

## **INTRODUCTION**

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### **1.1 PURPOSE**

NRC is approved by Ecology as a PRC meeting current Washington State oil spill contingency planning requirements. The NRC Plan is a planning document designed to provide umbrella coverage to multiple Covered Vessels for oil spills and threatened oil spills pursuant to direct contracts between NRC and Covered Vessel owners, operators and/or agents as provided for by WAC 173-182-110.

The NRC Plan provides Covered Vessels with response planning, emergency communications, spill management and drill and exercise services, as well as the spill response capabilities required for complete compliance with Washington State contingency planning requirements. The NRC Plan is also designed for the use and information of owners, operators, demise charterers, agents, and supplementary spill management personnel during spills by Covered Vessels.

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## **1.2 FUNCTION AND SCOPE OF THE NRC PLAN**

The area of coverage for the NRC Plan is within the navigable waters of the State of Washington (as defined by WAC 317-05-020 (10)) with the exception of the Columbia River system. NRC will contract with vessel owners, operators, demise charterers and agents which desire NRC Plan coverage to meet Washington State contingency planning requirements within the NRC Plan's area of coverage.

In the event of an oil spill or threat of oil spill, the RP (spiller: owner, operator or demise charter) is required by Washington State regulations to take immediate action to protect life and property, and notify proper authorities. This includes, for example, personnel safety, preventing further damage, protecting wildlife resources, cleaning up the spill, and restoring the environment.

The NRC Plan will assist the responsible party in executing these functions by providing an emergency notification network and response services including pre-positioned equipment and personnel dedicated to immediate response, i.e., within two hours of notification -- given suitable safety conditions. When a spill occurs from a Covered Vessel, the NRC Plan provides for the prompt, safe and efficient containment, recovery, cleanup / restoration and interim disposal of all oil and oily debris.

The NRC Plan also provides the RP with a SMT located within Washington State to ensure rapid on-scene response. Covered Vessels will also designate their own QI when contracting for NRC Plan coverage. The contact information for each Covered Vessel is maintained on the NRC Plan website with Covered Vessel information. The NRC Plan is also structured so that in the event of a spill, the Covered Vessel may transition to their own SMT directed by the QI and approved by the SOSC and FOOSC, in which case the NRC Plan SMT members will work with the QI to ensure a smooth transition to Covered Vessel designated SMT.

In general, the NRC Plan functions include:

- Maintain and update resources and services as needed to meet Washington State contingency planning requirements for Covered Vessels.
- Hold response readiness drills and exercises as required by Washington State regulations.
- Provide an emergency response notification system for Covered Vessels while operating in covered Washington State waters.

- Provide for initial response to a spill, or threat of a spill, until if such time arises that there is an organized transition to the covered vessels QI or spill management team.

NRC maintains a constant state of readiness to respond to any oil spill or potential oil spill from a Covered Vessel. Upon notification from a Covered Vessel of a spill or threat of a spill, the NRC Plan is considered activated and NRC will initiate the following actions for the responsible party:

- Notify the on-duty IC on behalf of the Covered Vessel with available information
- Mobilize response equipment and personnel as appropriate in consultation with the IC
- Notify Washington EMD / Ecology (automatic, unless notification has already been made by the responsible party)
- Notify U.S. Coast Guard National Response Center if requested by the responsible party
- Activate NRC response management organization and mobilize appropriate spill management team members
- Manage spill response operations, per action plan and consistent with the Northwest Area Contingency Plan (NWACP)

### **1.3 VESSELS COVERED BY THE NRC PLAN**

The following types of vessels are required by Washington State law to have an approved contingency plan filed with the state:

- Tank vessels, including barges, constructed or adapted to carry oil in bulk as cargo or cargo residue
- Cargo and other self-propelled vessels in commercial service of 300 or more gross tons, including but not limited to, commercial fish processing vessels and freighters
- Passenger vessels of 300 or more gross tons with a fuel capacity of at least six thousand gallons that carry passengers for compensation

The NRC Plan provides oil spill contingency plan coverage to all these vessels for which the owner, owner's representative or vessel agent has executed a contract with NRC. Vessels needing coverage prior to entering Washington State waters can contract for coverage within a matter of hours by contacting the NRC Seattle office.

