PI Quick Reference Guide

FWPCA	**Primary Stature;** Original law was enacted in 1972 and is the primary law used for response and enforcement discharges of oil and hazardous substances. Substance discharge violations. It created the National Contingency Plan, National Strike Force, and provisions that made the spiller obligated to respond to a spill. One of the goals was to eliminate discharge by 1985
OPA 90	**Am FWPCA** Was designed after CERCLA. Result of Exxon Valdez spill, Created $1 Billion Oil Spill Liability Trust Fund which is maintained by USCG, and allowed state to access it, created new criminal and increased civil penalties and spiller liabilities, gives the FOSC the ability to designate the responsible party and issue administrative orders, Created the National Strike Force Coordination Center. Federal project numbers for the cleanup of oil are obtained from the district commander.
OPA 90 Response plan requirements for vessels and facilities	OPA 90 states that these response plans shall be consistent with the requirements of the NCP and ACP's. Each owner or operator of a tank vessel or facility required by OPA 90 to submit a response plan shall, do so in accordance with applicable regulations. Facility and tank vessel response plan regulations, including plan requirements, are located in 33 CFR Parts 154 and 155, respectively.
OSLTF –Access -Maintains	-CANAPS Website: http://www.npfc.gov -US Coast Guard National Pollutions Funds Center
33CFR136	OSLTF Claims and Procedures and Notice of Designation
CWA	**Am FWPCA;** It defined harmful quantity and reportable quantity and established the 311K Pollution Fund. Allows USCG to clean up a spill, recover costs, gives the authority for pollution prevention regulations, and created NRC.
CERCLA	**Primary Stature;** (Comprehensive Environmental Response and Compensation Liabilities Act) Requires a person to report and clean up any reportable quantity of a hazardous substance that is released into the environment. Created the 1.6 Billion Dollar Superfund and established the National Priorities List.
CERCLA Fund -Access -Maintains	-CANAPS Website: http://www.npfc.gov -EPA
Refuse Act	Controlled by the ARMY CORPS OF ENGINEERS: Prevents the obstruction of Navigation and interference with waterway development. Cannot discharge refuse. Catch all Law.
NCP	40CFR300: The NCP is an organizational structure which specifies responsibilities among the Federal, State, and local governments and describes resources that are available for response to discharges of oil and releases of oil and hazardous substances, pollutants and contaminants.
ACP	Describes the strategy for a coordinated Federal, State and local response to a discharge or substantial threat of discharge of oil or a release of a hazardous substance from a vessel, offshore facility, or onshore facility within a specific COTP zone.
MARPOL: Regulations	73/78 Coast Guard enforces in Coastal Zone, EPA enforces Inland Zone **Annex I**: **33CFR151.09-151.29** (Regulations for the Prevention of Pollution by Oil) to reduce amount of oily waste generated from

	shipboard ops, SBT: segregated ballast tanks, CBT: clean ballast tanks, COW: crude oil washing systems, Oil Record Books, oily water separators, IOPP certificate, and adequate reception facilities. **Annex II**: **33CFR151.30-151.49** (Reception Facility Regulations for the Prevention of Pollution by Noxious Liquid Substances) Classifies chemicals into four categories A to D, D being the least hazardous, to identify proper methods of discharge and cleaning in order to drastically reduce the need for reception facilities. **Annex V**: **33CFR151.51-151.79** (Garbage Reception Facility Certification and Enforcement Program) Issued Certificates of Adequacy, COA's for reception facilities.
Delegation Of Authority	FWPCA-**33CFR1.01-80** OPA 90-**33CFR1.01-80** CERCLA**33CFR1.01-70**
Five Elements (FWPCA/CWA)	1) Discharge (Release for CERCLA) 2) Oil or Hazardous Material 3) Harmful Quantity (Reportable Quantity for CERCLA) 4) U.S. Navigable Waterway 5) Responsible Party
33CFR153, Subpart-C	**Regulation** Removal of Discharged oil**;** control of pollution by oil or hazardous substance, discharge removal.
