substance spills (except those from exploration and production facilities), and spills of other substances which may cause pollution or adversely impact air quality in Texas. The TCEQ and the Texas Department of Transportation (TXDOT), as provided in 25.264 (f) of the Texas Water Code, have developed a contractual agreement whereby TXDOT personnel, equipment, and materials may be used in state-funded cleanup actions. All expenses and costs resulting from cleanup activities are subject to reimbursement from the Texas Spill Response Fund.

### **4203 Railroad Commission of Texas ([RRC](#))**

The RRC has jurisdiction over waste generated by oil and gas exploration and production activities, permits the drilling of oil and gas wells in Texas (including bay and offshore wells within state waters), and is responsible for protecting surface and subsurface water from pollution caused by exploration and production activities. Spills or discharges, whether hazardous or non-

hazardous, from crude oil or natural gas pipelines, are also within the jurisdiction of the RRC; but spills from refined petroleum product pipelines are not. Products not under the jurisdiction of the RRC include gasoline, diesel, and other fuel oil.

TGLO is the lead agency for all oil spills, including crude oil, into coastal waters or that pose an imminent threat to coastal waters as per amendments to Texas Natural Resource Code 40.008. These amendments will not change the current RRC requirement to report spills in accordance with Statewide Rule 20.

#### **4204 Texas Department of Emergency Management ([TDEM](#))**

TDEM will ensure that all state resources are available for use by the lead agency. When required, TDEM will ensure the staffing and activation of the State Emergency Operation Center (EOC) in Austin, TX. This operation center will serve as the primary support network for the SOSC. The SOSC, in turn, can provide the support necessary to assist the FOSC and the responsible party. Within the emergency operations center structure, the disaster districts will be utilized as a conduit to and from the local community. Examples of the support that can be provided are: meteorological information provided by the TCEQ, legal and criminal enforcement assistance provided by the Attorney General's office, heavy equipment provided by the Texas Department of Highways, and aerial assistance provided by the Aircraft Pooling Board.

#### **4205 Texas Parks and Wildlife Department ([TPWD](#))**

TPWD is the Texas state agency that oversees and protects wildlife and their habitats. In addition, the agency is responsible for managing the state's parks and historical areas. TPWD provides guidance to avoid and lessen impacts to fish and wildlife resources, associated habitats and water quality. TPWD is also a governor appointed state trustee of the State of Texas designated under the OPA.

#### **4206 Texas Historical Commission ([THC](#))**

THC is the designated State Historic Preservation Office (SHPO) for the State of Texas and is responsible for the protection of antiquities and archeological sites on state public lands and waters, in compliance with the Antiquities Code of Texas (Natural Resource Code, Title 9, Chapter 191) and the Texas Administrative Code (Title 13, Part 2).

Protocols for notifications and consultations during response activities can be found in [Annex 7](#).

#### **4207 Texas Department of State Health Services ([DSHS](#))**

DSHS directs and coordinates the state's emergency medical and health services. The purpose of the Center for Health Emergency Preparedness and Response is to provide public health leadership and improve health and well-being in Texas. This is accomplished by promoting health, preventing disease and injury, protecting, and effectively responding to all types of health emergencies including bioterrorism, infectious disease outbreaks, and natural disasters. The Center for Health Emergency Preparedness and Response does this through networking, coordinating, standardizing, and centralizing resources and planning efforts across the state.

#### **4208 Texas Department of Public Safety ([TxDPS](#))**

Texas DPS has adopted rules relating to the reporting of all transportation incidents involving releases of reportable quantities of hazardous materials and on-site coordination of transportation emergencies on public roads and railroads (Texas Government Code Ann., §411.018, Vernon

Supp. 1990). These rules specify the DPS's role in on-site coordination and outline a written report requirement for carriers involved in hazardous materials transportation incidents (see 37 TAC §§3.101 and 3.102).

During transportation incidents involving hazardous materials, the DPS official, as on-site coordinator, is responsible for on-site coordination of transportation emergencies for all unincorporated areas and may assume the on-site coordination role within cities when requested to do so by local government (37 TAC §3.101(a)). The DPS law enforcement officer who is the first responder on-site is responsible for the on-site coordination (37 TAC §3.101(b)). The DPS on-site coordinator is authorized to make emergency rules when normal operating procedures prove inadequate (37 TAC §3.101(d)). DPS coordination responsibilities will be performed until relieved.

## **4300 Local Roles and Responsibilities**

### **4301 Local Response**

The focus of local responders is usually directed toward abating immediate public safety threats. The degree of local response will depend upon the training and capabilities of local responders relative to the needs of the specific emergency.

In some cases, the need may be identifying the nature and scope of the hazard. This information is then passed on to state and federal responders who are activated to address the situation with specific expertise and/or capabilities.

Often local agencies take mitigating actions of a defensive nature to contain the incident and protect the public. In many instances, responsible parties or local agencies are capable of an aggressive response and quick abatement of immediate hazards. In these cases, local authorities usually rely on state and federal responders to ensure that cleanup is complete, and remediation is technically sufficient.

A major role of local organizations during all emergency incidents is to provide security for all on-scene forces and equipment. For large incidents, help is often requested through the state emergency management agencies. Activities include establishing local liaison with hospital, emergency services, and police personnel, as well as restricting entrance to hazardous areas to all but essential personnel.

Coordination with the local governmental organizations of counties, cities, or towns is especially important for traffic control, land access, and disposal of oil or hazardous materials removed during response operations.

Landowners are also encouraged to participate in planning and response. Landowners are a valuable resource due to their local knowledge. The landowner, to the extent practical and based on the FOSC's judgment, may be included in the planning and response activities, under direction of the FOSC.

Landowners who provide access to or are affected by a discharge or release have jurisdiction over their lands and warrant special consideration by the responding agency or Unified Command. In

the event an incident poses, or has the potential to pose, an imminent threat to human health or the environment, it is in the best interest of the landowner to provide access to an on-scene coordinator.

## **5000 Support Available to the FOSC**

Various sources of technical/scientific and administrative support are available to the Federal On-Scene Coordinator (FOSC) either through telephone contact or actual dispatch of teams to the field. Support agencies and groups available to the FOSC include the following.

## **5100 Regional Response Team (RRT-6)**

The functional role of RRTs in each [federal region](#) has two principal components. One component is the standing team whose duties involve communications systems and procedures, planning, coordination, training, evaluation, preparedness, and related matters within each RRT's respective region. The second component of the RRT is an incident-specific team that may be assembled, as determined by the operational requirements of a response to a specific discharge or release. The RRT has responsibility for developing an RCP and for assisting the FOSC when guidance, coordination, or resources are needed to provide an adequate response to an incident. The RRT includes a representative from each state within the federal region, and representatives from 15 federal agencies available to provide assistance or resources during such a response. EPA and the USCG co-chair the RRT, which does not respond directly to the scene, but instead responds to developments and requests from the FOSC in accordance with the CTCACP. RRT-6 normally holds semiannual meetings in the spring and fall of each year.

## **5200 Natural Resource Trustees**

CERCLA and OPA authorize the United States, individual States, and Indian Tribes to act on behalf of the public as Natural Resource Trustees for natural resources (Natural Resource Trustees or Trustees) under their respective trusteeships (CERCLA §107(f)(1); OPA §1006(c)). OPA also authorizes foreign governments to act as Trustees (OPA §1006 [b][5]). Following a hazardous substance release or oil discharge, Natural Resource Trustees have responsibilities for assessing resulting injury to the environment. Natural Resource Damage Assessment (NRDA) is the process by which trustees collect, compile, and evaluate data to determine the extent of injury to natural resources. The information gathered is used to assess damages, determine the restoration required to compensate for the injured natural resources and lost use of resources, and seek recovery of those damages from the responsible party. NRDA's are typically initiated concurrent with response activities.

Initiation of a NRDA usually involves acquiring data both during and after a spill to document: (1) oil or hazardous substances in water, sediments, soil, and organisms; (2) effects on fish, wildlife, and/or their habitat; (3) exposure pathways; and (4) measures taken to prevent or reduce immediate migration of oil or hazardous substances onto or into a trust resource. To avoid duplication of response activities specified in a NRDA with other response activities, all sampling and field work by Natural Resource Trustees should be coordinated with the lead response agency. If natural resources are injured by a discharge or release of a mixture of oil and hazardous substances, DOI regulations apply. NOAA regulations apply only in assessing damages that may result from discharges of oil.

Trustees often have information and technical expertise about the biological effects of hazardous substances, as well as locations of sensitive species and habitats, that can assist in characterizing the nature and extent of site-related contamination and impacts. Coordination at the investigation and planning stages provides the Trustees early access to information they need to assess injury to natural resources.

## **5300 Federal Agency Scientific/Technical Support**

### **5301 U. S. Coast Guard (USCG)**

#### **5301.1 The National Strike Force Coordination Center ([NSFCC](#))**

The NSFCC manages the NSF which is authorized as the National Response Unit required under OPA, with responsibility for administering the USCG Strike Teams, and maintaining response equipment inventories and logistical networks. The NSFCC offers the technical assistance and equipment for spill response, assistance in coordinating resources during oil discharge response, Area Contingency Plan (ACP) or Regional Contingency Plan (RCP) review, coordination of spill response resources information, and inspection of Oil Spill Removal Organization (OSRO) response equipment. The Strike Teams provide trained personnel and specialized equipment to assist the FOSC in training for spill response, stabilizing and containing the spill, and monitoring or directing response actions of the responsible parties (RPs) and/or contractors.

##### **5301.1.1 The USCG National Strike Force ([NSF](#))**

The NSF's mission is to provide highly trained, experienced personnel and specialized equipment to the Coast Guard and other federal agencies to facilitate preparedness and response to oil and hazardous substance pollution incidents in order to protect public health and the environment. The NSF's area of responsibility (AOR) covers all Coast Guard Districts and Federal Regions.

##### **5301.1.2 USCG Strike Teams ([Atlantic, Gulf, and Pacific](#))**

The three USCG Strike Teams are available 24 hours a day. If the Strike Team contacted is already committed, another Strike Team will be deployed. Each Strike Team maintains trained personnel and specialized equipment to assist with training in responding to spills, stabilizing and containing spills, and monitoring and/or directing response actions of the RPs and/or contractors. The [Gulf Strike Team](#), based in Mobile, Alabama, provides response coverage to Louisiana.

##### **5301.1.3 Public Information Assist Team ([PIAT](#))**

[PIAT](#) is an element of the NSFCC staff available to assist the FOSC to meet the demands for public information during a response or exercise. PIAT provides interagency crisis communication team(s) and technical expertise to assist ICs and FOSCs meet their objectives of truth and transparency of operations for the public. PIAT provides emergency risk communication support to ICs and FOSCs during incidents such as oil spills, hazardous substance releases, hurricanes, floods, or other disasters. Its use is encouraged any time the FOSC requires outside public affairs support. Requests for PIAT assistance may be made through the NSFCC or National Response Center (NRC). See the [Spill of National Significance \(SONS\) Public Affairs Reference](#) for more information.

##### **5301.1.4 Incident Management Assistance Team ([IMAT](#))**

The IMAT was developed by the USCG to supply a ready-made team of Incident Command System (ICS) highly trained individuals to assist the local Incident Command (IC) in dealing with a major incident. The IMAT is located in Norfolk, VA. The CG-IMAT functions as a "specialized



team” within the National Response System to provide NIMS ICS trained, qualified, and experienced personnel to deploy and assist Incident Commanders to prevent, protect against, respond to, recover from, and mitigate the effects of all hazard incidents in order to reduce the loss of life, property, and harm to the environment.

#### **5301.1.5 National Pollution Funds Center ([NPFC](#))**

NPFC is responsible for implementing those portions of OPA Title I delegated to the Secretary of the Department in which the USCG is operating. NPFC is responsible for addressing funding issues arising from actual and potential discharges of oil. Responsibilities of the NPFC include: (1) issuing Certificates of Financial Responsibility ([COFRs](#)) to owners and operators of vessels to pay for costs and damages incurred by their vessels as a result of oil discharges, (2) providing funding to various response organizations for timely abatement and removal actions related to oil discharges, (3) providing equitable compensation to claimants who sustain costs and damages from oil discharges when the RP fails to do so, (4) recovering monies from persons liable for costs and damages resulting from oil discharges to the full extent of liability under the law, and (5) providing funds to initiate Natural Resource Damage Assessment (NRDA) activities.

#### **5301.1.6 USCG District Response Group (DRG)**

DRGs assist the FOSC by providing technical assistance, personnel, and equipment. Each DRG consists of the combined USCG personnel and equipment, including marine firefighting equipment, of each port in the district and a district response advisory team. Specifically, the USCG’s Eighth District Response Advisory Team (DRAT) and the Incident Management and Preparedness Advisor (IMPA) provide pollution planning, preparedness, and response policy guidance and assistance to an FOSC and staff on a regular basis.