All Covered Vessel owner, operator or demise charterer will sign an Addendum (see Figure 1-1) to the NRC Agreement for Provision of Response Resources contractually committing to the client to the implementation of the NRC Plan on behalf of those of its vessels covered by the Agreement when operating in the NRC Plan Coverage Area and appoints NRC as its designee, as permitted in WAC 173-182-220, and directs NRC to submit the Plan certification on behalf of the Client and the Client's Covered Vessels. Covered Vessel Addendums will be available upon request for review by Ecology.

## Figure 1-1 Addendum for Washington State Contingency Plan Coverage

### Addendum

The Agreement for Provision of Response Resources (Agreement), between National Response Corporation (Provider) and \_\_\_\_\_ (Client), dated \_\_\_\_\_, is hereby amended as follows:

#### Washington State Contingency Plan Coverage

In accord with the provisions and definitions set forth in Washington State Administrative Code Chapter 173-182, Provider shall maintain a Contingency Plan (Plan) approved by the State of Washington's Department of Ecology for coverage of vessels operating in Washington State waters, excluding the Columbia River, as described in the Plan (Plan Coverage Area), including meeting drill and exercise requirements. Provider shall also meet oil spill response planning requirements as outlined in the Plan.

Client commits to the implementation of the Plan on behalf of those of its vessels covered by the Agreement when operating in the Plan Coverage Area (Covered Vessels). Client appoints Provider its designee, as permitted in WAC 173-182-220, and directs Provider to submit the following Plan certification on behalf of the Client and the Client's Covered Vessels as follows:

I certify I have reviewed and am familiar with the information submitted in this Plan. I verify acceptance of the plan and commit to (a) a safe and immediate response to spills and to substantial threats of spills that occur in, or could impact Washington waters or Washington's natural, cultural and economic resources; (b) having an incident commander in the state within six hours after notification of a spill; (c) the implementation and use of the plan during a spill and substantial threat of a spill, and to the training of personnel to implement the plan; (d) the authority and capability to make the necessary and appropriate expenditures in order to implement plan provisions; (e) working in unified command within the incident command system to ensure that all personnel and equipment resources necessary to the response will be called out to clean up the spill safely and to the maximum extent practicable.

Client acknowledges that Provider will submit the certification set forth in WAC 173-182-220 as the disclosed designee for the Client.

Provider will provide Client with the Plan Field Document and Notification Placard. Client will ensure that they are provided for use on the bridge of each Covered Vessel (or in the pilot house of the tug towing a covered barge) prior to such vessel's arrival in Plan Coverage Area and Client agrees to follow the notification requirements outlined therein in the event of a spill or threatened oil spill.

In the event of a spill or threatened spill, the Plan provides the initial Incident Commander on behalf of the Covered Vessel (Plan IC) and spill management team until a formal transition occurs from the provider to the Client's designated Qualified Individual (QI) as delineated in section 3.2 of the Plan. The Plan IC will initiate response activities and direct response resources in the initial phase of the response to the spill or threat of a spill. The Plan IC will liaise so far as practicable with the Client and the QI regarding the response and resource direction. Client authorizes and directs its QI to coordinate with the Plan IC as soon as possible upon a report of a spill or threatened oil spill from the Covered Vessel.

Fees for the addition of Washington State Contingency Plan and oil spill response capabilities as described above (Covered Vessel Fees) shall be added to Agreement Schedule 3, Basic Compensation.

Except as expressly amended or modified hereunder, all other terms of the Agreement shall remain in full force and in effect.

For and on behalf of Provider

For and on behalf of Client

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

As part of the initial contracting process, NRC will provide the owner, owner's representative or vessel agent with electronic copies of the NRC Field Document and the NRC Notification Placard via email. These documents will also be available to Covered Vessels on the NRC Plan webpage ([www.nrcc.com](http://www.nrcc.com)). The Addendum also requires that the Covered Vessel representative commits to ensuring that Covered Vessels have the Field Document and Notification Placard on the bridge while in Washington State waters.

NRC is committed to training RP representatives and Covered Vessels on the use of the NRC Plan. In addition to the instruction provided at the time of setting up a Covered Vessels contract, NRC is also in regular contact with its clients through frequently published Client Circulars, annual contract updates, visits to domestic and foreign client offices, meetings with agents and participation in drills and exercises. As part of this outreach program, copies of the Field Guide and the Notification Placard will be sent to all RP representatives and Covered Vessels annually via email.

