

Northeast and Eastern Central Florida Area Contingency Plan

Annex 2000: Unified Command



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2000 Command

Historically, the success or failure of an oil spill response effort is often determined as much by the organization in place as by the availability of personnel and clean up equipment. One of the purposes of this plan is to ensure that all appropriate agencies in Northeast and Eastern Central Florida are aware of, and involved in, the local “oil spill response organization.”

In this plan, the local oil spill response organization will be divided into two categories, planning and response. Both will be in place prior to an oil spill event and will be periodically exercised and/or evaluated.

In events sufficiently significant to involve agencies other than the Coast Guard, oil spill response in the Sector Jacksonville area will be based on the Unified Command System (figure 1). The [Incident Management Handbook](#) lists numerous key positions that should be filled during a “significant” response. To ensure the best possible response, it is essential that the most qualified individuals fill these positions. Who fills the positions depends on the particular incident; however, it is highly unlikely that they will all be from the Coast Guard or any other individual agency. It is highly possible that some of the key individuals may be employees of the responsible party. This is particularly true when cleanup by chemical means (e.g. use of dispersants) is being considered.

Refer to the Incident Management Handbook (IMH) for the Incident Command System prepared by USCG, Office of Response (G-MOR-3) for specific information on all duties and positions. Refer to Appendix 9700 for ICS forms and job aids.

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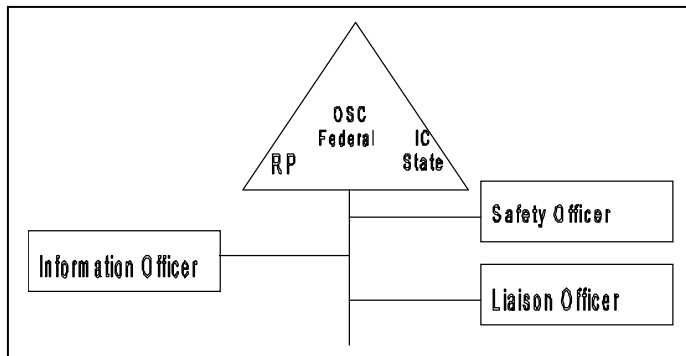
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2100 Unified Command – Command Structure

The Unified Command Structure (UCS) provides an organization capable of anticipating and responding to pollution response emergencies.

The UCS is based on the Incident Command System (ICS) and is intended to provide a “common ground” to jointly coordinate command and control for a large number of response agencies. UCS is designed to bring together continuous decision making input from response groups at every level: City, County, State, Federal and the commercial community.



(Figure 1)

Each response agency and group is responsible to participate in UCS at the appropriate decision making level. The UCS is designed to develop proactive consensus building in anticipation of response requirements, making liaison and direct communication between key response decision makers an integral and continuous part of the emergency response process. Each agency retains its own organizational identity, chain of command and direct control of personnel and resource tasking. See Figure 1.

While a single IC normally handles the command function, an ICS organization may be expanded into a UC. As a component of an ICS, the UC is a structure that brings together the “Incident Commanders” of all major organizations involved in the incident to coordinate an effective response while at the same time carry out their own jurisdictional responsibilities. The UC links the organizations responding to the incident and provides a forum for these agencies to make consensus decisions. Under the UC, the various jurisdictions and/or agencies and non-government responders may blend together throughout the organization to create an integrated response team.

The UC may be used whenever multiple jurisdictions are involved in a response effort. These jurisdictions could be represented by:

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- Geographic boundaries (e.g., two States, Indian Tribal Land);
- Governmental levels (e.g., Federal, State, Local.);
- Functional responsibilities (e.g., fire, oil spill, EMS);
- Statutory responsibilities (e.g., Federal Land Managers, RP OPA90 or CERCLA); or
- Some combination of the above.

Unified Command make-up for a specific incident will be determined on a case-by-case basis taking into account: (1) the specifics of the incident; (2) determinations outlined in existing response plans; or (3) decisions reached during the initial meeting of the UC. The makeup of the UC may change as an incident progresses, in order to account for changes in the situation.

The UC is a team effort, but to be effective the number of personnel should be kept as small as possible. A well-defined process requires the UC to set clear objectives to guide the on-scene response resources.