### **5302 Environmental Protection Agency ([EPA](#))**

#### **5302.1 Environmental Response Team ([ERT](#))**

In the event of a continuing release or discharge, the FOSC has access to EPA’s ERT, stationed in Edison, New Jersey; Cincinnati, Ohio; Erlanger, Kentucky; Las Vegas, Nevada; and Research Triangle Park, North Carolina. The ERT provides Scientific Support Coordinators (SSC) with expertise in treatment technology, biology, chemistry, hydrology, geology, and engineering. The ERT also has access to special decontamination equipment and can provide advice on a wide range of issues such as a multimedia sampling and analysis program, on-site safety (including development and implementation plans), cleanup techniques and priorities, water supply decontamination and protection, application of dispersants, environmental assessment, degree of cleanup required, and disposal of contaminated material. The FOSC may designate an SSC as principal advisor on scientific issues who also communicates with the scientific community and assists in requests to state and federal agencies.

#### **5302.2 Chemical, Biological, Radiological, and Nuclear (CBRN) Consequence Management Advisory Division ([CMAD](#))**

The CBRN CMAD, present at five geographic locations, provides 24/7 scientific and technical expertise to the FOSC or response customer for all phases of consequence management. With a focus on operational preparedness, CBRN CMAD facilitates the transition of the latest science and technology to the field response community in order to provide tactical options for screening, sampling, monitoring, decontamination, clearance, waste management, and toxicological/exposure assessment during decontamination of buildings or other structures following an incident involving releases of radiological, biological, or chemical contaminants.

CBRN CMAD maintains critical partnerships with: (1) EPA's National Homeland Security Research Center and the EPA's special teams; (2) other federal partners including the U.S. Department of Homeland Security (DHS), Federal Bureau of Investigation, DOD, and Centers for Disease Control and Prevention (CDC)/Department of Health and Human Services (HHS); and (3) international partners.

### **5302.3 Radiological Emergency Response Team ([RERT](#))**

RERTs have been established by EPA's Office of Radiation Programs (ORP) to provide response and support during incidents or at sites containing radiological hazards. Expertise is available in radiation monitoring, radionuclide analysis, radiation health physics, and risk assessment. RERTs can provide on-site support including mobile monitoring laboratories for field analysis of samples as well as fixed laboratories for radiochemical sampling and analyses. Request for support may be made 24 hours a day via the NRC or directly to the EPA Radiological Response Coordinator in the ORP.

### **5303 National Oceanic and Atmospheric Administration ([NOAA](#))**

NOAA provides scientific support for responses and contingency planning in coastal and marine areas, including assessments of the hazards that may be involved, predictions of movement and dispersion of oil and hazardous substances through trajectory modeling, and information on the sensitivity of coastal environments to oil or hazardous substances. NOAA provides scientific expertise on living marine resources it manages and protects. It also provides information on actual and predicted meteorological, hydrologic, ice, and oceanographic conditions for marine, coastal, and inland waters, as well as, tide and circulation data. The Secretary of the U.S. Department of Commerce (DOC), through NOAA, also acts as trustee for natural resources managed or controlled by DOC, including their supporting ecosystems.

#### **5303.1 Scientific Support Coordinators ([SSC](#))**

The SSC, in accordance with the National Contingency Plan (NCP), will provide the FOSC scientific advice with regard to the best course of action during a spill response. The SSC will help facilitate consensus from the Federal natural resource management agencies and provide spill trajectory analysis data, information on the resources at risk, weather information, tidal and current information, etc. The SSC will be the point of contact for the Scientific Support Team from NOAA's Hazardous Material Response and Assessment Division. The FOSC's Guide to NOAA Scientific Support outlines all of the products and services the NOAA SSC can provide for planning and response activities.

The NOAA SSC can provide training and technical expertise with SCAT. The [Shoreline Assessment Manual](#), updated August 2013 by NOAA/HAZMAT, outlines methods for conducting shoreline assessment after an oil spill.

#### **5303.2 National Weather Service ([NWS](#))**

NWS, a federal organization within NOAA, can provide various types of support to an Incident Command (IC)/Unified Command (UC) operating in the southeast Louisiana area through its Slidell, LA office, which covers coastal Louisiana. The IC/UC will be provided with a direct unlisted number to the lead forecaster's desk, through which continuous information on wind speeds, temperatures, and other atmospheric data can be obtained.

### **5304 U.S. Department of the Interior ([DOI](#))**



DOI has jurisdiction over the National Park System, National Wildlife Refuges, fish hatcheries, and public lands. The Regional Environmental Officer ([REO](#)) manages the department's response programs for oil and hazardous substance spills and oversees the department's responsibilities as a trustee for natural resources. The DOI may become involved in spill response once contacted through the REO who is a designated member of RRT-6. The REO for RRT-6 is located in Albuquerque, New Mexico.

### **5304.1 U.S. Fish and Wildlife Service ([USFWS](#))**

The Secretary of the Interior acts as trustee for resources managed or protected by DOI Bureaus, including USFWS and Bureau of Reclamation ([USBR](#)). USFWS, an office within DOI, is responsible for the management of migratory birds, federally listed endangered and threatened species, and interjurisdictional fishes within the Central Texas Coastal area. National Wildlife Refuge lands established in/near the ACP planning area include:

- [Brazoria National Wildlife Refuge](#)

When a spill occurs, the appropriate [USFWS office\(s\)](#) will provide timely advice on measures necessary to protect wildlife from exposure, as well as priority and timing of such measures. Protective measures may include preventing the oil from reaching areas where migratory birds and other wildlife are located or deterring birds or other wildlife from entering areas by using wildlife hazing devices or other methods.

If exposure of birds and other wildlife to oil or hazardous substances cannot be prevented, an immediate decision will be made regarding rescue and rehabilitation of "oiled" birds and other wildlife. Decisions to rescue and rehabilitate "oiled" wildlife must be made in conjunction with other federal and state natural resource management agencies. Wildlife rehabilitators will need federal and state permits to collect, possess, and band migratory birds and threatened/endangered species.

For more information see the Fish and Wildlife and Sensitive Environments Plan (FWSEP), [Annex 28](#) and the Wildlife Response Plan, [Annex 28a](#) of the RRT-6 RCP.

### **5304.2 U.S. Geological Survey ([USGS](#))**

USGS maintains expertise in water quality characterization, oil fingerprinting, submerged oil and oil-particle formation, transport and resuspension of oil in fresh waters, riverine two-dimensional (2D) particle transport/hydrodynamic simulations, ecotoxicology, time-of-travel studies for freshwater systems, and geospatial data collection of visible spill plumes applicable to spill response events in freshwater environments. In addition, USGS can provide biological survey assistance for natural resources and contaminants and contribute distribution information about sensitive species (e.g., birds, invertebrates). USGS also provides extensive expertise and information for natural resource damage assessments (NRDAs) (e.g., aerial surveys, abundance estimation, remote sensing, etc.).

### **5304.3 Bureau of Safety and Environmental Enforcement ([BSEE](#))**

BSEE works to promote safety, protect the environment, and conserve resources offshore through vigorous regulatory oversight and enforcement. BSEE's Offshore Regulatory Program develops standards and regulations to enhance operational safety and environmental protection for the exploration and development of offshore oil and natural gas on the U.S. Outer Continental Shelf (OCS). BSEE's regional office within the Gulf of Mexico is located in New Orleans, LA.

### **5305 U.S. Department of Health and Human Services ([HHS](#))**

HHS through the Agency for Toxic Substances and Disease Registry ([ATSDR](#)), serves the public by using the best science, taking responsive public health actions, and providing trusted health information to prevent harmful exposures and disease related to toxic substances. The ATSDR is directed by congressional mandate to perform specific functions concerning the effects on public health of *hazardous substances* in the environment. These functions include public health assessments of waste sites, health consultations concerning specific hazardous substances, health surveillance and registries, response to emergency release of hazardous substances, applied research in support of public health assessments, information development and dissemination, and education and training concerning hazardous substances.

Public Health Technical Specialists from the HHS Centers for Disease Control and Prevention ([CDC](#)) and ATSDR can assist with environmental health support. Environmental Health Support Guidance for Texas is found in [Annex 5](#).

#### **5305.1 The National Institute for Occupational Safety and Health ([NIOSH](#))**

NIOSH provides national and world leadership to prevent work-related illness, injury, disability, and death by gathering information, conducting scientific research, and translating the knowledge gained into products and services, including scientific information products, training videos, and recommendations for improving safety and health in the workplace.

In response to requests from workers (or their representatives), employers, and other government agencies, NIOSH Health Hazard Evaluation scientists conduct workplace assessments to determine if workers are exposed to hazardous materials or harmful conditions and whether these exposures are affecting worker health. NIOSH evaluates the workplace environment and health of employees by reviewing records and conducting on-site environmental sampling, epidemiologic surveys, and medical testing.

See the [NIOSH Pocket Guide](#) for more information.

### **5306 U.S. Department of Agriculture ([USDA](#))**

USDA has scientific and technical capability to measure, evaluate, and monitor, either on the ground or by use of aircraft, situations where natural resources including soil, water, wildlife, and vegetation have been impacted by hazardous substances and other natural or man-made emergencies. The USDA may be contacted through the U.S. Forest Service emergency staff officers who are the designated members of the RRT.

USDA maintains trusteeship of national forest, wilderness areas, and wildlife within USDA-controlled forests, archaeological sites, range and farm lands, fisheries, and lands enrolled in the [Wetlands Reserve Program](#). Additionally, the USDA plays a key role in the closing and re-opening of fisheries before, during, and after clean-up operations.

### **5307 Department of Energy ([DOE](#))**

The Secretary of Energy has trusteeship over natural resources under its jurisdiction, custody, or control. DOE's landholdings include national research and development laboratories, facilities, and offices.

The DOE Office of Petroleum Reserves ([OPR](#)) oversees the Strategic Petroleum Reserve ([SPR](#)), the world's largest supply of emergency crude oil, which was established primarily to reduce the impact of disruptions in supplies of petroleum products and to carry out obligations of the United States under the international energy program. The federally owned oil stocks are stored in huge underground salt caverns at four sites along the coastline of the Gulf of Mexico in Texas and Louisiana. The Bryan Mound storage site is located in Brazoria County, Texas, approximately three miles southwest of Freeport, TX. Bryan Mound currently has 19 storage caverns, an authorized storage capacity of 247.1 million barrels and a cavern inventory of 230.1 million barrels.

### **5308 U.S. Department of Transportation ([DOT](#))**

DOT provides response expertise pertaining to transportation of oil or hazardous materials by all modes of transportation. Through the Pipeline and Hazardous Materials Safety Administration ([PHMSA](#)), DOT-PHMSA offers expertise in the requirements for packaging, handling, and transporting regulated hazardous materials.

### **5309 Department of Defense ([DoD](#))**

#### **5309.1 U.S. Army Corps of Engineers ([USACE](#))**

The Secretary of the DoD has trusteeship over the natural resources on all lands owned by DoD or the Army (including lands and facilities managed by the USACE, Navy, Air Force, and Defense Logistics Agency). These lands include military bases and training facilities, research and development facilities, and munitions plants. USACE has trusteeship over natural resources under its jurisdiction, custody, or control. USACE landholdings include national research and development laboratories, facilities, and offices. Additionally, the USACE provide information on river levels within this ACP planning area. See [Galveston District](#) for real-time Barker and Addicks Reservoir gage information.

#### **5309.2 U.S. Navy Supervisor of Salvage ([SUPSALV](#))**

SUPSALV has an extensive salvage/search and recovery equipment inventory, and the requisite knowledge and expertise to support these operations including specialized salvage, firefighting, and petroleum, oil, and lubricants offloading capability even in open sea response incidents. SUPSALV can also provide equipment for training exercises in support of national and regional contingency planning objectives. The FOSC may request assistance directly from SUPSALV. Formal requests are routed through the Chief of Naval Operations.

#### **5309.3 National Guard Civil Support Teams ([CSTs](#))**

CST were created in 1999 to respond to terrorist incidents involving WMD, as well as other disasters and catastrophic events, both natural and man-made. There are 57 CSTs located throughout the United States, with at least one in each state and territory (6<sup>th</sup> CST is located in Austin, TX). The mission of a CST is to support civil authorities at a domestic CBRNE (Chemical, Biological, Radiological, Nuclear, and high-yield Explosives) incident site with responsibilities

such as identification and assessment of hazards, advising civil authorities, and facilitating the arrival of follow-on military forces during emergencies and incidents.