NRC maintains a database of all Covered Vessels which is updated in real time and available for review by Ecology on the NRC Plan webpage at any time. Covered Vessel information in this database includes:

- Covered Vessel name
- contracting entity (owner, operator, agent or demise charterer) contact information
- call sign
- country of registry
- vessel diagram
- gross registered tonnage
- petroleum cargo capacity (if applicable)
- fuel capacity
- any designated QI and/or SMT
- official number.

The ports of call, including refineries, are listed in Table 1-3. NRC commits to assisting Ecology and/or USCG to obtain additional information from the Covered Vessel RP as requested.

NRC Plan potential Covered Vessels include all vessel types operating in Washington State waters. At any given time, in ports throughout the Puget Sound region (see Table 1-3), Covered Vessel operations may include:

- cargo vessel or tanker load/offload
- general transits
- fishing vessel transits and load/offload
- ferry transits
- fuel transfer
- bunkering operations

The types of vessels historically operating in Washington State waters, including typical tonnage, oil groups and volumes carried, are outlined in Table 1-1.

**Table 1-1 Typical NRC Covered Vessels Operating in Washington**

Type	Minimum GRT	Maximum GRT	Petroleum Oil Groups	Fuel and Cargo Total Volume (bbi)
Cargo	497	108,393	1 – 4	26,395
Ferry	498	9,978	1	2,060
Fishing	341	17,845	1	3,464
Tugs	393	12,892	1	4,811
Passenger	409	115,875	1	18,352
Tank Barge	178	58,555	1 – 4	53,412
Tanker	32	87,146	1 – 4	579,567
Tanker (Non-Petroleum)	7,271	30,053	Other	190,214
ATB	9,708	13,500	1	172,196
Offshore Drilling Vessel	13,485	32,690	1	19,935

**Table 1-2 Fuel and Cargo Carried by NRC Covered Vessels\***

Product Name	Vapour Density	Specific Gravity	API	Oil Group Number	Sulfur (wt %)
Caroline Condensate	>1	0.75	56.0	1	0.49
Premium Gasoline	>1	0.70	70.9	1	0.02
Pembina Condensate	>1	0.76	54.5	1	0.16
BC Light Crude	>1	0.83	39.8	2	0.60
Light Sour Oil	>1	0.83	39.4	2	0.76
Pembina Crude	>1	0.83	38.9	2	0.43
Premium Synthetic	>1	0.84	37.0	2	0.08
Rainbow Crude	>1	0.84	37.8	2	0.49
Mixed Sweet Blend	>1	0.84	37.6	2	0.47
Horizon Synthetic	>1	0.85	34.4	3	0.08
Central Alberta KOC	>1	0.85	35.4	3	1.07
Suncor Synthetic A	>1	0.86	32.7	3	0.20
Suncor Synthetic C	>1	0.88	30.0	3	0.22
Premium Albian Synthetic	>1	0.86	33.1	3	0.10
Shell Synthetic Light	>1	0.87	31.6	3	0.22
Syncrude	>1	0.86	32.4	3	0.18
Albian Residual Blend	>1	0.93	20.5	3	2.70
Albian Heavy Synthetic	>1	0.94	19.6	3	2.47
Albian Muskeg Heavy	>1	0.93	20.7	3	3.95
Albian Vacuum Gas Oil	>1	0.92	22.3	3	3.16
Access Western Blend	>1	0.92	22.6	3	3.82
Borealis Heavy Blend	>1	0.92	22.0	3	3.60
Cold Lake Blend	>1	0.93	21.4	3	3.72
McKay Heavy	>1	0.93	21.0	3	2.60
Oil Sands Q	>1	0.92	22.3	3	3.90
Long Lake Heavy	>1	0.93	20.4	3	3.22
Peace Heavy	>1	0.93	21.3	3	5.11
Seal Heavy	>1	0.93	20.5	3	4.79
Statoil Cheecham Blend	>1	0.93	20.5	3	3.83
Statoil Cheecham Syn- Bit	>1	0.94	19.0	3	2.86
Statoil Cheecham Mixed Blend	>1	0.94	19.8	3	3.30
Suncor Synthetic H	>1	0.94	19.8	3	3.09
Surmont Heavy	>1	0.94	19.7	3	2.97
Bunker /Residual Fuel Oils	>1	.93-1.0	9.5-10	3	3.5-4.5
Marine Diesel	>1	0.85	35.0	3	0.50

