Regulatory and Response Framework:
As Related to NAS Dilbit Study
Authorities & Jurisdiction

- Oil Pollution Act of 1990 / FWPCA / Clean Water Act
  - Vessel Response Plans – 33 CFR Section 155
  - Waterfront Facility Response Plans - 33 CFR Section 154
  - Title 46 Shipping Laws
  - Title 33 Subchapter O

- CERCLA / Superfund
- Stafford Act
- Oil Spill Liability Trust Fund

- National Response Framework:
  - National Contingency Plan- 40 CFR Section 300
    - National Response Teams
    - Regional Response Teams
    - Regional Contingency Plans
    - Area Contingency Plans
Authorities & Jurisdiction

- Executive Order 12777
  - Federal On Scene Coordinator for Coastal Zone
  - Direct / Coordinate at scene of oil discharge or hazmat release

- Coastal Zone includes navigable waterways, ports and harbors, inland rivers.
- MOU’s with EPA to delineate coastal vs. inland responsibility.
Coast Guard Areas & Districts

United States Coast Guard
Facility & Vessel Response Plans

Facility Response Plans:
- Facility capable of transferring oil or hazardous materials to vessel with capacity of 250 barrels
- Operations Manual / Equipment Requirements
- Designated workers (person in charge)
- Facilities classified by risk
- Qualified Individuals
- Types of discharge (Worst Case Discharges)
- Response equipment capability and criteria
- Exercises / Training / Drills
- Equipment Inspection

Vessel Response Plans:
- Tank and Nontank Vessels (400 gross tons)
  - This includes tank barges, unmanned barges
- Operating restrictions
- Title 46 regulations related
- Qualified Individuals
- Types of discharge (Worst Case Discharge)
- Response plan requirements and procedures
- Response equipment capability and criteria
- Exercises / Training / Drills
- Equipment Inspection
Coast Guard Response

- FOSC Authority
  - Oversight of Responsible Party actions or;
  - Federalize spill through Superfund or Oil Spill Liability Trust Fund

- Response Actions IAW aforementioned framework
  - Incident Command System

- Coast Guard Pollution Responders and FOSCRs

- Funding Methods
  - Basic Ordering Agreements (BOA)
    - Not contracts, but assurance of trained personnel, equipment, service...etc
  - Pollution Removal Funding Authorizations (PRFA)
    - Obtain services and assistance from Federal and State personnel and resources (NOAA SSC)

- Special Teams and support resources
  - National Strike Force
    - National Strike Force Coordination Center
    - Atlantic Strike Team
    - Gulf Strike Team
    - Pacific Strike Team
Certain Vessel and Facility Response Plans requirements are based on the definitions of persistent oil, which are categorized by specific gravity.

- Group II-IV oils have requirements for oils that are generally positively buoyant.
- Group V oils (specific gravity equal to or greater than 1.0) have requirements for oils that are generally negatively buoyant.

Diluted Bitumen, based on composition, can range from a Group III or IV oil. However, the characteristics of a Diluted Bitumen discharge, depending on the time and environment, could react similarly to a Group V oil.

Are the persistent oil groupings a sufficient categorization for response plans?
A Way Ahead...

- **Effective and Uniform Response Planning**
  - Familiarity with each agency’s response plan requirements
  - Work through RRTs and Area Committees to disseminate information pertaining to Diluted Bitumen and best practice response procedures.
  - Shared Analysis of where Diluted Bitumen is being transported (regions at risk)
  - Executive Seminars and Tabletop Exercises on potential Diluted Bitumen responses
  - Clear and sustainable linkage to Academic Community

- **Response Alignment**
  - Increase understanding of each agency’s responsibilities at the field (operational) level
  - Field based exercises and drills (From local to national levels)
  - Standard Training
Questions?