CSTs normally operate as a State asset, under the command and control of The State Governor, but upon deployment, the unit provides direct support to the IC. CSTs support local emergency responders (Fire, Police, and EMS), as well as State and Federal agencies such as the DOE, FBI, EPA and FEMA. The 6<sup>th</sup> CST is located at Camp Mabry in Austin, TX.

## **5400 Nongovernmental Organizations, Academia, and Other Technical Support**

### **5401 Science and Technology Advisors (S&T Advisors)**

S&T Advisors consist primarily of academia and represent specialized capabilities to provide knowledge, based on science and other technical experience, to supplement and strengthen that of the incident management team (IMT).

The advisory capability may consist of individuals or institutions and may be identified during the preparedness phase or by incident-specific needs. The relationship may be as informal as a list of names and contact information in a directory, or a more formal pre-spill relationship defined through letter of agreement.

The RRT-6 Science and Technology Advisor document, [Annex 41](#) of the RRT-6 RCP provides guidance to Area Committees and FOSCs on ways to engage academia and other technical specialists during oil spill and/or hazardous substance release preparedness and response and on how to align with related activities of the National Oceanic and Atmospheric Administration (NOAA) Scientific Support Coordinator (SSC) or the designated State technical representative.

See the Contact Spreadsheet, [Annex 2](#) for more information.

### **5402 Seafood Liaison Specialist (SLS)**

During a response, the seafood/fishing industry is directly impacted by agency decisions that result in fishery closures and subsequent seafood safety testing. Having the capability to engage with all stakeholder groups helps cultivate a broad capability to understand, monitor, characterize, and model hazards that can inform all levels of preparedness and response decisions.

The SLS is a technical advisor that provides a way to collaborate and share information between the incident management team (IMT), the seafood harvesting community, e.g., fishers, seafood restaurants, the agencies responsible for managing fishery closures and seafood safety, and others in the seafood industry. Guidance for the SLS position is found in [Annex 42](#) of the RRT-6 RCP.

### **5403 Volunteers**

In times of crisis or trouble, many citizens feel compelled to help or lend their assistance and expertise to the response effort. This help can be welcome if the demands of an incident exceed the available resources or if a particular set of skills are in short supply. Volunteers can support response efforts in any number of ways such as conducting beach surveillance, providing logistical support, or assisting in the treatment of impacted wildlife. The decision to employ volunteers will take into account the benefits that might be gained weighed against safety and liability realities.

The UC, in the early stages of the event, will make the decision whether volunteers will be employed and in which capacities they can serve. For more details about the use of volunteers, please refer to [Annex 6a](#) in [Section 11000](#) of this plan, and the National Response Team's Use of Volunteers Guidelines for Oil Spills and the Volunteer Plan, [Annex 33](#) of the RRT-6 RCP.

#### **5404 Certified Marine Chemist ([CMC](#))**

The United States Coast Guard and the Occupational Safety and Health Administration ([OSHA](#)) require that a certificate issued by a Marine Chemist be obtained before hot work or fire producing operations can be carried out in certain spaces aboard a marine vessel.

In complying with both the U.S. Coast Guard and OSHA regulations, the CMC applies the requirements contained in National Fire Protection Association Standard 306. NFPA 306, Control of Gas Hazards on Vessels, describes conditions that must exist aboard a marine vessel. A survey by the Marine Chemist ensures that these conditions are satisfied. In addition, a CMC is able to perform similar evaluations on other than marine vessels where an unsafe environment exists for workers, or hot work is contemplated on a system that might contain residues of a flammable or combustible product or material. See [National Fire Protection Association \(NFPA\) Certified Marine Chemists](#) for a list of certified Marine Chemists.

#### **5405 Water Sampling Technical Specialist**

The Water Sampling Technical Specialist is an advisor responsible for helping to create the water sampling and analysis plans, including the Initial Incident Characterization Sampling and Analysis Plan, and any needed updates throughout the response based on the sampling results. The Water Sampling Technical Specialist is responsible for monitoring the progress of sample analysis at the designated laboratory and making arrangements for receipt of data. A detailed plan for Water Sampling during an oil spill or hazardous substance release can be found in [Annex 5b](#).

#### **5406 Community Air Monitoring (CAM) Coordinator**

The CAM Coordinator leads CAM efforts during emergencies in order to measure, identify, and quantify airborne contaminants. The CAM uses these results as a baseline to facilitate fact-based decisions made by officials, ultimately safeguarding human health and the environment. A detailed plan for Community Air Monitoring during an oil spill or hazardous substance release can be found in [Annex 5a](#).

### **5500 Federal Agency Legal and Investigative Support**

#### **5501 U.S. Department of Justice ([DOJ](#))**

DOJ can provide expert legal advice on complicated legal questions arising from discharges or releases and federal agency responses. The DOJ represents the federal government, including its agencies, in litigation relating to discharges.

#### **5502 Federal Bureau of Investigation ([FBI](#))**

The FBI, under the DOJ, is the lead federal agency for responding to threats from weapons of mass destruction (WMD). The Bureau investigates and collects intelligence on WMD-related threats and incidents to prevent attacks and respond to them when they occur. WMD Directorate (WMDD) is part of the FBI's [National Security Branch](#). The WMDD leads the FBI's efforts to mitigate threats from chemical, biological, radiological, nuclear, or explosive weapons. The WMDD provides leadership and expertise to domestic and foreign law enforcement, academia,



and industry partners on WMD issues. The FBI approaches these issues through four major areas: preparedness, countermeasures, investigations/operations, and intelligence.

#### **5503 U.S. EPA Criminal Investigations Division ([EPA CID](#))**

The EPA CID investigates allegations of criminal wrongdoing prohibited by various environmental statutes. Such investigations involve, but are not limited to, the illegal disposal of hazardous waste; the export of hazardous waste without the permission of the receiving country; the illegal discharge of pollutants to a water of the United States; the removal and disposal of regulated asbestos containing materials in a manner inconsistent with the law and regulations; the illegal importation of certain restricted or regulated chemicals into the United States; tampering with a drinking water supply; mail fraud, wire fraud, conspiracy and money laundering relating to environmental criminal activities. CID Special Agents are sworn federal law enforcement officers with statutory authority to conduct investigations, to make arrests for any federal crime, and to execute and serve any warrant.

#### **5504 U.S. Coast Guard Legal**

The Eighth Coast Guard District has a legal staff that is available to provide support to the USCG FOSC. Additionally, and as needed, USCG Atlantic Area and headquarters can provide legal assistance to the USCG FOSC.

#### **5505 U.S. Coast Guard Investigative Service ([CGIS](#))**

CGIS Agents are available to investigate criminal violations of environmental laws enforced by the Coast Guard. CGIS should be notified and consulted regarding all cases that may be referred to the Department of Justice for criminal prosecution. CGIS Agents are trained criminal investigators who are familiar with the legal issues associated with prosecution of a criminal case. Additionally, CGIS Agents regularly work with agents of other Federal, State, and local law enforcement agencies and frequently become aware of violations of environmental laws and ongoing criminal investigations through these sources.

Unless expressly directed by the Chief of CGIS or higher authority, CGIS will not conduct an environmental crime investigation in a COTP zone without first notifying and, thereafter, coordinating with the COTP. Likewise, the COTP should avoid committing the Coast Guard to participate in criminal investigations, either solely or in coordination with other enforcement agencies, without first consulting the District Commander who will ensure appropriate coordination with CGIS. In the event exigent circumstances require the initiation of a criminal investigation before such notification or consultation can occur, the required communication must occur as soon as practical thereafter.

#### **5506 National Transportation Safety Board ([NTSB](#))**

In accordance with the USCG/NTSB MOU and 46 C.F.R. 4.40-15(b), the NTSB shall conduct the investigation of certain major marine and public/nonpublic vessel casualties. Except for the preliminary investigation, a separate Coast Guard casualty investigation will not be conducted, nor will parties in interest be designated by the Coast Guard. Although these investigations are conducted by the NTSB in accordance with their procedures, the Coast Guard will participate fully as a party.

## 6000 Response Protocols

This segment of the ACP provides information outlined within Subpart D of the NCP, 40 C.F.R. 300.300. Response protocols are guidelines for the response community to ensure success in meeting all legal and statutory requirements before, during, and upon completion of an oil discharge or hazardous substance release incident. The NCP (40 C.F.R. 300.317) lists three broad national response priorities:

- Safety of human life
- Stabilizing the situation
- Use of all necessary containment and removal tactics in a coordinated manner

**Note:** These national priorities do not preclude the consideration of other priorities that may arise on an incident-specific basis. Although removal actions will primarily consist of mechanical means, e.g., boom, skimmers, etc., [Subpart J](#) of the NCP (Use of dispersants and other chemicals) provides additional techniques for consideration to mitigate oil discharges. Please see [Section 8000](#) of this ACP for information on specific techniques and processes preauthorized within this ACP planning area.

## 6100 Initial Reporting, Notifications, and Preliminary Assessment

When oil is discharged or hazardous substance is released in the CTCACP planning area, the responsible party is required to notify the following:

- [National Response Center \(NRC\)](#): (800) 424-8802
- [Texas Spill-Reporting Hotline](#): (800) 832-8224

The NRC is the national communications center for handling activities related to response actions. The NRC acts as the single federal point of contact for all pollution incident reporting. Notice of an oil discharge or release of a hazardous substance in an amount equal to or greater than the harmful or reportable quantity must be made immediately in accordance with the CWA and CERCLA under 33 C.F.R. part 153, Subpart B, and 40 C.F.R. part 302, respectively. All notices of discharges or releases received at the NRC will be relayed immediately to the appropriate predesignated FOSC. Notifying individual state offices does not relieve the responsible party from the requirements to notify the NRC and the Texas Spill-Reporting Hotline. Refer to the Initial Reporting Form, [Annex 3](#) and the Contact Spreadsheet, [Annex 2](#).

### 6101 Preliminary Assessment

The FOSC shall, to the extent practicable, collect pertinent facts about the discharge or release, such as its source and cause; the identification of potentially responsible parties; the nature, amount, and location of discharged or released materials; the probable direction and time of travel of the discharged or released materials; the pathways to human and environmental exposure; the potential impact on human health, welfare, and safety and the environment; the potential impact on natural resources and property that may be affected; priorities for protecting human health and welfare and the environment; and appropriate cost documentation. These efforts shall be coordinated with other appropriate Federal, State, local, and tribal agencies. The FOSC also shall promptly notify the appropriate trustees for natural resources of discharges or releases that are injuring or may injure natural resources under their jurisdiction.

## 6102 Cleanup Assessment Protocol

When discharged oil contaminates shoreline habitats, responders survey the affected areas to determine the appropriate response. Although general approvals or decision tools for using shoreline cleanup methods can be developed during planning stages, responders' specific cleanup recommendations utilize field data on shoreline habitats, type and degree of shoreline contamination, and spill-specific physical processes. Cleanup endpoints should be established early so that appropriate cleanup methods can be selected to meet the cleanup objectives.

[Annex 1](#), Shoreline Cleanup Methods provides guidance on the applicability of various clean methods for typical shoreline habitats found in the northern Gulf of Mexico. Additional tools to assist responders in establishing cleanup methodologies, include:

- [Characteristics of Coastal Habitats: Choosing Spill Response Alternatives for oil spills](#),
- [Characteristics of Response Strategies: A Guide for Spill Response Planning in Marine Environments](#),
- [American Petroleum Institute \(API\) report on Tidal Inlet Protection Strategies \(TIPS\)](#) (Note: File is too large to load on USCG network)

**Note:** These can also be found in [Section 12000](#), Planning and Response Tools.

When conducted, shoreline surveys should be done systematically because they are crucial components of effective decision-making. Also, repeated surveys may be needed to monitor the effectiveness and effects of ongoing treatment methods (changes in shoreline oiling conditions, as well as natural recovery), so that the need for changes in methodology, additional treatment, or constraints can be evaluated.

[NOAA's Shoreline Assessment Manual](#) outlines methods that can be used to plan and conduct shoreline assessment after an oil spill. It also provides considerations that should be incorporated into assessing the effectiveness of the UC's shoreline cleanup decisions. The [Shoreline Assessment Job Aid](#) is a supplement to the manual. It contains visual examples of many of the terms you would use during shoreline assessments. In addition to these tools, the NOAA SSC also remains a valuable resource to help coordinate shoreline cleanup assessments and establish shoreline cleanup protocols.

## 6200 General Hierarchy of Response Priorities

The NCP establishes three priority levels for the dedication of emergency oil spill response resources:

- Protection of human health and safety,
- Protection of environmental resources, and
- Protection of economic resources.

Response protocols are also set in place to ensure the established priorities are met during an incident.