*\*List includes all known products carried by NRC Covered Vessels. This list will be updated as needed for any additional products identified as carried by NRC Covered Vessels. No known Group 5 oils are carried by NRC Covered Vessels.*

**Table 1-3 Ports of Call for NRC Covered Vessels**

Aberdeen	Kingston
Anacortes *	La Conner
Bellingham	Neah Bay
Blaine*	Olympia
Bremerton	Port Angeles
Edmonds	Pt Townsend
Everett	Richmond Beach*
Ferndale*	Seattle
Hoquiam	Shelton
Keyport	Tacoma*
<b>*Refineries: Shell, Tesoro, BP, Phillips66 and U.S. Oil</b>	

## **1.4 WORST CASE SPILL COVERAGE**

As defined, WAC 173-182-030(54)(c) defines a worst case spill WCS from a vessel as, “a spill of the vessel's entire cargo and fuel complicated by adverse weather conditions...” Under 33 CFR 165.1303, vessels entering Puget Sound may not exceed 125,000 Dead Weight Ton. This has been previously established to equate to a WCS in Washington State of 813,000 bbls (~35 million gallons) which is the maximum WCS volume for vessels covered by the NRC Plan. NRC commits to revising the maximum WCS if a larger WCS volume is identified.

Both tank and non-tank Covered Vessels with the maximum WCD transit the following planning standard areas:

- San Juan County (WAC 173-182-370)
- Padilla Bay (WAC 173-182-375)
- Dungeness (WAC 173-182-390)
- Neah Bay Staging Area (WAC 173-182-395)
- Washington Coast (WAC 173-182-450)
- Commencement Bay-Quartermaster Harbor (WAC 173-182-380)
- Locations where Covered Vessels transfers occur (WAC 173-182-355)

Lower WCD Covered Vessels transit other planning standard areas as follows:

- Nisqually (WAC 173-182-385) – 23,409
- Grays Harbor (WAC 173-182-405) - 20,000 bbls

For the Grays Harbor Planning Standard Area, the NRC Plan will use NRC response resources to cover vessels with a WCS amount up to 20,000 bbls. Coverage of vessels carrying combined cargo and fuel in excess of this amount, transiting to or from the Imperium Renewables Facility, will be covered by a combination of resources provided by the NRC Plan and supplemental NRC resources provided on an advance notice basis directly to Imperium in order to implement additional, specific prevention and preparedness measures detailed in the Imperium Renewables Contingency Plan Alternative Planning Standard outline in Section 5.4.3.

Other planning standard areas listed in WAC 173-182 and not mentioned here are not transited by NRC Covered Vessels. Vessels transiting these areas would not be covered by the NRC Oil Spill Contingency Plan. Table 1-3 outlines the ports of call, including refineries that NRC Covered Vessels call on.

## **1.5 NOTIFICATION REQUIREMENTS**

Any and all spills, no matter the amount, and potential spills need to be reported. Failure to report an oil spill to the U.S. Coast Guard National Response Center, and the WEMD, is a violation of law, and is punishable by fine and/or imprisonment. Specific organizations, agencies and individuals to be notified in the event of an oil spill are detailed in Chapter 2.

### **IMPORTANT REMINDER FINES AND / OR IMPRISONMENT FOR FAILURE TO REPORT**

## **1.6 RESPONSIBLE PARTY**

In the event of an oil spill or threatened oil spill, the responsible party (spiller: owner, operator or demise charter) must take immediate action to protect life and property, and notify proper authorities. Federal and state laws require that the cleanup of a spill should be immediate, and mitigation should be substantial.