The UC is responsible for overall management of the incident. The UC directs incident activities, including development and implementation of overall objectives and strategies, and approves ordering and releasing of resources. The UC is not a “decision by committee”. The principals are there to command the response to an incident. Time is of the essence. The UC should develop synergy based on the significant capabilities that are brought by the various representatives. There should be personal acknowledgement of each representative’s unique capabilities, a shared understanding of the situation, and agreement on the common objectives. With the different perspectives on the UC comes the risk of disagreements, most of which can be resolved through the understanding of the underlying issues. Contentious issues may arise, but the UC framework provides a forum and a process to resolve problems and find solutions.

A cooperative attitude and a thorough understanding are essential. So does a thorough understanding of the ICS IAP Cycle. Nevertheless, situations may arise where consensus agreement may not be reachable. In such instances, the UC member representing the agency with primary jurisdiction over the issue would normally be deferred to for the final decision.

The bottom line is that UC has certain responsibilities as noted above. Failure to provide clear objectives for the next operational period means that the Command function has failed. While the UC structure is an excellent vehicle (and the only nationally recognized vehicle) for coordination, cooperation, and communication, the duly authorized representatives must make the system work successfully. A strong Command--a single IC or UC--is essential to an effective response.

Each UC member may assign Deputy Incident Commander(s) to assist in carrying out IC responsibilities. UC members may also be assigned individual legal and administrative support from their own organizations.

To be considered for inclusion as a UC representative, your organization must:

- Have jurisdictional authority or functional responsibility under a law or ordinance for the incident; and,
- The incident or response operations must have impact on your organization’s AOR; and,
- Your organization must be specifically charged with commanding, coordinating or managing a major aspect of the response; and,
- Your organization must have the resources to support participation in the response organization.

UC representatives must be able to:

- Agree on common incident objectives and priorities;
- Have the capability to sustain a 24-hour-7-day-a-week commitment to the incident;
- Have the authority to commit agency or company resources to the incident;
- Have the authority to spend agency or company funds;
- Agree on an incident response organization;

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- Agree on the appropriate Command and General Staff position assignments to ensure clear direction for on-scene tactical resources;
- Commit to speak with “one voice” through the IO or JIC, if established;
- Agree on logistical support procedures; and
- Agree on cost-sharing procedures, as appropriate.

It is important to note that participation in a UC occurs without any agency abdicating authority, responsibility, or accountability.

What if your agency is not a part of the Unified Command? Here is how to ensure your organization’s concerns or issues are addressed:

- Serve as an agency or company representative.
- Provide input to your agency or company representative, who has direct contact with the LO.
- Provide stakeholder input to the LO (for environmental, economic, or political issues).
- Serve as a Technical Specialist in the Planning Section (reassigned, as appropriate).
- Provide input to a UC member.

2110 Federal Representative

The NCP, 40 CFR 300, requires Federal On-Scene Coordinators (FOSCs) to direct response efforts and coordinate all other actions at the scene of a spill or release. The FOSC is the pre-designated Federal official responsible for ensuring immediate and effective response to a discharge or threatened discharge of oil or a hazardous substance. The U.S. Coast Guard designates FOSCs for U.S. coastal zones, while the U.S. EPA designates FOSCs for U.S. inland zones. The first federal official affiliated with an NRT member agency to arrive at the scene of a discharge should coordinate activities under the NCP and is authorized to initiate, in consultation with the FOSC, any necessary actions normally carried out by the FOSC until the arrival of the pre-designated FOSC. This official may initiate federal Fund-financed actions only as authorized by the FOSC.

The FOSC shall, to the extent practicable, and as soon as possible after the incident occurs, collect pertinent facts about the discharge, such as its source and cause. Identify responsible parties, the nature, amount, and location of discharged materials along with predicting the trajectory of discharged materials. Then determine whether the discharge is a worst case discharge, the pathways to human and environmental exposure, the potential impact on human health, welfare, safety and the environment and whether the discharge poses a substantial threat to the public health or welfare. Next, the FOSC shall identify the potential impact on natural resources and property, and discuss priorities for protecting human health, welfare and the environment. Lastly, they must ensure appropriate resource documentation.

The FOSC shall ensure that the trustees for natural resources are promptly notified of discharges. The FOSC shall coordinate all response activities with the affected natural resource trustees and shall consult with the affected trustees on the appropriate removal action to be taken. When the FOSC becomes aware that a discharge may affect any endangered or threatened species, or their habitat, the FOSC shall consult with the appropriate Natural Resource Trustee.

The FOSC's efforts shall be coordinated with other appropriate federal, state, local, and private response agencies. An OSC may designate capable individuals from Federal, State, or local agencies to act as her/his on-scene representatives. State and local governments, however, are not authorized to take actions under Subpart D of the National Contingency Plan (NCP) that involve expenditures of the Oil Spill Liability Trust Fund (OSLTF) unless a Pollution Removal Funding Authorization (PFRA) has been completed between the FOSC and local government representative.