## 6201 Safety

As noted in the priorities outlined in the NCP, the health and safety of the responders and the general public are of primary importance. To ensure that this priority is successfully met each and every time, personnel involved in oil spill response activities must comply with all applicable



worker health and safety laws and regulations. The primary federal safety regulations for responders are established by OSHA and can be found in [29 C.F.R. 1910.120](#); these set the safety standard for hazardous waste operations and emergency response (HAZWOPER). Incidents also may pose threats to those communities where the incident occurred, creating significant health safety threats which must be addressed as part of the response. For more details about the establishment of safety protocols for responders and how to safeguard public health during a response, please refer to the Site Safety Plan, [Annex 4](#) and the Environmental Health Support Plan, [Annex 5](#).

## **6202 Priority Identification and Protection Strategies**

Environmental resources at risk are identified in [Section 9000](#), Environmentally and Economically Sensitive Areas, and in [Section 10000](#), the Fish and Wildlife and Sensitive Environments Plan (FWSEP), [Annex 28](#) of the RRT-6 RCP.

## **6203 Risk Assessment for Sensitive Area Prioritization**

The initial response is focused on minimizing impacts through the strategic objectives of:

- Stopping the Source,
- Containment,
- Cleanup,
- Recovery, and
- Protection of Sensitive Areas.

In a pollution event, sensitive area protection prioritization should be determined by three considerations: (1) which sites are at risk (how soon the oil product will get to each sensitive site); (2) the predefined hierarchy of protection priorities; and (3) the time and response resources available to implement a specified protection strategy. Responders should not assume that sensitive locales equidistant from the source of a spill are at equal risk from the oil.

For the purpose of prioritization, “risk” is defined as “the probability of discharged oil reaching the vicinity of a sensitive site of concern.” This means that the urgency to protect key resources is first determined by the likelihood that it will be impacted in the near future and mobilization time for requisite response staff and equipment (can the sites at risk be protected by available resources before oil arrives?). If the sites are too numerous to protect with the response resources available within projected times of impact, then triage of protection follows as the prescribed general hierarchy as identified for a specific area in the GRSs/GRPs.

## **6204 Environmentally Sensitive Areas**

During a response, all the appropriate environmentally sensitive areas will be referenced and a determination will be made as to which areas will be directly affected, which areas could potentially be affected, and which areas have no threat of being affected. The previously referenced GRSs/GRPs can be used for guidance, taking into account any special response considerations that will need to be addressed. Additionally, when threatened and endangered species, designated critical habitats, or historical/cultural properties may be affected by response actions, consultations with the appropriate agencies must be initiated. Specific guidelines and requirements for environmentally and economically sensitive resources, to include wildlife rescue and recovery, can be found in [Section 10000](#) of this plan.

## **6205 Wildlife Rescue & Recovery**

The protection, rescue, and recovery of impacted wildlife during a response requires close coordination with those individuals and entities which have the expertise, authority, and equipment to safely and successfully execute it. This complex and high visibility operation is conducted by the Wildlife Branch within a Unified Command structure. The Wildlife Response Plan was developed to outline the policy and procedures for Wildlife Branch operations. Additionally, it lays out the activation criteria and factors to consider when developing wildlife response and recovery actions as well as the organizational infrastructure needed for these operations. For more details about wildlife rescue and recovery operations, please refer to the Wildlife Response Plan, [Annex 28a](#) of the RRT-6 RCP.

## **6206 Aligning Natural Resource Damage Assessment (NRDA) with Response**

Under OPA and CERCLA and various state statutes, Responsible Parties (RPs) are liable for damages for injury to, destruction of, loss of, or loss of use of, natural resources from a hazardous substance release or oil discharge as well as damages from the response to the release or discharge (or substantial threat of discharge/release). The measure of damages includes the cost to restore, rehabilitate, replace, or acquire the equivalent of the injured natural resource; the decline in value of resources pending restoration; and the reasonable cost of assessing the damages. Designated federal, state, and tribal natural resource trustees (Natural Resource Trustees) are responsible for assessing damages through the Natural Resource Damage Assessment (NRDA) process.

As described by the U.S. Coast Guard Incident Management Handbook (2014) (IMH), NRDA activities generally do not occur within the structure, processes, and control of the Incident Command System (ICS). However, given that NRDA activities usually overlap with those of the response, a plan for coordination and cooperation between the two efforts is necessary. For details about the necessary communication and coordination methods to be implemented when NRDA and response activities are simultaneously taking place during a spill incident, please refer to the Coordinating Natural Resource Damage Assessment (NRDA) with Response, [Annex 3](#) of the RRT-6 RCP.

## **6300 National Incident Management System (NIMS)**

The CTCAC will manage spill incidents in accordance with the NIMS version of the Incident Command System (ICS). The [Coast Guard Incident Management Handbook \(IMH\)](#) is designed to assist Coast Guard personnel in the use of the NIMS ICS during response operations and planned events. This handbook outlines specific details related to NIMS ICS, including position job aids, forms, and other information to guide responders during an event. Brief discussion of a few NIMS ICS concepts are included below, and a link to the handbook may be found in [Section 11000](#), Planning and Response Tools.

## **6301 Unified Command (UC)**

When appropriate, a UC shall be established consisting of, at a minimum, the FOSC, the SOSC, and the RP's Incident Commander (IC). The UC can be established "virtually" as deemed necessary. The UC structure allows for a coordinated response effort, which takes into account the federal, state, local, and RP concerns and interests when implementing the response strategy. A UC establishes a forum for open, frank discussions on problems that must be addressed by the parties with primary responsibility for response operations. **Note:** NIMS ICS also provides for

local and/or tribal representation within the UC. As such and at a minimum, consideration should be given to expand the UC to accommodate local and/or tribal interest during a particular response.

### **6301.1 FOSC Decision Authority**

The FOSC has the ultimate authority in a response operation and will only exert this authority, consistent with the [NCP](#), if the other members of the unified command are not present or are unable to reach consensus quickly.

### **6301.2 Responsible Party**

Each responsible party for a vessel or a facility from which oil is discharged, or which poses a substantial threat of a discharge, into or upon the navigable waters, adjoining shorelines, or the Exclusive Economic Zone of the United States, is liable for the removal costs and damages specified in OPA. Any removal activity undertaken by a responsible party must be consistent with the provisions of the [NCP](#), the Regional Contingency Plan ([RCP](#)), this ACP, and the applicable vessel or facility response plan required by OPA. If directed by the UC at any time during removal activities, the responsible party must act accordingly. Specific responsibilities and requirements for the responsible party during a pollution incident can be found in the [NCP](#), [33 C.F.R. 154 Subpart F](#), and [33 C.F.R. 155 Subpart D](#).

### **6301.3 Common Operating Picture (COP)**

The COP provides visual up-to-date response information so the UC can make informed decisions on the effectiveness of response strategies and future operations. The Coast Guard has adopted NOAA's Environmental Response Management Application ([ERMA](#)) as the platform to display a COP during a response. ERMA is a viewer that pulls real-time and static data to display a single interactive map. Generally speaking, RPs will provide their own COP, but ERMA can be used in conjunction with other platforms to make it easy for users to visualize an active environmental situation or long-term case assessment. **Note:** Internet Explorer is not compatible with ERMA; please use Google Chrome or Microsoft Edge.

### **6302 Incident Command Post**

When a UC is established to manage a multi-day response, an Incident Command Post (ICP) shall be established as near as practicable to the spill site. All responders (federal, state, tribal, local, and private) should be incorporated into the response organization at the appropriate level. A list of potential pre-identified ICPs can be found in the Contact Spreadsheet, [Annex 2](#).

### **6303 Public Information**

Considering the high level of environmental awareness in many communities, any pollution incident is likely to generate interest from the public and the media. The public's perception of a response's success or failure is often determined early on in the response; this makes the need to provide the public with timely, accurate information critical. For smaller responses these efforts can be managed by a Public Information Officer or appropriate Branch Chief; however, large, more complex events will require the establishment of a Joint Information Center (JIC) to manage information access and flow. For more information, please refer to the [National Response Team's \(NRT\) Joint Information Center](#) guidelines.

## **6400 Oil Spill Containment, Recovery and Cleanup**

The goal of most oil containment and recovery strategies is to collect the spilled oil from the water and prevent it from reaching sensitive resources. Unfortunately, this is not always possible and

sensitive resources do get oiled in spite of response efforts, especially during large oil spills. In those cases, the goal will be to minimize environmental impact using a variety of booming, containment, and recovery techniques.

### **6401 Containment**

Before discharged oil can be effectively recovered, the spreading of the oil must be controlled, and the oil contained in an area accessible to oil recovery devices. Generally, discharged oil is contained using oil containment boom. Typical boom has a floatation section that provides a barrier on and above the water surface and a skirt section that provides a barrier below the surface. The physical dimensions of the boom to be used for a particular spill will be dependent on local conditions. In the open water, it may be necessary to use a boom that is several feet tall. In a protected marsh, a boom that is only a few inches tall may be appropriate.

There are limitations on the effectiveness of any boom. Oil will be lost if the conditions are such that there is splash-over from breaking waves. Oil will also be carried under the boom skirt (entrainment) if it is deployed in such a way that currents cause the oil to impact the boom with a velocity perpendicular to the boom of greater than 0.7 knots. Once a boom has been deployed, it may be necessary to reposition it due to changing tides and currents. It is desirable to have personnel available to readjust the boom as required. In all cases of boom deployment, consideration must be given to protecting the safety of those involved in the activity.

Various booming strategies are used to prevent spreading and to concentrate the oil so it can be skimmed or vacuumed. Factors that need to be considered are type and size of boom required for weather, winds, tides, and currents in the vicinity of potential spill areas; the type of deployment vessel needed; the amount of boom needed for effective containment; and available skimming capabilities. Fixed or natural anchor points should be selected.

Sorbent booming is useful when the amount of oil is minimal, when tides and currents are light, or when shorelines require protection. Heavier oil can be recovered using adsorbent snare (oil “sticks” to the boom) and lighter fuels generally are recovered using absorbents (sausage, sweep, or diapers). Sorbent booming can also be used as a backup for other types of booming to recover product that may have entrained past the primary barrier.

As oil escapes containment, it becomes increasingly difficult to recover. Additional measures must be included to deal with escaping oil. This is particularly necessary where oil booming is subjected to winds, waves, and strong currents; oil entrains or is splashed over boom. To counter oil escapement, deployments should include preplanning to anticipate where it may happen and measures to prevent it.

### **6402 Shoreline Protection Options**

The CTCACP planning area is home to a large expanse of mud flat and marsh systems. These areas are particularly difficult to protectively boom, and every effort should be made to contain and recover the oil before it approaches any of these areas. If the on-water recovery operations are not entirely effective and oil still threatens the marsh areas, intertidal barrier boom may be used to protect the mud flats.

A recommended deployment strategy is as follows: Place intertidal boom along the entire front of the mud flat, with the boom being anchored just offshore of the low –low tide line. In areas where wave entrainment of the boom at high tide is considered to be a problem, place a line of boom across the upper mud flat near enough to the marsh to be away from the threat of wave entrainment. The boom positioned on the mud flat would rest on the flat at low tide and be of the type of construction that would prohibit oil from passing under it on the rising tide. The boom would eventually lift up off the tidal flat surface as the tide continues to rise.

Deployment of this type of boom and its supporting arrangement is extremely labor intensive. It should only be implemented if there is a high probability that oil will reach the marsh areas. It is envisioned that these resources would not be available until equipment began to cascade into the area sometime after the initial response. Other factors to consider for this type of booming are:

- Water body type,
- Water current velocity,
- Water depth,
- Wave height, and
- Shore type.

Generally, sediment berms, dikes and dams will most often be used to protect small coastal inlets or perhaps tidal channels serving wetlands and marshes when these channels are accessible. The object of berms, dikes and dams is to keep oil outside an inlet because there are often abundant natural resources and economically significant areas that use the sheltered waters within.

Occasionally, dikes and dams have been used across a channel to contain the oil within a portion of marsh in order to prevent widespread contamination of other resources. Dikes and dams are not practical when currents are great, waters are deep, and waves are large. Also, beaches with abundant sand are generally the most suitable for building dikes and dams. Berms can be built above the active beach face to prevent oil contamination of high beach during spring tides. Alternative strategies should be prepared and the necessary supplies and equipment in place should a berm, dike, or dam fail.