Harmful Quantity	The quantity that causes a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.
Hazardous substance	Is also known as Reportable Quantity, hazardous substance: of oil, The quantity that exceeds the value given for a substance in table 49CFR302 in a 24-hour period.
33CFR154-156	Pollution Prevention Regulations for Vessels and Facilities 154: Facilities that transfer oil in Bulk 155:Vessels that transfer in bulk 156: Transfer Operations
SOPEP 33CFR151.26	Shipboard Oil Pollution Emergency Plans, Vessels Carrying oil, NLS, garbage, waste, and ballast water.
FOG	Field Operations Guide was used before the IMH, Incident Management Handbook, as a quick guide to the Incident Command System
ICS	For Incident Command System there is the unified command, which is comprised of an incident commander: his information officer, liaison officer, and safety officer. The four branches underneath the Incident commander are the operations section, the planning section, the logistics section, and the finance section.
Regulations Regarding "**Civil and Criminal Proceedings"**	MSM Volume 1, COMDTINST M16000.6 Maritime Law Enforcement Manual, Vol. I 16147.1 Bridge Administration Manual, COMDTINST M16590.5C **33CFR1.07**, "Enforcement; Civil and Criminal Penalty Proceedings" Civil Penalty Hearing Officers' Guide, COMDTINST M16200.5 Civil Penalty Procedures and Administration COMDTINST M16200.3A
5 Discharge categories for recommending Civil Penalties for oil spills under COMDTINST 16200.3.A	1) Failure to Report 2) Negligent Discharge 3) Knowingly Discharges 4) Knowingly Endangers Others 5) False Statement

3 Class I Civil Penalty Enforcement options	LOW NOV ROV up to $10,000
Close To File (CTF)	Used to document a mystery spill
Letter of Assumption	LOA is used when the RP is not taking actions to abate the threat, or is not properly keeping with the correct safety procedures and standards set by the CG to abate the threat.
Letter of Undertaking (Used to pay for cleanup ops)	Promise given by the violator, his agent or his insurer that, upon demand, they will file an approved surety bond with the CG. An official promise that the company will pay for the cleanup operations.
Surety Bond (Used for a Penalty)	Similar to insurance, independent company of the alleged violator, agrees to pay up to a certain sum of money if a **penalty** is assessed. If a surety bond is not obtained from a foreign vessel when a violation is observed penalty collection is difficult because the vessel has left the jurisdictional limits of the U.S.
BOA	Basic Ordering Agreement: Contract with an OSRO like ES&H and OILMOP to clean up a spill
Captain of the Port Order Vessel: 33CFR160.111 Facility: 33CFR160.109	Given to a vessel or facility, verbally or administratively, ensures vessel and waterfront facility safety and protects navigable waters by establishing temporary operating conditions for a particular hazardous condition. -An order to a facility can only direct the handling, loading, unloading, storage and movement of explosives or other dangerous articles and substances including oil or hazardous material
COTP- **specific situations and hazards**	*__COMPLIANCE WITH ORDERS__ (33 CFR 160.105) *__DENIAL OF ENTRY__ (33 CFR 160.107)-under the provisions of the Port and Tanker Safety Act or the regulations issued there-under *__WATERFRONT FACILITY SAFETY__ (33 CFR 160.109) *__SPECIAL ORDERS APPLYING TO VESSEL OPERATIONS__ (33 CFR 160.111)- reasonable cause to believe vessel is not in regulations, or does not satisfy conditions for vessel ops and cargo transfers, in interest of safety due to weather, visibility, sea conditions, temp conditions of the port, or condition of the vessel *__PROHIBITION OF VESSEL OPERATION AND CARGO TRANSFERS__ (33 CFR 160.113) – due to history, may pose a threat to marine environment also: a) Fails to comply with applicable regulation b) Discharges any oil or hazardous material in violation of any law or treaty of the U.S. c) Does not comply with applicable vessel traffic service requirements d) While underway does not have at least one licensed deck officer on the navigation bridge who is capable of communicating in the English language - Provisional entry: Vessels that are prohibited but entry is necessary for the safety of the vessel. *__WITHOLDING OF CLEARANCE__ (33 CFR 160.115) COTP ask Secretary of Treasury to withhold or revoke clearance
Non-Federal Cleanup COTP responsibility	Through the FOSCR that person supervises spill cleanup ops to ensure the efficient recovery of the oil or hazmat. The FOSCR also insures worker safety. The FOSCR should speak to the RP is they have a problem w/ cleanup ops
Federal Cleanup	Through the FOSCR that person is directly responsible for spill

COTP responsibility	cleanup ops to ensure the efficient recovery of the oil or hazmat. They must insure worker safety and keep track of the costs incurred by the OSRO.