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The FOSC should consult with the Regional Response Team (RRT), when necessary, in carrying out the requirements of the NCP and keep the RRT informed of activities under the NCP.

Instances where a public health emergency exists, the FOSC should notify the Health and Human Services (HHS) representative to the RRT. Throughout response actions, the OSC may call upon the HHS representative for assistance in determining public health threats and call upon the Occupational Safety and Health Administration (OSHA) and HHS for advice on worker health and safety problems.

The FOSC must ensure National Resource Trustees are promptly notified of discharges. The OSC must coordinate all response activities with the affected Natural Resource Trustees and must consult with the affected trustees on the appropriate removal action to be taken. When the OSC becomes aware that a discharge may affect endangered or threatened species, or their habitat, the OSC must consult with the appropriate Natural Resource Trustee. The FOSC will submit pollution reports to the RRT and other appropriate agencies as significant developments occur during response actions, through communication networks or procedures agreed to by the RRT and covered in the RCP.

FOSCs should ensure that all appropriate public and private interests are kept informed and that their concerns are considered throughout a response, to the extent practicable.

2120 State Representative

The State Incident Commander is responsible to ensure all pertinent resource, cultural, archaeological, environmental and economic issues are discussed and decisions within the UC are based on sound state-specific information. This individual must be able to make decisions with minimal internal agency consultation.

2130 Responsible Party (RP) Representative

Under OPA 90, the responsible party has primary responsibility for cleanup of a discharge. The response shall be conducted in accordance with their applicable response plan. Section 4201(a) of OPA 90 states that an owner or operator of a tank vessel or facility participating in removal efforts shall act in accordance with the NCP and the applicable response plans as required. Section 4202 of OPA 90 states that these response plans shall be consistent with the requirements of the NCP and ACPs. 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.

As defined by OPA 90, each responsible party of 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 or adjoining shorelines or the Exclusive Economic Zone is liable for the removal costs and damages specified in Subsection (b) of Section 1002 of OPA 90. Any removal activity undertaken by a responsible party must be consistent with the provisions of the NCP, the Regional Contingency Plan (RCP), the ACP, and the applicable response plan required by OPA 90. Each responsible party for a vessel or facility from which a hazardous substance is released, or which poses a substantial threat of a discharge, is liable for removal costs as specified in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 U.S.C. 9601 et seq.).

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2140 Unified Command Objectives

Typical operational objectives for the **first operational period** include (in no particular order):

- Confirm the existence and extent of the spill/release.
- Secure the source of the spill.
- Evaluate the extent of contamination.
- Assemble agency unified operations group on-scene.
- Confirm/execute all notifications to concerned local, county, state, and federal agencies.
- Assess the need to mobilize additional contract response resources (it is generally better to mobilize early (then release if the asset is not needed) rather than delay for fear of over-reaction.
- Establish a defined response organization.
- Examine key response financial issues (see Annex 6000 of this plan).

Typical operational objectives for the **second operational period** include (in no particular order):

- Fully evaluate/reconnaissance the extent of contamination.
- Implement the unified command organization and verify operations are being conducted in conformity with the National Incident Management System/Incident Command System.
- Begin relocation of Incident Command functions from on-scene unified operations group operations center to off-site/suitable Unified Command Post.
- Conduct Incident Planning cycle, including initial response strategies and objectives.
- Define/confirm media relations approach.
- Liaison Officer: initiate contact with local municipalities and establish communication channels.
- Safety Officer: develop, train on, and deploy initial site-specific safety and health plan by coordinating with contractor and government safety plans.
- Information Officer: prepare first press release, establish Joint Information Center, and organize first media briefing.

Typical operational objectives for the **Third operational period** include (in no particular order):

- Transition from immediate operations driven response posture to a pre-planned operations response posture. By 48 hour mark, establish a good understanding of the extent of the spill/release and overall objectives throughout response organization.
- Conduct routine situation briefings.
- Conduct daily objectives, tactics, and planning meetings in accordance with established response meeting schedule.
- Deliver fully developed daily incident action plans.

2150 Command Staff Elements

The USCG [Incident Management Handbook](#) details the UCS organization. The Unified Command of the response organization and each of the Sections Chiefs for Planning, Operations, Logistics, and Finance are tasked with proactively evaluating organizational requirements and implementing changes to the UCS organization in anticipation of the requirements of specific response conditions.