## **6403 On-Water Recovery**

### **6403.1 Open Water**

Oil removal/recovery in open water is accomplished through the use of skimming devices once the oil has been contained. Skimmers can be freestanding, in which the skimmer is a separate piece of equipment which pumps the oil-water mixture from the contained surface into tanks on a vessel. These skimmers are usually driven by hydraulic units on board a vessel. Self-propelled skimmers have a skimmer as an integral part of the vessel. The skimming vessel positions itself at the head of a concentrated or contained pool of oil and recovers the oil into tanks on board the vessel. There is also a type of skimmer in which the weir or collection zone of the skimmer is an integral part of the boom which is close to the skimmer.

Vessels of Opportunity (VOO), such as fishing vessels, may be used to deploy or tow boom and, depending on the size of the vessel, may be equipped with skimming equipment. VOOs need to have adequate deck space and lifting cranes to carry the necessary equipment.

### **6403.2 Near-shore/Shallow Water**

Oil recovery techniques and equipment are different in near-shore/shallow water locations than in open water locations. Shallow draft vessels and smaller boom and skimmers are used in these situations. These vessels can maneuver into tight places behind and under wharfs or in sloughs and can actually skim next to shore in many near-shore locations.

Strategies for near-shore cleanup can differ depending on the depth of the water and the location. Near-shore operations, within a bay or inlet, will also require shallow draft vessels, workboats, and skimmers. However, the vessels may only be operable at high tide. At or near low tide, the operation may evolve into a shoreline cleanup operation. Any boom towing boats or skimmers must be able to withstand going aground without sustaining major damage.

### **6403.3 High Current Environments**

In the CTCACP planning area, it is not uncommon to encounter currents in excess of three knots per hour. With appropriate skimmer operations, it is possible to recover spilled oil in these high current areas. Standard skimming techniques must be modified somewhat to optimize oil recovery.

To be successful, most containment and skimming systems must encounter oil at speeds of less than one knot. Typically, skimmers are operated in conjunction with containment boom. If oil encounters the boom/skimming system with a perpendicular velocity greater than 0.7 knots, the oil will carry under the boom and be lost. Therefore, the most important consideration for skimming in high currents is to keep the speed of the skimming system below one knot relative to the water's surface.

As a basic example: A skimmer pointed upstream in a 5-knot current would actually be proceeding downstream or backwards at four knots to keep its velocity relative to the water's surface at one knot. Gauging a skimmer's velocity relative to the water's surface can be somewhat difficult. Often the most reliable method is for the skimmer operator to closely monitor the skimming system. They should look for signs of oil entrainment as well as ensuring the integrity of the containment system. As current speeds change, so must the speed of the skimmer. The skimmer monitoring can be aided by using an aerial asset (helicopter, plane, or drone) with an observer. The observer can tell if oil is being lost by the skimmer as well as direct the skimmer to the best skimming location. Boom is often deployed in front of the skimmer forming a V thus directing oil into the skimmer. The practice increases the area being covered by the skimmer. Ideally this V should be as wide as possible. In high currents, as the V width is increased, the speed of the oil encountering the boom perpendicularly is increased.

Oil will spread more quickly in the direction of the current flow; skimmers should operate in an up and down stream orientation. The oil slick will be elongated in the direction of the currents. Skimmers will encounter the most oil as they proceed up and down stream within the slick. Operating back and forth across stream and across the slick will result in sub-optimal recovery efficiency.

### **6404 Non-floating Oil Recovery and Protection**

Non-floating oil that is spilled and transported subsurface either remains suspended in the water column or is deposited on the seabed, usually after interaction with suspended sediments or sand. Different strategies for containing these oils can depend on the location of the oil.



The recovery of sunken oil has proven to be very difficult and expensive because the oil is usually widely dispersed. Several of the most widely used recovery methods are manual removal, pump and vacuum systems, nets and trawls, dredging, and onshore recovery. Additional information is available in the Unconventional Oil Response Plan, [Annex 11](#).

### **6405 Shore-side Recovery and Natural Collection Points**

There are predictable locales where recovery efforts can be optimized at shorelines. There are two situations where oil collection should be vigorously attempted at the shoreline:

- Places where oil naturally collects at the shoreline because of winds and currents
- Diversion and capture of oil as it flows past or along the shoreline to locations with low environmental sensitivity

Oil is a substance that spreads primarily in two dimensions on the water's surface while water moves in three dimensions; oil will spread thin, but it will also accumulate at predictable locales; it will accumulate wherever water has downward currents: such as tide rips along mud flats, and at windward coves. Responders are encouraged to also consider barge staging areas in the vicinity of a response for collection/pocketing of oil.

### **6406 Shoreline Cleanup**

While skimming and recovery operations are being conducted, concurrent cleanup efforts will need to be taken to address the impacts resulting from an oil spill's contact with shorelines, man-made infrastructure, areas of vegetation, vessels, etc. The appropriate cleanup technique required will vary greatly and primarily depend upon the type of oil spilled, the degree of contamination, the sensitivity of the area and its economic or ecological importance and the ability to conduct the cleanup without causing further damage or trauma.

Following an oil spill's impact to a shoreline, an FOSC will need to identify those areas requiring treatment, establish cleanup priorities, and monitor the effectiveness and impact as a cleanup progresses. The information gathered during the surveys described in [Section 6102](#), and decision-making tools provided in [Annex 1](#) can assist the FOSC in selecting the most appropriate cleanup method(s) based on the kind of oil spilled and the type of shoreline habitat impacted. While evaluating cleanup options, an FOSC may determine that the use of a burning agent chemical countermeasure in support of the In-Situ Burn (ISB) technique provides the greatest net environmental benefit. For more information on the policy, procedures and checklists for burning agent use in support of the ISB technique within the Region 6 coastal zone (out to 3 miles offshore) please refer to the RRT-6 In-Situ Burn Policy, [Annex 13a](#) of the RRT-6 RCP.

For hard surface man-made areas impacted by a spill (sea walls, pier faces, rip rap, vessel hulls, etc.), evaluation of the options for removing the oil require the same care and consideration as naturally occurring areas of the environment. The challenges posed by the cleanup of these areas can be compounded by economic pressures as well as environmental, making the issue of a timely cleanup all the more urgent. In addition to having some of the same techniques available for the cleanup of a shoreline (manual removal, low/high pressure washing, passive use of sorbents, etc.), an FOSC may determine that use of a Surface Washing Agent (SWA) chemical countermeasure may be appropriate. For more information on the policy, procedures and checklists for SWA use

within the Region 6 coastal zone please refer to the RRT-6 Surface Washing Agent (SWAs) policy, [Annex 23](#) of the RRT-6 RCP.

### **6407 Decontamination**

Decontamination is the process of removing or neutralizing contaminants that have accumulated on personnel and equipment during an oil spill response. Effective decontamination procedures protect responders from having unnecessary contact with oil that contaminates and permeates the protective clothing, respiratory equipment, tools, vehicles, and other equipment used during the response. It also protects people and the environment by minimizing the transfer of oil into clean areas of the response site and prevents the uncontrolled transportation of contaminants from the site into a community.

A decontamination plan should be developed (as part of the Site Safety Plan) and set up before any personnel or equipment may enter areas where the oil recovery or cleanup is taking place. The decontamination plan should at a minimum:

- Determine the number and layout of decontamination stations;
- Determine the decontamination equipment needed;
- Determine appropriate decontamination methods;
- Establish procedures to prevent contamination of clean areas;
- Establish methods and procedures to minimize responder contact with oil during the removal of personal protective clothing and equipment (PPE), and;
- Establish methods for disposing of clothing and equipment that are not completely decontaminated.

For vessel decontamination, please refer to Annex 12: Predesignated Vessel Decontamination (DECON) Sites.

For more information about recommended decontamination procedures and practices please refer to the [Occupational Safety and Health Administration \(OSHA\) Decontamination Site](#).

### **6408 Disposal**

During the course of any response involving the collection and removal of oil, it becomes necessary to address the proper disposal of those materials which were contaminated by oil. The Resource Conservation and Recovery Act (RCRA), also known as the Solid Waste Disposal Act, addresses this issue. RCRA directs that the generation of hazardous waste is to be reduced or eliminated as expeditiously as possible and that when it is generated, it be treated, stored, or disposed of to minimize the threat to human health and to the environment. In order to ensure the proper disposal of materials contaminated by hydrocarbons in accordance with all regulations (local, state, federal), please refer to the Disposal Plan, [Annex 6b](#).

### **6409 Terminating Cleanup Operations**

When to terminate specific oil spill cleanup actions can be a difficult decision; when is clean, clean enough? The increasing cost of the cleanup and the damage to the environment caused by cleanup activities must be weighed against the ecological and economic effects of leaving the remaining oil in place. The decision to terminate cleanup operations is site-specific. Cleanup usually cannot be terminated while one of the following conditions exist:

- Recoverable quantities of oil remain on water or shores

- Contamination of shore by fresh oil continues
- Oil remaining on shore is mobile and may be refloated to contaminate adjacent areas and near shore waters

Cleanup may normally be terminated when the following conditions exist:

- The environmental damage caused by the cleanup effort is greater than the damage caused by leaving the remaining oil or residue in place
- The cost of cleanup operations significantly outweighs the environmental or economic benefits of continued cleanup
- The FOSC, after consultation with the members of the Unified Command, determines that the cleanup should be terminated

**Note:** Per [40 C.F.R. 300.320\(a\)\(5\)\(b\)](#), removal shall be considered complete when so determined by the FOSC in consultation with the Governor(s) of the affected state(s).

## 6500 Hazardous Substance Response

### 6501 Introduction

This segment of the ACP provides general guidelines for initial response actions necessary to abate, contain, control and remove the released substance and describes some of the unique issues associated with a hazardous substance release. Hazardous substance response is outlined within Subpart E of the NCP, 40 C.F.R. 300.400. Subpart E establishes methods and criteria for determining the appropriate extent of response authorized by CERCLA and CWA Section 311(c). These include:

- When there is a release of a hazardous substance into the environment; or
- When there is a release into the environment of any pollutant or contaminate that may present an imminent and substantial danger to the public of the United States.

The release of hazardous substances is unique compared to an oil spill in that hazardous substances have a greater potential to impact human health. In general, oil spills are of great concern due to their potential to cause long-term damage to the environment. However, oil spills do not routinely pose an immediate threat to human life. On the contrary, hazardous substance releases can pose an immediate danger to humans when released in even the smallest quantities.

The definition of a Hazardous Substance is: Any substance designated as such by the administrator of the EPA pursuant to the CERCLA (42 U.S.C. Sec. 9601 et seq.), regulated pursuant to Section 311(c) of the federal CWA (33 U.S.C. Sec. 1321 et seq.), or designated by the Texas Commission on Environmental Quality.

The definition of harmful quantity is: A quantity of a hazardous substance the release of which is determined to be harmful to the environment or public health or welfare or may reasonably be anticipated to present an imminent and substantial danger to the public health or welfare by the Administrator of the EPA pursuant to federal law by TCEQ.

**More information on area specific Hazardous Substance response can be found in [Annex 8](#).**

### 6502 Environmental Support to the FOSC

In the event of a Spill of National Significance or pollution incident which poses a threat to public health, local, state, and national health, public officials shall be notified. For more information about environmental support available to the FOSC, please refer to [Annex 5](#).

### **6503 Texas State Policy**

Except as provided in Chapter 40, Natural Resources Code, the TCEQ will be the state lead agency in spill response, will conduct spill response for the state, and will otherwise administer this subchapter. The TCEQ will conduct spill response and cleanup for spills and releases of hazardous substances other than oil in or threatening coastal waters according to the applicable provision of the state coastal discharge contingency plan promulgated by the commission under Section 40.053, Natural Resources Code. The TCEQ will cooperate with other agencies, departments, and subdivisions of Texas and of the United States in implementing this subchapter. In the event of a release and after reasonable effort to obtain entry rights from each property owner involved, if any, the executive director of the TCEQ may enter affected property to carry out necessary spill response actions.

The TCEQ may issue rules necessary and convenient to enforce state regulations and conduct hazardous material spill cleanup.

Cleanup and restoration standards have been established by TCEQ regulations and are based on a “pre-spill” concept of restorative action. In other words, the objective of each spill cleanup should be to return the site to pre-spill or background conditions or, if necessary, to an acceptable risk-based level of contamination. Required clean-up and restorative levels are described in 30 TAC 327.5. This cite also contains a provision for the completion of a cleanup under the Risk Reduction Rules in 30 TAC 335.8 and/or other TCEQ risk-based corrective action rules.

Cleanup standards are not established for total petroleum hydrocarbons (TPH) due to the broad range of chemical constituents that make up TPH. Rather, concentrations of constituents of concern for which toxicity values have been established (e.g., benzene) should be determined and compared to health-based standards such as NIOSH or other published personal exposure limit values.