Who can issue a NOV? The criteria?	-A marine pollution NOV issuing Officer -5 elements and history of (vessel/facility), and cause of spill
OSC Response relationship between EPA and CG	Depending upon the situation, whoever is on scene first decides who the OSC is.
NOAA SSC	National Oceanic and Atmospheric Assoc. Scientific Support Command (fed) Our SSC is Charlie Henry, he can answer questions about spill information, cleanup action in area and info on sensitive areas.
QI -Responsibilities -Qualifications -Who is Exempt	**-1)** Activate and engage in contracting with oil spill removal organization. 2) Act as a liaison with the pre-designated FOSC. 3) Obligate funds, required to carry out response activities. **-1)** Be located in U.S. Except for vessels operating in the Great Lakes, Straight of Juan de Fuca, and Puget Sound, WA. 2) Speak fluent English. 3) Be familiar with the implementation of the FRP. 4) Trained in the responsibilities of the QI under the Response Plan. **-1)** Vessels and Facilities not regulated under 33CFR154 or 155
Guidelines for entering Private Property	Minimize: Possibility of a spill, Damaging effects of a spill Determine: Severity of spill, Source of spill, and Possible courses of action to mitigate spill damage.
Non-Consent Entry	(Contact Office - District - Legal - Court Order) Local Authorities will escort
If Owner is absent	If absent & gaining immediate access not possible: (Have local authorities or other CG personnel present.) Exception: we can access if necessary to prevent pollution, etc.
Notification requirements	RP must call the NRC, CG, IMMEDIATELY according to **33CFR135.303**
Factors for determining a RP	Substance characteristics, Physical location, Weather Conditions, Source Characteristics, Weathering effects of a pollutant, Responsible party's history, human health and welfare
POLREP	Pollution report for all ACTUAL, or POTENTIAL: MEDIUM or MAJOR spills, for any spill where a federal project number is obtained, and for any spill where MEDIA, AND PUBLIC attention is HIGH
On scene documentation	NOFI, and Witness statement
NOFI	Notice of Federal Interest, says three things: 1) There was a spill, 2) The CG is interested in it and is investigating the spill, and 3) If they are found to be the responsible party they will be fined $32,500 a day or up to 3x the cleanup cost
Witness statements	Two People should sign the statement: PW and the Witness; The statement should include the five elements
Two ways a witness statement can be taken	*Written* and *Verbal*;
Types of Witness Statements	1) Written and signed by the witness 2) Attested Notes of the PI / written by the PI signed by the Witness to be correct 3) Verified and attested note of the PI written by the PI, signed by third party to the witness verifying correctness. 4) Verified and unattested notes of the PI written by the PI signed by another person who heard the interview and attests

	to the statement as true 5) Unverified Unattested summary of interview from PI w/no witness and witness refusal to provide a statement. Has little evidentiary value.