Specific responsible party responsibilities include:

- Require Covered Vessel to immediately and directly notify NRC
- Notification to federal / state authorities
- Assessment of spill
- Identity / document type and quantity of product spilled
- Prompt containment of spilled product
- Timely and effective cleanup
- Wildlife preservation
- Restoration of damaged environment / natural resources
- Disposal of oil and oily debris
- Provide cooperation and assistance requested by responsible officials
- Establish and advertise claims procedures
- Payment for cleanup and damages
- Take steps to prevent re-occurrence of spills

NOTE: Failure to comply, remove or cooperate can be costly, e.g. (per Oil Pollution Act of 1990, P.L. 101-380) in addition to civil penalties and criminal prosecution, the responsible party can be held liable for triple (3x) the costs incurred as well as risk loss of defenses to liability and limits on liability. See Section 1.7 for details.

## **1.7 LAWS AND REGULATIONS**

### **1.7.1 Federal**

The 1972 Federal Water Pollution Control Act (33 U.S.C. 1251 et seq), as amended (Clean Water Act of 1977), prohibits the discharge of "harmful quantities" of oil or oily products into the waters of the United States. "Harmful quantity" is defined as **"enough to produce a slick or visible sheen (rainbow color) on the surface of the water."**

Violations can result in criminal prosecution, or a civil penalty for each offense, multiplied by each day of violation. This applies to both individuals and organizations. The spiller is also strictly liable for all cleanup costs and other damages.

Federal law also requires that EVERY SPILL BE REPORTED to the USCG or the EPA. Failure to report an oil spill is a CRIMINAL PENALTY, punishable by fine and/or imprisonment.

Section 4301 of the OIL POLLUTION ACT OF 1990 (P.L. 101-380), referred to as OPA 90, significantly increased the civil and criminal penalties under the Federal Water Pollution Control Act (also known as the Clean Water Act). Civil penalties now include up to \$27,500/day of violation or up to \$1,000/barrel of oil discharged. Criminal penalties include fines up to \$500,000 and up to 25 years of imprisonment. See 18 U.S.C. 3553, 3559, 3572, 33 U.S.C. 1321(b); 46 U.S.C. 2303, 3318, 3718, 5116; 33 CFR 153.205.

As noted above, in addition failure to comply, cooperate or clean up the spill can be extremely costly. Under the oil pollution liability and compensation requirements in OPA 90, the RP (spiller) can be held liable for up to triple (3x) the costs incurred; and, could lose all defenses to liability and limits on liability.

Federal limits of liability were increased in July 2006 and are now:

- For single hull tankers 3,000 gt or less, \$3K per gross ton or \$6M, whichever is greater
- For single hull tankers greater than 3,000 gt, \$3K per gross ton or \$22M, whichever is greater
- For double hull tankers 3,000 gt or less, \$1.9K per gross ton of \$4.0M, whichever is greater
- For double hull tankers greater than 3,000 gt, \$1.9K per gross ton or \$16.0M, whichever is greater
- For non-tank vessels, \$950 per gross ton or \$800K, whichever is greater. (See Coast Guard and Maritime Transportation Act of 2006, Public Law # 109-241)

Federal laws and regulations concerning oil pollution are enforced by the USCG and the EPA.

## **1.7.2 Washington State**

Washington State laws and regulations concerning oil pollution are enforced by Ecology. R.C.W. 90.56.320 prohibits oil pollution in any manner whatsoever; regardless of whether it be the result of intentional or negligent conduct, accident or other cause. Any discharge of oil, oily materials, or other hazardous substances into the water **MUST BE REPORTED IMMEDIATELY**, and steps taken to clean up the spill.

Provision is made in the state law for fines and penalties which can range to \$100,000 per incident, and for each day the spill poses risks to the environment in the case of an oil spill due to negligence. If a person intentionally or recklessly spills oil into the waters of Washington they may be subject to a penalty of \$500,000 per incident and for each day the spill poses a risk to the environment. In addition to these penalties, the spiller is also liable for the cost of the cleanup and reimbursement for environmental damage.

R.C.W. 88.40.020 also requires any vessel over 300 gross tons that transports petroleum products as cargo, to provide evidence of financial responsibility in the amount of the greater of \$1,000,000, or \$150 per gross ton of such vessel to meet liability requirements for spill cleanup costs, fines and penalties, and natural resource damages.

## **1.8 FEDERAL ROLES, RESPONSIBILITIES AND AUTHORITY**

### **1.8.1 Federal Policy**

The National Oil and Hazardous Substances Pollution Contingency Plan, 40 C.F.R., Part 300, provides for the nationwide coordinated response to oil and hazardous substance pollution. This includes the establishment of Regional Response Teams, and designation of a FOSC for all reported incidents.