The state may have a cause of action against any responsible person for recovery of expenditures out of CERCLA and costs that would have been incurred or paid by the responsible person if the responsible person had fully carried out the duties under §26.266 of the Texas Water Code. Such costs may include reasonable and necessary scientific studies to determine impacts of the spill, how to respond to spill impacts, costs of attorney services, out-of-pocket costs associated with state agency actions, and costs of remedying injuries caused by reasonable cleanup activities. Regulation also enables the TCEQ to assert the state's right to a cause of action for recovery of twice the costs incurred in cleaning up the spill or discharge.

## **6600 Funding**

### **6601 Oil Spill Response Funding**

The Oil Spill Liability Trust Fund (OSLTF) is available to the FOSC for the payment of removal costs determined by the FOSC to be consistent with the National Contingency Plan as a result of, and damages resulting from, a discharge, or substantial threat of a discharge of oil impacting the navigable waters of the United States. The OSLTF was established by Section 311(k) of the Federal Water Pollution Control Act (FWPCA) and is administered by the U.S. Coast Guard's National Pollution Funds Center (NPFC). In the event of an oil spill, an FOSC, state, claimant, or

trustee can obtain access to these federal funds through the processes outlined in the following sections.

### **6602 HAZMAT Pollution Response Funding**

An MOU between the USCG and Environmental Protection Agency (EPA) authorizes the USCG to access the Hazardous Substance Trust Fund (Superfund) when it undertakes response activities pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). A USCG FOSC has the authority to approve the expenditure of these funds to prevent or mitigate immediate and significant harm to human life or health or to the environment from the release or potential release of hazardous substances. The process through which a USCG FOSC accesses these funds is outlined below (FOSC Access to the Federal Funds). The NPFC is responsible for the administration of the USCG's portion of the Superfund, while the EPA retains overall responsibility for the fund's general administration.

### **6603 FOSC Access to Federal Funds**

When federal actions are authorized by the Clean Water Act or CERCLA, the OSLTF or the Superfund, respectively, may be accessed to fund them. A USCG FOSC uses the NPFC's Ceiling and Number Assignment Processing System (CANAPS) to establish and manage a Federal Project Number (FPN) for an oil spill or a CERCLA Project Number (CPN) for a HAZMAT incident. CANAPS interfaces with the Coast Guard's Financial Management and Procurement Services (FSMS) to create an accounting line to provide funding support to the FOSC. For specific guidance regarding the administration of a FPN or a CPN, refer to the "Procedures for Accessing the Funds" as well as the "CANAPS User Guide" in the [NPFC User Reference Guide](#).

### **6604 Funding Authorizations for Other Agencies**

Federal, state, local, and tribal governments assisting the FOSC during a response may receive reimbursable funding through a Pollution Removal Funding Authorization (PRFA). The NPFC can be consulted regarding PRFAs, but authorization to establish and use this funding source is provided by the FOSC. The decision to use another agency to help in the response must be documented in writing (to include what is required and why it is needed) and must be signed by the FOSC. After the PRFA has been approved by the FOSC, the other agency is required to follow the same cost documentation procedures used by the FOSC. If additional or an increase in funding is required, the request must be made to the FOSC. For more information about PRFAs please refer to [NPFC User Reference Guide](#).

### **6605 State Access to the OSLTF for Immediate Removal or Prevention Costs**

OPA allows state Governors to request payment of up to \$250,000 from the OSLTF for removal costs required for the immediate removal of a discharge of oil, or prevention of a substantial threat of a discharge of oil. Requests are made directly to the FOSC who will determine eligibility. If a state anticipates the need to access the OSLTF, they must submit a request which shall include the person's name, title, address, telephone number, and the capacity in which they are employed. FOSCs will provide initial coordination of the request and subsequent coordination and oversight. For more information about a state's access to the OSLTF please refer to [Technical Operating Procedures for State Access to the OSLTF](#).

### **6606 Trustee Access to the OSLTF**

OPA provides access to the OSLTF by Trustees for the purpose of conducting a Natural Resource Damage Assessment (NRDA). Executive Order 12777 introduced the concept of a Federal Lead



Administrative Trustee (FLAT) in an effort to provide a focal point for addressing natural resource issues associated with a specific incident. The NPFC will only accept requests for initiation of a NRDA from, and normally work directly with, the designated FLAT. For purposes of requests for initial funding for a NRDA, State and Tribal Trustees must work through a FLAT. When a request for a NRDA has been made, the NPFC Natural Resource Damage Claims Division will then assign a claims manager to coordinate the approval process. Together, the NPFC Natural Resource Damage Claims Manager and the FLAT will execute a request and authorization for obligation of funds through an Inter- Agency Agreement (IAA). For more information about the process of initiating a Natural Resource Damage Assessment (NRDA) and for the regulations and procedures for making a natural resource damage (NRD) claim please refer to [NPFC Natural Resource Damage Claims](#).

### **6607 Local and Tribal Government Access to the Superfund**

Local and federally recognized tribal governments may request reimbursement of cost to carry out temporary measures to protect human health and the environment without a contract or cooperative agreement. All costs for which local governments are seeking reimbursement must be consistent with the NCP and Federal cost principles outlined by the Office of Management and Budget. Reimbursements are limited to \$25,000 per hazardous substance response. In addition, reimbursement must not supplement local government funds normally provided for emergency response. States are not eligible for reimbursement from the Superfund and no state may request reimbursement on behalf of political subdivisions within the state.

The EPA will make all decisions regarding recovery of expenditures from the Superfund. All agencies expending Superfund money must submit an itemized account of all funds expended in accordance with provisions of contracts, Interagency Agreements (IAA), or Cooperative Agreements with EPA. These agreements must be in place prior to the expenditure of funds. For more information on the Local Government Reimbursement (LGR) program please refer to [EPA Local Government Reimbursement Program](#).

### **6608 Military Interdepartmental Purchase Request**

When an FOSC makes the determination that a DoD asset or DoD resources are necessary to conduct a response (i.e., SUPSALV), a Military Interdepartmental Purchase Request (MIPR), vice a PRFA, must be established. For more information about establishing a MIFR please refer to [NPFC Technical Operating Procedures - Chap 5 \(MIPR\)](#).

## **6700 Documentation and Cost Recovery**

### **6701 National Contingency Plan (NCP) Documentation Requirements**

Maintaining a thorough and complete record of response actions and expenditures is a critical element to any successful response. Keeping a thorough record aids in the recovery of costs and can be used to generate best management practices and lessons learned as well as support the restoration of natural resource injuries. The NCP outlines broad documentation and cost recovery requirements and can be found in [40 C.F.R. 300.315](#). During significant and protracted pollution responses, the FOSC is encouraged to mobilize one of the USCG's Type 1 Documentation Unit Leaders to oversee all facets of incident-related documentation. An ICS Form 207 with Type 1 Documentation Unit Leaders is provided in [Annex 2a](#).

## **6702 Cost Documentation Procedures**

Costs generated against the fund during a response will be paid by the NPFC through the line of accounting established by the FPN or CPN. Upon completion of the response, the NPFC will seek to recover those costs from the RP. Only through careful documentation of those costs and expenditures is cost recovery possible; this makes maintaining a detailed cost documentation process a critical part of any response. For specific information on cost documentation requirements and cost recovery procedures, please refer to the [NPFC Technical Operating Procedures for Incident and Cost Documentation](#).

## **6703 NPFC User Reference Guide**

The NPFC User Reference Guide is designed to serve as a reference tool during an oil discharge or hazardous substance release when the Federal On-Scene Coordinator (FOSC) is providing oversight or conducting response operations under the NCP. This guide includes all relevant Federal regulations, technical operating procedures (TOPs), forms and sample letters, and other documentation designed to make funding of recovery operations and the recovery of Federal expenditures as efficient and easy as possible. This guide is available to all interested parties and can be found at: [NPFC User Reference Guide](#).

## **6800 Oil Spill Claims**

### **6801 Claims to the OSLTF**

Claimants (individuals, corporations, and government entities) can submit claims for uncompensated removal costs or certain damages caused by an oil spill (as listed below) to the OSLTF, administrated by the NPFC, if the Responsible Party for the discharge does not satisfy their claim. The NPFC adjudicates claims and pays those with merit.

The Responsible Party can submit claims to the NPFC provided that:

- The total of all response costs and damage claims exceeds the Responsible Party's statutory limit of liability; or
- The spill was solely caused by a third party, an Act of God, or an Act of War.

The categories of uncompensated losses covered by the OSLTF are:

- Removal costs,
- Real or personal property damages,
- Loss of profits or earning capacity,
- Loss of subsistence,
- Loss of government revenues,
- Cost of increases public services, and
- Damages to natural resources.

Generally, claims for all costs and damages resulting from an oil pollution incident must be presented first to the Responsible Party or its guarantor. For more information about the claims process, please refer to the [NPFC Claimant Guide](#).

## 6801.1 NOAA Damage Assessment Procedures

NOAA published a final rule to guide Trustees in assessing damages to natural resources from discharges of oil. The rule provides a blueprint that enables Natural Resource Trustees to focus on significant environmental injuries, to plan and implement efficient and effective restoration of the injured natural resources and services, and to encourage public and responsible party involvement in the restoration process.

Under the rule, the NRDA process is divided into three phases:

- Pre-assessment: The trustees evaluate injury and determine whether they have the authority to pursue restoration and if it is appropriate to do so;
- Restoration Planning: The trustees evaluate and quantify potential injuries and use that information to determine the appropriate type and scale of restoration actions; and
- Restoration Implementation: The trustees and/or responsible parties implement restoration, including monitoring and corrective actions.

This process is designed to rapidly restore injured natural resources and services to the condition that would have existed had the spill not occurred and to compensate the public for the losses experienced from the date of the spill until the affected natural resources and services have been recovered. For more information about this process please refer to [NOAA NRDA Process](#).

## 7000 Response Resources

The Oil Pollution Act of 1990 (OPA) amended the Federal Water Pollution Control Act (FWPCA) to require the preparation and submission of response plans by the owners or operators of certain oil-handling facilities and for certain oil-carrying tank and non-tank vessels (referred to here as plan holders). These plan holders are required to submit response plans which identify and ensure either by contract or other approved means (i.e., Letter of Intent), the availability of response resources (i.e., personnel and equipment) necessary to remove a worst case discharge (WCD), including a discharge resulting from fire or explosion, and to mitigate or prevent a substantial threat of such a discharge. Additional response resources for marine firefighting and salvage are identified in [Annex 9](#).

## 7100 Oil Spill Removal Organizations (OSROs) and Equipment

### 7101 OSRO Classification Program

The U.S. Coast Guard created the voluntary OSRO classification program so that plan holders could simply list OSROs in their response plans rather than providing an extensive, detailed list of response resources. If an OSRO is *classified* by the U.S. Coast Guard, it means their capacity has been determined to be equal to, or greater than, the response capability necessary to ensure plan holder compliance with the statutory requirements. A more in-depth discussion of the classification program can be found here: [USCG OSRO Guidelines](#).

### 7102 Response Resource Inventory (RRI) database

As part of maintaining their classification, OSROs must provide detailed lists of their response resources to the Response Resource Inventory (RRI) database. The National Strike Force Coordination Center (NSFCC) administers this database, along with the OSRO classification program. The RRI database is the backbone of the classification program and its capabilities are two-fold: a classification element and an inventory function. The classification element of the RRI

database complements the Facility Response Plan and Vessel Response Plan development and review processes by systematically classifying OSROs' response capabilities to meet the plan holders' response capability requirements. An OSRO's classification levels (Maximum Most Probable Discharge and Worst Case Discharge Tiers 1, 2 & 3) are based on its ability to meet time delivery requirements for containment boom, temporary storage capacity and skimmer capacity. Once entered into the system by the OSRO, the RRI database translates the information into an estimated daily recovery capacity (EDRC) that determines an OSRO's level of classification for each of the six various operating areas (Rivers/Canals, Great Lakes, Inland, Nearshore, Offshore, and Open Ocean) in a particular COTP zone.

The inventory function of the RRI database makes a great deal of information available to response and contingency planning personnel; it not only outlines the locations and amount of "core equipment" (boom, skimmers, temporary storage), but includes other important support equipment including vessels, dispersant application platforms, aerial oil tracking capabilities and personnel. In order to access the inventory functions of the RRI database, administrator login privileges are required. These privileges are issued by the NSFCC and are limited to members of the U.S. Coast Guard and those OSRO members designated by their company to maintain the equipment inventory. To make a request for administrative login privileges, contact the NSFCC at: [Contact NSFCC for RRI Administrative Access](#).