Photographs	When conducting a pollution investigation you must either take pictures from a center point and work your way out, or start from a distance and work your way in. You must include the path of discharge and as many of the 5 elements of a case: Discharge, of a Hazardous Substance in a Harmful quantity, into or upon a U.S. Navigable Waterway, by a Responsible Party
What 3 samples are required	1st one has to be the discharge, second would be suspected source, third would be clean water source
Sample labeling	Chain of Custody: unit info, activity #, date and time, description of evidence, sample taken by: X, and witness
Sample stowage and Shipping	You give the evidence to the sample custodian and they ship it out
Mechanical Cleanup Techniques	Vacuum, Skimmers, Debris removal, Vegetation Removal, Sediment Reworking/Tilling Flooding
Non-Mechanical Cleanup Techniques	Manual labor, Sorbents, Boom, Dispersants, High/Low pressure Flushing
Dispersants	Use of dispersants must include a checklist in order to be used for a cleanup… Dispersants can be used when it is beneficial to the environment, when in waters of over 10 meters deep and farther than 3 nautical miles offshore, a contract was made between a dispersant contractor prior to the spill, what type of application will be used: (boat, air, other), Boat: when sea conditions are safe for the type of boat Air: Winds <25 knots, Visibility is> 3 nautical mi, ceiling is > or = to 1,000 ft, and last but not least dispersant is on NCP product.
Booming Strategies	Diversion, Exclusion, Containment, Cascading
What are some types of sorbent materials	Natural organic materials :(peat moss, straw, hay, sawdust) Synthetic organic sorbents: (rubber, polyester foam, polystyrene, polyurethane)
Types of skimmers	Weir skimmer – takes advantage of gravity to drain the oil off the surface Centrifugal – operates by creation of a vortex or whirlpool Submersion – Sorbent surface – surface which to oil can adhere to
MSM VOL I Chapt 1 Appendix A	Units Safe Work Practice Instruction For Pollution Response
Safety	OSC, FOSCR is in charge of safety on site
CHRIS Manuals (Chemical Hazards Response Information System)	Provides Coast Guard personnel technical information for initial response to hazardous material discharges, and basic treatment for people exposed to those chemicals There is only **one** condensed CHRIS Manual for first responders, there used to be four of the manuals
Other Printed and Electronic Information Resources	Online: CHRIS, CFR, NRC Reports, MSDS Printed: DOT Emergency Response Guidebook, NIOSH Chemical Handbook, CFR's and CHRIS, MSDS

NIOSH	Is used to find TLV information about certain Hazardous Substances
29CFR1910.120	Personal Protective Equipment Regulations
Confined Space Entry	Units SOP Chapter 33 pgs 14 through 21 As PI we do not enter ANY confined spaces
Unit EEBD Policy	Unit SOP Chapter 33 pg 18 Safety and Environmental Health The Marine inspector should carry an EEBA if there is a possibility of a sudden release of toxic or explosive gases or vapors.
3 Zones that define Access control	Exclusion Zone (Hot Zone or Restricted Area) Contamination Reduction Zone (Warm Zone or Buffer Zone) Support Zone (Cold Zone or Unrestricted Area)
Levels of PPE	A: SCBA (full face), Fully encapsulated chemical-protective suit, gloves, inner and outer chemical resistant: **Highest level of PPE** B: SCBA, Coveralls, one or two piece chemical splash suit (Tyvek, Saranax), Gloves (inner and outer), Boots (and covers –disposable), hardhat, face shield C: Full or Half mask, hooded chemical resistant clothing, Coveralls, chemical resistant gloves (inner and outer), boots and boot covers, Hardhat, EEBA, face shield D: The atmosphere contains no known hazard; Coveralls, Steel toe boots, Gloves, safety glasses, hardhat, EEBA, face shield; **Lowest level of PPE.** Note: Half mask may be added to protect against benzene vapors IAW OSHA Benzene standard.
LEL and UEL	Lower and Upper Explosive Limit: Any concentration too rich (UEL) or too lean (LEL) to be ignited
IDLH	Immediately Dangerous to Life and Health. The maximum concentration from which one could escape within 30 min w/o any escape-impairing symptoms or irreversible health effects. (Used to determine respirator selections).
4 routes of exposure	Inhalation, Ingestion, Injection, and Absorption
Inhalation	Is the most probable route of exposure we limit that by the time we are on scene and by proper use of PPE