### **1.8.2 Assignment of Federal On-Scene Coordinator (FOSC)**

In general, USCG provides a FOSC for spills in the coastal zone. The EPA provides a FOSC for the inland zone.

### **1.8.3 FOSC Responsibilities**

FOSC responsibilities and authorities are outlined in Section 300.120 of the NCP (40 CFR). Under the NCP, the FOSC is tasked with directing the response. This is accomplished through implementation of a spill management framework in accordance with the National Response Plan, National Incident Management System (NIMS) Incident Command System (ICS). Under NIMS ICS, a Unified Command (UC) is established, bringing together the FOSC, the State OSC and the Responsible Party IC.

Resources are coordinated by the UC to achieve an effective and efficient response.

This includes:

- Evaluating the magnitude of discharge, or potential
- Making appropriate notifications
- Ensuring safety of public and responders

- Evaluating threat to environmental resources
- Determining feasibility of removal
- Initiating containment efforts when discharge is either unknown or unavailable
- Assuming control of response operations when response efforts of the responsible party are not adequate
- Monitor response operations
- Determine when removal is complete
- Initiate enforcement action

The general philosophy of the Coast Guard and the EPA is to allow the spiller to clean up the spill, provided there is adequate progress. The FOSC will give advice and directions concerning methods of handling the spill and the thoroughness of the cleanup.

Federal On-Scene Coordinators are familiar with the spill area and will have access to a variety of information, including current charts, tide data, environmental sensitivity atlas, spill trajectory models, and weather information.

#### **1.8.4 National Strike Force (NSF) Teams**

The USCG has established regional strike teams (Atlantic, Gulf and Pacific) to provide “rapidly deployable technical experts, specialized equipment, and incident management capabilities for Lead Agency Incident Commanders and Federal On-Scene Coordinators for their response and preparedness mission.” (excerpt from USCG NSF Mission Statement) NSF capabilities include personnel trained to fill positions within the ICS structure, serve as ICS coaches, act as field monitors, provide technical expertise, deploy and operate spill response equipment, conduct air monitoring and provide emergency public information services.

Should NSF support be needed for a spill, the appropriate resources would be requested by the FOSC. The NSF is available 24 hours a day, 7 days a week to meet these requests. The Pacific Strike Team, home based in Novato, CA, is the closest team to the State of Washington.

Additional support from the Atlantic and Gulf Strike Teams may be required depending on the scope and scale of the response. The RP is responsible for the costs of NSF support, which are based on established rates.

### **1.9 STATE ROLES, RESPONSIBILITIES AND AUTHORITY**

The Department of Ecology (Ecology) is the designated lead agency for environmental pollution response within the state of Washington. As lead agency, Ecology is responsible “to oversee prevention, abatement, response, containment, and cleanup efforts with regard to an oil or hazardous substance spill to waters of the state. The director is the head of the state incident command system in response to a spill of oil or hazardous substances and shall coordinate the response efforts of all state agencies and local emergency response personnel.” (Chapter 90.56.020 RCW).

Ecology has pre-designated the State On-Scene Coordinator (SOSC) for spills occurring in state jurisdiction to represent all state agencies and the interests of the state and its citizens. Subject to the organization and duties outlined in the NWACP Ecology responsibilities include:

- Provide emergency response to reported oil and hazardous substance spill incidents (24 hours/day)
- Confirm emergency notifications
- Determine the source and cause of an incident
- Identify the responsible party for an oil spill or hazardous substance release
- Assume responsibility for incident management and cleanup if the responsible party is unavailable, unresponsive, or unidentified
- Set state cleanup standards and ensures that source control, containment, cleanup and disposal are accomplished
- Assist in monitoring and ensuring the safety of first responders and other personnel;
- Determine the need for and initiates appropriate enforcement actions
- Coordinate spill response with other state and federal agencies and tribal and local jurisdictions using the National Incident Management System (NIMS) model of Incident Command System (ICS)
- Establish a Joint Information Center (JIC) with involved agencies and the responsible party to provide current and accurate information to the community
- Conduct on-site inspections of commercial vessels and oil handling facilities
- Investigate the cause of commercial vessels and oil handling facility spills
- Provide maritime expertise, such as advise on salvage operations
- Lead, activate, and coordinate the State Natural Resource Damage Assessment (NRDA) team
- Participate in the activities of the Wildlife Branch of the Operations Section of the ICS
- Notify the appropriate resource trustee agency of injury to fish, shellfish, habitat, and other wildlife
- Fill the position of Environmental Unit Leader within the NIMS ICS structure