### **7103 Classified OSRO listings for the Sector Houston-Galveston COTP Zone**

The NSFCC maintains a portion of the RRI database that allows all interested parties (no administrative access required) open access to reports about a company's Mechanical, Dispersant, Marine Fighting and Salvage and Non-Floating Oil classifications. This site also provides a point of contact report (listed by name/company number) for all the OSROs in the United States. The mechanical classification reports can be viewed by company name, by USCG District, or by COTP zone and outline which operating environments the classification has been granted (Rivers/Canals, Nearshore, Open Ocean, Inland, etc.) and for which volume of discharge. To see which OSROs are classified within the Sector Houston-Galveston COTP zone, please refer to: [RRI Classification and POC Reports site](#).

### **7104 Basic Ordering Agreements (BOAs)**

The U.S. Coast Guard's Director of Operations Logistics (DOL), Office of Procurement and Contracting (DOL-9) Contingency and Emergency Support Division (DOL-92) maintains a list of pre-established emergency response contracts known as BOAs. These contracts are established with OSROs around the country and are available for use at any time by a USCG Federal On-Scene Coordinator (FOSC). DOL-92 negotiates the terms and rates of these contracts ahead of time, enabling an OSRO to be quickly hired to provide pollution response services when the FOSC needs to conduct oil removal or hazardous substance response operations under the National Contingency Plan. While an FOSC always has the option to exercise a BOA contract, this does not preclude the hiring or contracting of a non-BOA pollution response service provider should the FOSC deem it necessary. DOL-92 contracting officers are available 24/7 to support the FOSC.

### **7105 Oil Spill Response Cooperatives and Consortiums**

There are numerous industry-funded major oil spill response cooperatives and consortiums in the United States today. Unlike a classified OSRO which is hired by a single plan holder to ensure compliance with statutory requirements, these organizations are formed to provide pollution response services to companies from the oil and gas industry which elect to become members and

pay for the coverage or service. Each consortium or cooperative makes the decision about the type and quantity of equipment they offer to their member clients. This equipment is often highly specialized and tailored to serve a specific sector of the oil and gas industry (exploration and production, or transportation, for example) and allow them to meet worst case discharge planning standards. Some examples of cooperatives and consortiums that operate in the Gulf of Mexico include the following:

- [Clean Gulf Associates](#)
- [HWCG LLC](#)
- [Marine Well Containment Company](#)
- [Oil Spill Response Limited](#)
- [Wild Well Control](#)

## 8000 Alternative Response Technologies

### 8100 Chemical Countermeasures

While mechanical recovery (e.g., booms, skimmers, etc.) will typically be the most widely used response option, there are several other tools available to mitigate oil spills. The NCP directs that Regional Response Teams (RRTs) and Area Committees address, as part of their planning activities, the desirability of using certain alternative response technologies when removing or controlling oil discharges. RRT-6 has developed several policy documents to address the approval and use of these chemical countermeasures. Links to these policy documents, which are all located on the [RRT-6 homepage](#), can be found in this section.

#### 8101 Dispersants

Dispersants are chemical agents (similar to soaps and detergents) that help break up an oil slick into very small droplets, sending them from the surface down into the water column. These agents are typically sprayed onto discharged oil by specially outfitted boats or aircraft. While dispersants don't remove the spilled material, they do allow the smaller dispersed particles of oil to be more easily biodegraded by the water's naturally occurring microbes. The application of this chemical countermeasure can be a critical element in preventing significant oiling of sensitive habitats during an oil spill response. Before a dispersant can be used, it must first be listed on the NCP Product Schedule (see [Section 8104](#) of this document). Within RRT-6, the use of dispersants within the offshore environment has been preauthorized. The preauthorized area includes offshore waters "from the ten-meter isobath or three nautical miles", whichever is farthest from the shore, to 200 nautical miles offshore (Exclusive Economic Zone boundary), beginning from the Texas-Mexico border and extending through the state of Texas.

In some instances, oil discharges do not originate from sources on the surface, but rather from oil exploration, production, and/or transmission facilities located hundreds, and often thousands, of feet below them. These discharges can result from any number of casualties including loss of well control or loss of a pipeline's integrity. In cases such as these, dispersants can be injected directly into the flow at the oil discharge's source using the technique known as subsea dispersant injection (SSDI). By reducing oil droplet size at the source, SSDI reduces the amount of oil reaching the sea surface. This in turn, lowers the potential for oil to impact wildlife on the surface or to impact environmentally sensitive areas on the shore.



**Note:** Preauthorization extends only to the aerial and surface spray application of dispersants; SSDI is not preauthorized.

For the most up-to-date policy, procedures, and checklists when conducting a surface dispersant application operation in the offshore environment of the RRT-6 coastal zone (seaward starting from the ten-meter isobath or three nautical miles offshore, whichever is farthest) please refer to [RRT-6 Dispersant Pre-Approval Guidelines and Checklist](#). For the most up-to-date policy, procedures, and checklists when conducting an operation in the nearshore environment of the RRT-6 coastal zone (seaward starting at the shoreline, but shoreward of the ten-meter isobath or three nautical miles offshore, whichever is farthest from shore – i.e., shoreward from the area of preauthorization) please refer to [RRT-6 Nearshore Dispersant Guidelines and Checklists \(Expedited Approval Process\)](#).

### **8102 Burning Agents (In-Situ Burn)**

The word “in-situ” is the Latin term for “in-place.” An In-Situ Burn (ISB) refers to the initiation of a controlled burn of discharged oil as a means to mitigate the oil’s harmful impacts. The fuels to feed an ISB are provided by the vapors from the spilled oil and, for those spills with impacts inshore or on land, any other organic materials with which the oil may have come into contact. Often the source of ignition is insufficient to light the oil and start the burn; in these instances, FOSCs may decide to use burning agents to help start the burn. Burning agents are defined by the NCP as “...*those additives that, through chemical or physical means, improve the combustibility of the materials to which they are applied.*” Burning agents are not required to be included on the NCP Product Schedule. In RRT-6, burning agent use has been preauthorized within the offshore environment; the terms and conditions of this preauthorization may be found by using the link to [Annex 13](#) (RRT-6 In-Situ Burn Policy for the Offshore Environment – May 2020) listed below. Burning agent use has not preauthorized within the inshore/nearshore environment.

For the most up-to-date policy, procedures and checklists when conducting an in-situ burn operation in the Offshore Environment of the RRT-6 coastal zone (seaward starting three nautical miles offshore) please refer to RRT-6 In-Situ Burn Policy for the Offshore Environment, [Annex 13](#) of the RRT-6 RCP. For the most up-to-date policy, procedures and checklists when conducting an operation in the Inshore/Nearshore portion of the RRT-6 coastal zone (out to three nautical miles offshore) please refer to RRT-6 In-Situ Burn Policy, [Annex 13a](#) of the RRT-6 RCP.

### **8103 Surface Washing Agents (SWAs)**

SWAs are chemicals that are used to enhance oil removal from hard surfaces. They generally contain a mixture of a non-polar solvent and a surfactant. The solvent dissolves into the highly viscous or weathered oil to create a less viscous and somewhat uniform liquid oil or oily mixture. The surfactant reduces the interfacial tension between the liquid oil and the surface the oil has adhered to. Depending on environmental conditions and the combination of solvents and surfactants, the removed oil will either float or disperse. The latter may have a negative environmental impact, making SWAs with the “*lift and float*” characteristics generally preferable.

SWAs cannot be used unless they are listed on the NCP Product Schedule (see [Section 8104](#) of this document). SWA use is preauthorized by RRT-6 for “*lift and float*” products ***only*** for locations pre-identified within the Area Contingency Plan. Within the CTCACP planning area, SWA preauthorization exists within five specified port areas; please see [Annex 7a](#) for details on specific



locations and documentation on pre-spill Endangered Species Act and Essential Fish Habitat consultation with the Services. For the most up-to-date policy, procedures and checklists when using SWAs within the RRT-6 coastal zone please refer to RRT-6 Surface Washing Agents (SWAs) Policy, [Annex 23](#) of the RRT-6 RCP.

### **8104 NCP Product Schedule**

Subpart J of the NCP directs the EPA to prepare a schedule of spill mitigating devices and substances that may be used to remove or control oil discharges; this is known as the NCP Product Schedule. The NCP Product Schedule lists the following types of products authorized for use on oil discharges: Dispersants, Surface Washing Agents, Surface Collecting Agents, Bioremediation Agents, and Miscellaneous Oil Spill Control Agents.

**Note:** Before any chemical countermeasure may be used, the FOSC must first seek RRT-6 approval through the consultation and concurrence process or have its use preauthorized. The only exception to this is when the FOSC uses the provision listed in [40 C.F.R. § 300.910\(d\)](#).

Per 40 C.F.R § 300.920(e), the listing of a product on the Product Schedule does not mean that EPA approves, recommends, licenses, certifies, or authorizes the use of the product on an oil discharge. The listing means only that data have been submitted to EPA as required by 40 C.F.R § 300.915. For the most current listing of approved substances for use, please refer to the [NCP Product Schedule](#).

## **8200 Monitoring and Evaluation of Alternative Response Technologies**

### **8201 Special Monitoring of Applied Response Technologies (SMART)**

The Special Monitoring of Applied Response Technologies (SMART) protocols are a set of cooperatively designed monitoring standards utilized when conducting In-Situ Burn or Dispersant operations. SMART establishes a monitoring system for the rapid collection and reporting of real-time, scientifically-based information, in order to assist the Unified Command (UC) with decision-making during In-Situ Burn or Dispersant operations. SMART recommends monitoring methods, equipment, personnel training, and command and control procedures that strike a balance between the operational demand for rapid response and the UC's need for feedback from the field.

### **8202 Dispersant Monitoring**

When making a dispersant application, the UC needs to know whether the operation is effectively dispersing the oil or not. The SMART dispersant protocols are designed to provide the UC with real-time feedback on the efficacy of the dispersant application and consist of three different levels (or tiers) of monitoring. It should be noted that the SMART dispersant protocols may be useful for evaluating the dilution and transport of the dispersed oil, but they do not monitor the fate, effects, or impacts of the dispersed oil.

The three tiers of monitoring are Tier I, Tier II and Tier III:

- **Tier I** consists of visual observation by an observer to provide a general, qualitative assessment of a dispersant's effectiveness. Visual monitoring may also be enhanced by advanced sensing instruments such as infrared thermal imaging or other like devices.

However, sometimes a dispersant's effectiveness is difficult to determine by visual observations alone.

- **Tier II** protocols employ a monitoring team to confirm the visual observations by taking water samples and running them through a fluorometric instrument while on-scene.
- **Tier III** follows Tier II procedures, but also collects information on the transport and dispersion of the oil in the water column. This level of monitoring can help to verify that the dispersed oil is diluting toward background levels. Tier III is simply an expanded monitoring role and may include monitoring at multiple depths, the use of a portable water laboratory, and/or additional water sampling. It also can be moved to a sensitive resource (such as near a coral reef system) as either a protection strategy or to monitor for evidence of exposure.

### **8203 In-Situ Burn (ISB) Monitoring**

Air monitoring is an important component of any ISB operation. These measurements allow the FOSC to continuously evaluate air quality data, ensuring that human health and safety are safeguarded in real-time. Typical by-products from an in-situ burn include carbon dioxide, water vapor, soot (particulate matter), and other gaseous compounds. Of these, the soot, being comprised of very fine, carbon-based materials, is responsible for a smoke plume's dark/black appearance and pose the greatest inhalation hazard.

The SMART protocols for air monitoring are used when there is a concern that the public or response personnel may be exposed to the hazardous components of the burning oil's smoke. These monitoring operations are conducted by one or more teams, depending upon the size of the operation. Each monitoring team uses a real-time particulate monitor capable of detecting the small particulates emitted by the ISB (ten microns in diameter or smaller), a global positioning system, and other equipment required for collecting and documenting the data. Each monitoring instrument provides an instantaneous particulate concentration as well as the time-weighted average over the duration of the data collection. The readings are displayed on the instrument's screen and stored in its data logger. In addition, the SMART protocols direct that particulate concentrations be logged manually every few minutes by the monitoring team in a recorder data log.

Monitoring teams are deployed at designated areas of concern to determine ambient concentrations of particulates before the burn starts. During the burn, if the team's instruments detect high particulate concentrations or if the time weighted averages approach exceed pre-established levels, the information is passed to technical specialists within the UC for further review and possible action (i.e., personnel evacuation, termination of burn, etc.).

To review the complete set of SMART protocols for ISB and Dispersant operations, please refer to [Special Monitoring of Alternative Response Technologies \(SMART\)](#).

### **8204 Alternative Response Tool Evaluation System (ARTES)**

While actively mitigating the effects of an oil discharge or, when engaging in the preparedness effort to do so, the FOSC has any number of mechanical or chemical countermeasures' use to consider. These responses or planning efforts can often generate interest within a local community, region, or even the nation. As this interest grows, members of the general public, companies or sectors of industry can feel compelled to approach the FOSC to offer their non-

conventional service or idea to help the response or preparedness effort. In these instances, the FOSC may be requested to consider using a non-conventional alternative countermeasure (a method, device, or product that hasn't been or isn't typically used for spill response). To assess whether a proposed countermeasure could be a useful response tool, it's necessary to collect and quickly evaluate information about it.

To assist an FOSC in evaluating the efficacy of a non-conventional alternative countermeasure, a process known as the Alternative Response Tool Evaluation System (ARTES) was developed. The ARTES is designed to evaluate potential response tools on their technical merits against established, consistent criteria either during an actual incident or during pre-spill planning. Using a series of forms which examine a proposed response tool and document its properties, a designated team can rapidly evaluate it and provide feedback to the FOSC with a documented recommendation regarding its use.

Under the ARTES framework, when it has been determined that it would be appropriate for a product to be evaluated, a vendor or supplier will complete and submit the [Proposal Worksheet \(PWS\)](#); this form is designed to capture data about the product and once filled in, is provided to a review team for analysis and evaluation.

Once the vendor has filled out and submitted the PWS, it will then be reviewed by either one of two review teams depending upon whether the request for evaluation was being made during an actual spill response, or during a period of pre-spill planning. The Response Tool Subcommittee (RTS) will conduct the review during a pre-spill planning effort, and the Alternative Response Tool Team (ARTT) does so during an actual incident. To document their review and evaluation of the product and the PWS, the review team will complete a [Data Evaluation Worksheet \(DEW\)](#).

Once the evaluation has been completed and documented on the DEW, the review team then will formulate their recommendation and document it on the [Summary Evaluation Worksheet \(SEW\)](#). The SEW captures the team's recommendation of whether or not the proposed response tool should be used, and is provided to the FOSC as well as to the initiator of the evaluation request (vendor).

It should be noted that that the FOSC need not wait for the ARTES recommendation when deciding whether or not to use a response tool. The ARTES is designed to help assist in the decision-making process but does not limit or prevent an FOSC from using a product they deem necessary.

**Note:** Completion of the ARTES evaluation does not mean that a product is pre-approved, recommended, licensed, certified, or authorized for use during an incident.

## 9000 Environmentally and Economically Sensitive Areas

### 9100 Priority Protection Areas

Area Committees (ACs) are directed by OPA and the NCP to identify environmentally, socio-economic, and otherwise sensitive areas within their defined ACP planning area. These areas are often referred to as *priority protection areas*. ACs have broad latitude to develop specific criteria for identification. Response plans required by federal law or regulation associated oil exploration, production, transport, or storage, e.g., Oil Spill Response Plans, Vessel Response Plans, and Facility Response Plans must ensure maximum protection of Area Committee identified priority protection areas.

### 9200 Geographic Response Strategies (GRSs)/Plans (GRPs)

Once priority protection areas are identified and adopted, ACs have the flexibility to provide information that may be useful to ensure appropriate strategies are implemented during any oil removal operation. One methodology is often referred to as Geographic Response Strategies (GRSs) or Geographic Response Plans (GRPs). Texas's existing GRSs/GRPs can be viewed on the [Oil Spill Toolkit \(texas.gov\)](https://www.texas.gov/oil-spill-toolkit).

Although GRSs/GRPs are developed and available for use during the planning and response phases, the IC/UC and OSROs must remain flexible and utilize on-scene initiative and their experience and competence in determining actual pollution mitigation “tactics” for a particular incident. GRSs/GRPs are developed using neutral weather conditions and mean-average tidal data and assume an incident response location. The scenarios for a pollution incident are nearly limitless; every spill is different and there are no absolutes. As a result, GRS/GRP locations should be reviewed and considered, but with the understanding that incident-specific mitigation tactics will likely be developed and executed on-scene. Factors such as current and projected winds, water currents/flows, tidal cycles, equipment limitations, bottom conditions, seasonal implications, exact incident location, potential hazards, and the type of oil can have a significant effect on any proposed strategy and should be carefully considered. **If applicable, modifications to any preplanned strategies should be expected.**

## 10000 Fish and Wildlife and Sensitive Environments Plan (FWSEP)

### 10100 Purpose

The National Contingency Plan (NCP) directs that Area Committees (ACs) incorporate an annex into their Area Contingency Plans (ACPs) which contains a Fish and Wildlife and Sensitive Environments Plan (FWSEP). The contents of this plan are designed to facilitate the coordinated and effective protection of fish and wildlife resources, their habitats, and other environmentally sensitive areas found within an AC's planning area.

## 10200 Scope

In order to meet the provisions and requirements outlined by the NCP, this Fish and Wildlife and Sensitive Environments Plan will:

- Enable the identification and prioritization of resources at risk within the CTCACP planning area and outline the notification and consultation procedures with those resources' trustees and managers;
- Provide a mechanism during a spill which allows responders to establish protection priorities of resources at risk, evaluate and prioritize removal actions and/or countermeasure use, determine any environmental effects those removal actions and/or countermeasures may cause and identify ways to minimize them;
- Provide monitoring plans to evaluate response effectiveness in protecting the environment;
- Identify the guidance, capabilities, resources, and agency representatives needed to coordinate the protection, rescue, and rehabilitation of fish and wildlife;
- Identify the guidance, capabilities, resources, and agency representatives needed to protect historic sites and sensitive environments; and
- Evaluate its interface with Non-Federal Response Plans on issues affecting fish and wildlife, their habitat, and sensitive environments.

For more information, please refer to the FWSEP, [Annex 28](#) of the RRT-6 RCP.

## 10300 Environmental Consultation Requirements

There are three environmental consultation categories:

### 10301 Pre-spill consultation

This is required for an Action Agency (USCG within the coastal zone) to engage the Services (USFWS and NMFS) on the potential affects for all potential response actions that may be implemented during the emergency response.

- [Dispersants USFWS from 1994](#)
- [Dispersants NMFS from 1995](#)
- [Surface Washing Agent Preauthorization; Annex 7a](#)

### 10302 Emergency consultation

Whenever an FOSC makes a determination that federal response actions *may affect* ESA-listed (threatened or endangered) species and/or designated Critical Habitat or *may adversely affect* EFH, the action agency (USCG within the coastal zone) shall initiate emergency consultation protocols as appropriate. The FOSC initiates this emergency consultation as soon as practicable, via email to the Services, after the response is initiated.

- State Historic Preservation Office (SHPO) Notification, Coordination and Consultation (Federal/State of Texas Guidance), [Annex 7](#).
- Endangered Species Act (ESA) and Essential Fish Habitat (EFH) Form (for emergency consultations, pre-spill consultations and post-response procedures), [Annex 29](#) of the RRT-6 RCP.

### **10303 Post-response consultation**

For actions not covered by a pre-spill consultation that are used, or are considered for use during an emergency response, the FOSC must follow ESA and/or EFH emergency response procedures and complete ESA and/or EFH consultations in collaboration with the Services once the emergency phase of the response has ended.

Additionally, the following annexes are also applicable to Endangered Species Act (ESA), Essential Fish Habitat (EFH), and National Historic Preservation Act (NHPA) mandates:

- The Wildlife Response Plan, [Annex 28a](#) of the RRT-6 RCP.
- The all-inclusive FWSEP/WRP Contact Spreadsheet, [Annex 28b](#) of the RRT-6 RCP.
- All-inclusive Listed Species Spreadsheet, [Annex 29a](#) of the RRT-6 RCP.

## **11000 CTCACP Annexes**

### **11100 Introduction**

The CTCACP Annexes, contain Quick Response Cards (QRCs), checklists, and other necessary job aids and documents to assist emergency management preparedness specialists and response personnel; all items are “grab and go” for ease of use. In addition to this brief overview, the accompanying table provides a centralized list for the annexes to support personnel in planning for or responding to an oil discharge or hazardous substance release within the CTCACP planning area. To maximize efficiency, all annexes are hyperlinked and incorporated by reference into this ACP.

### **11200 Purpose**

Incidents involving oil and hazardous substances require planning and response personnel to mobilize resources and develop objectives, strategies, and tactics to mitigate the impact to the community and environment.

To be successful in the mitigation of oil discharges and hazardous substance releases a thorough risk analysis of the AOR must take place well in advance of an incident. Additionally, site safety, public health and safety concerns, certain response protocols, and specific guidance for specialized responses should be identified and tailored to the area in which incidents will occur.



## 11300 Scope

In the accompanying table, you will find annexes developed and maintained by the CTCAC. This list can expand or contract as necessary to meet the needs of local planners and responders.

Each annex in the table is hyperlinked to Sector Houston-Galveston Homeport site where they are housed. If you encounter trouble using the links provided, it is recommended that you right click on the link, edit hyperlink and copy and paste the Uniform Resource Locator (URL) into your browser to access the website.

The following table contains the List of Annexes for the CTCACP:

Table 6: List of Annexes	
Annex	Title
<a href="#">Annex 1</a>	Risk Analysis: Shoreline Cleanup Methods
<a href="#">Annex 1a</a>	Risk Analysis: Area Planning Scenarios
<a href="#">Annex 1b</a>	Risk Analysis: Places of Refuge Policy
<a href="#">Annex 2</a>	Contact Spreadsheet
<a href="#">Annex 2a</a>	Contacts: USCG Documentation POCs (DOCL ICS Form 207)
<a href="#">Annex 3</a>	Initial Reporting Form
<a href="#">Annex 4</a>	Site Safety Plan
<a href="#">Annex 5</a>	Public Health and Safety: Environmental Health Support Guidance
<a href="#">Annex 5a</a>	Public Health and Safety: Community Air Monitoring Protocols
<a href="#">Annex 5b</a>	Public Health and Safety: Water Sampling Protocols
<a href="#">Annex 6</a>	Response Protocols: 96 Hour Checklist
<a href="#">Annex 6a</a>	Response Protocols: Volunteers
<a href="#">Annex 6b</a>	Response Protocols: Disposal
<a href="#">Annex 6c</a>	Response Protocols: Decanting
<a href="#">Annex 7</a>	Consultations: Texas SHPO
<a href="#">Annex 7a</a>	Consultations: Surface Washing Agent Preauthorization
<a href="#">Annex 8</a>	Hazardous Substance Response
<a href="#">Annex 9</a>	Marine Fire Fighting and Salvage
<a href="#">Annex 10</a>	Natural Disaster Response Plan (NDRP)
<a href="#">Annex 11</a>	Unconventional Oil Response
<a href="#">Annex 12</a>	Predesignated Vessel Decontamination (DECON) Sites

## 12000 Planning and Response Tools

### 12100 Introduction

Planning and Response Tools, contains Quick Response Cards (QRCs), checklists, and other necessary job aids and documents to assist emergency management preparedness specialists and response personnel; all items are “grab and go” for ease of use. In addition to this brief overview, the spreadsheet linked below provides a central repository for numerous tools to support personnel in planning for or responding to an oil discharge or hazardous substance release within the Eighth Coast Guard District coastal zone, including the CTCACP planning area. To maximize efficiency,

this extensive spreadsheet is maintained by the Eighth District Response Advisory Team (DRAT); all tools are hyperlinked and incorporated by reference into this ACP.

## 12200 Purpose

Incidents involving oil and hazardous substances require planning and response personnel to mobilize resources and develop objectives, strategies, and tactics to mitigate the impact to the community and environment. Planning and response operations involve many tools, which will inform decision makers on the next course of action. The magnitude of the incident, environmental conditions, and discharge/release status are just a few of the factors one must consider before selecting the appropriate combination of tools to use.

Additionally, to be successful in the mitigation of oil discharges and hazardous substance releases, emergency preparedness and planning activities must take place well in advance of an incident. There are many tools for responders including training opportunities, lessons learned from previous incidents and exercises, and education on relevant policy and procedures.

## 12300 Scope

In the spreadsheet linked below, you will find some of the tools and other resources available to assist emergency planners and responders in their development of preparedness initiatives, response objectives, strategies, and tactics. This list, while extensive, is not all inclusive.

Beside the name of each tool (*hyperlinked as appropriate*) on the spreadsheet, you will find a brief description, purpose, and requirements for use of the tool. Some tools [*denoted with an asterisk (\*)*] will require a username, password, and periodic log-in for continuous use. If you encounter trouble using the links provided, it is recommended that you right click on the link, edit hyperlink and copy and paste the Uniform Resource Locator (URL) into your browser to access the website. The following is a link to the [Planning and Response Tools Excel Spreadsheet](#) which is housed on the RRT-6 website. Requests to update information within the spreadsheet should be directed to the Eighth District DRAT.