### **1.10 LOCAL AGENCY ROLES, RESPONSIBILITIES AND AUTHORITY**

Local governments and agencies have a duty to be prepared for all emergencies. The State Department of Community Development and WEMD are charged with establishing Local Emergency Planning Districts and Local Emergency Planning Committees to facilitate planning efforts.

LEPCs have the responsibility to create local emergency response plans. General requirements for local response plans are contained in Title III of the Superfund Amendments and Reauthorization Act of 1986.

Generally, local agencies, particularly fire and police, can be expected to provide emergency response services when there is a threat to life and property. Emergency response services

may include: fire and explosion control, perimeter control, evacuation, traffic control and initial containment or even removal depending on the nature of the incident.

It is the responsibility of on-scene coordinators to become familiar with the capability of local responders and local emergency plans as they pertain to spills, and to help develop workable local plans with the appropriate local planning agencies.

### **1.11 PRIMARY RESPONSE CONTRACTORS**

Contractors hired by or for the responsible party are responsible to carry out recovery and / or cleanup operations in conformance with federal, state and local laws, and approved contingency plans -- with safety of all personnel being the primary objective.

Any contractor hired by the responsible party, FOSC, or SOSC is responsible to carry out recovery / cleanup operations as directed by that individual or agency.

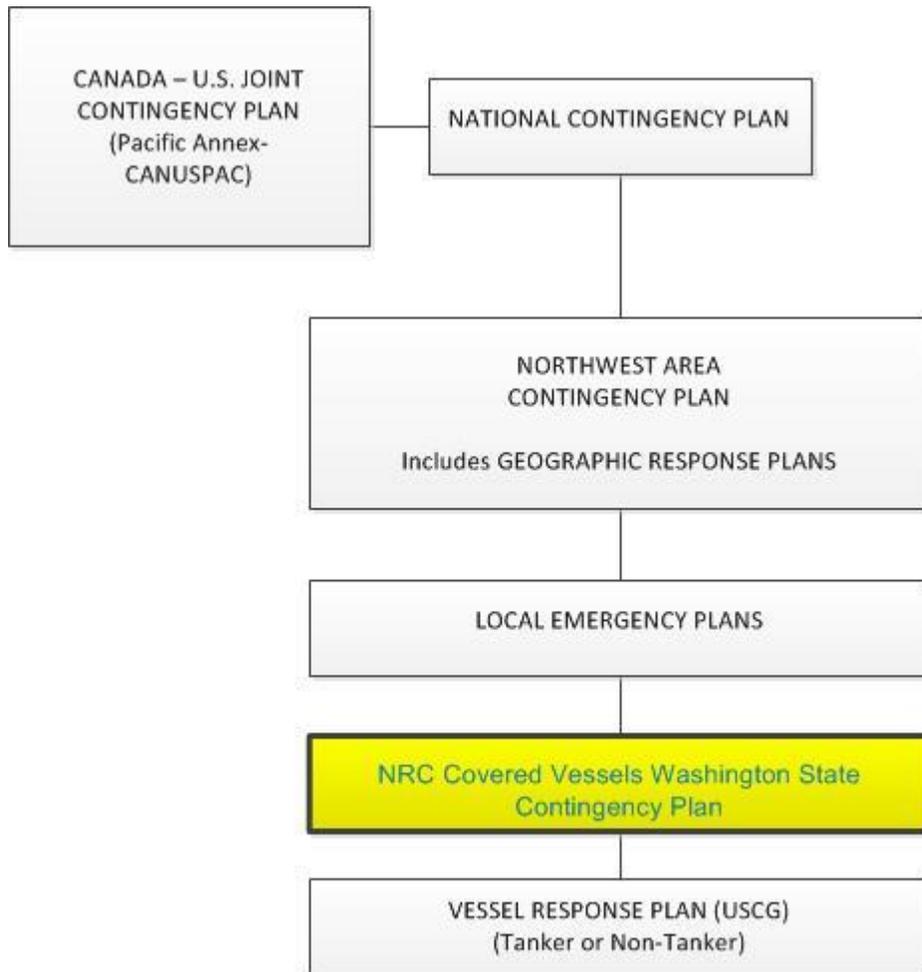
Any suggestions, recommendations or specific work orders made by the OSC (federal or state) while monitoring a spill response will be directed to the RP or its designated representative, and not directly to the contractor -- unless the contractor is designated by the responsible party as its agent.

PRCs must be approved / certified by the State of Washington pursuant to WAC 173-182.800. NRC is a state approved PRC (see Section 5.4 and Appendix A for additional information regarding NRC's oil spill response capabilities). NRC also has contracts and letters of intent for access to additional dedicated and non-dedicated oil spill response equipment which are submitted as part of the NRC PRC Application.

NRC has pre-positioned vessels, equipment and trained personnel in strategic locations throughout Washington, Oregon and California. These resources are always ready (24-hours / day) on immediate standby status. Washington State regulations require PRCs to begin mobilization efforts immediately but no later than one hour from notification of a spill. NRC personnel assigned to 2-hour response assists are required to report within a maximum of one hour to their assigned vessel staged such that they can be on scene within the prescribed time limits.

Through NRC's prepositioned response equipment and ready response personnel, NRC meets the boom, recovery and storage planning standard requirements for the WCS amounts in the planning standard areas as described in Section 1.4, with the exception of the recovery and storage requirements in the Neah Bay Planning Area at hour 6. Until infrastructure improvements in Neah Bay allow staging certain equipment in the local area, an alternate planning standard is used for the coverage of these Neah Bay Planning Area recovery and storage requirements as described in Chapter 5, Section 5.4.2.

**Figure 1-2 Relationship of Federal, State and Local Oil Spill Contingency Plans**



### **1.12 STRATEGY TO ENSURE USE OF PLAN**

To ensure use of this plan, pursuant to WAC 173-182-145:

Copies of the NRC Plan are distributed to appropriate regulatory agencies and individuals (see page iii). Additional copies of this plan may be available, at cost, from NRC and will be available in electronic version at no cost.

- NRC will communicate directly with Covered Vessel representatives, state and federal agencies, response management organizations, insurers and other related personnel and organizations regarding Covered Vessel contingency plan responsibilities.
- The NRC oil spill response organization is trained and exercised on this plan. This plan is reviewed and utilized during annual table-top exercises and training.
- This plan will be implemented during any response to a spill or drill.

### **1.13 FIELD DOCUMENT**

The FIELD DOCUMENT is for use by the Covered Vessel in the event of an oil spill or threatened oil spill. The FIELD DOCUMENT identifies the key notifications and action elements of the NRC Plan. A copy of the FIELD DOCUMENT is provided when the NRC contract for coverage is signed. The NRC contract requires that the contracting entity ensures each Covered Vessel has a copy of the NRC FIELD DOCUMENT provided for use on the bridge of the vessel.

Additional copies may be obtained from NRC by calling 206-607-3000 or downloaded at [www.nrcc.com](http://www.nrcc.com). The FIELD DOCUMENT is required by state law to be aboard Covered Vessels prior to arrival into NRC Plan covered waters. The Covered Vessel and/or Owner/Operator will follow notification requirements outlined in the FIELD DOCUMENT.

### **1.14 PLAN UPDATING PROCEDURES**

The NRC Plan will be reviewed at least annually and following each incident or exercise as/if necessary. Specifically, the plan will be updated for significant changes, both temporary and permanent, in equipment and personnel in accordance with WAC 173-182-142. Personnel assignments, names and telephone numbers will be reviewed and updated at least semi-annually. Reviews post-spill response and post-exercise should identify specific required and recommended updates with an assigned responsible person and target date for revision.

NRC commits to submitting changes to Ecology within 30 days of the review and will provide a notice in writing to Ecology within 24 hours of any significant change in the availability of spill response resources.

The plan shall be reviewed and modified if necessary and submitted to Ecology for approval every five years following initial approval.