The Command Staff (figure 3) is made up of the following five functional areas:

1. Command Level: Unified Command and Command Staff;
2. Planning Section;
3. Operations Section;

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4. Logistics Section;
5. Finance Section.

2200 Command/Command Staff

The Unified Command for an oil discharge in the marine environment includes:

- 1) OSC – the pre-designated Federal On Scene Coordinator;
- 2) Qualified Individual or Incident Commander representing the Responsible Party; and
- 3) The pre-designated SOSOC representing State and local response agencies.

The responsibilities of the Unified Command include:

- 1) Mobilize, implement and manage the UCS organization needed to accomplish response objectives.
- 2) Assess incident priorities.
- 3) Determine strategic goals and tactical objectives.
- 4) Develop or approve the Incident Action Plan and ensure each agency implements and accomplishes those actions for which they are responsible.
- 5) Approve access to the Oil Spill Liability Trust Fund (OSLTF) and set response funding ceilings.
- 6) Anticipate response needs and authorize the ordering, deploying, and demobilization of response resources.
- 7) Serve as the ultimate safety authority, approve the Site Safety Plan, and ensure the maximum achievable level of worker health and safety for all responders.
- 8) Authorize information releases to the media and participate in scheduled press conferences.

The Command Staff includes:

- A. Deputy OSC;
- B. Safety Staff;
- C. Liaison Staff;
- D. Public Affairs Staff;
- E. Investigations Staff;
- F. Information Management Staff;
- G. Legal Staff.

2210 Deputy FOSC

The responsibilities of the Deputy FOSC include:

- 1) Monitor and direct the Command Staff and the Section Chiefs to accomplish the strategic goals and tactical strategies defined in the Incident Action Plan.

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- 2) Serve as the OSC, in the absence of the OSC.
- 3) Identify and establish priorities related to the internal management and organizational structure of the UCS.

2220 Safety Officer

The responsibilities of the Safety Officer and his or her assistant and safety observers include:

- 1) Identify and evaluate safety and health hazards that may impact both response workers and the public, designate exclusion zone boundaries, and determine levels of personal protective equipment required.
- 2) Write and update the Site Safety Plan using the [templates](#).
- 3) Implement and manage the Safety Staff needed to continuously monitor and evaluate safety and health conditions and to prevent unsafe conditions.
- 4) Insure that all responders have adequate skills to safely perform assigned tasks and that required levels of training are documented.
- 5) Provide or coordinate health and safety training and regular safety briefings required to perform response activities.
- 6) Coordinate with public, government, and industry health and safety officials regarding public health concerns, including evacuations, limiting access to public areas, beach closures, and fisheries restrictions.
- 7) Resolve and identify to the Unified Command significant safety and health issues.

2230 Liaison Officer

The responsibilities of the Liaison Officer and his or her assistants include:

- 1) Serve as the initial point of contact for participating response agencies and groups and identify assignments to appropriate UCS sections.
- 2) Receive and coordinate all calls from public and private entities offering assistance or requesting information.
- 3) Resolve and identify to the Unified Command public and private concerns related to the status and effectiveness of the response.

2240 Public Affairs Officer

The Information Officer is responsible for developing and releasing information about the incident to the news media, to incident personnel, and to other appropriate agencies and organizations.

Only one Information Officer will be assigned for each incident, including incidents operating under UC and multi-jurisdictional incidents. The Information Officer may have assistants as necessary, and the assistants may also represent assisting agencies or jurisdictions.

The responsibilities of the Public Affairs Officer and his or her assistants include:

- 1) Serve as the central clearing point for the dissemination of official information representing the UCS to the media.

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- 2) Implement and manage the Joint Information Center (JIC) as the central location for disseminating official information.
- 3) Schedule, organize, and conduct UC media briefings, interviews, and tours.
- 4) Develop presentation documentation such as charts, maps and graphics to support both response operation and media briefings.
- 5) Resolve conflicting information and identify media concerns to the Unified Command.
- 6) Implement and manage the Public Affairs Staff needed to proactively accomplish Public Affairs tasking.

2250 Investigation Staff

The responsibilities of the Investigation Staff include:

- 1) Identify and document the source of a discharge and the responsible party.
- 2) Secure statements, physical evidence, and samples necessary to establish the cause of a discharge, identify the responsible party.
- 3) Gather other information that may be required from the scene of an incident that may be required by the UC, including:
 - (a) the quantity of the discharge;
 - (b) the status of vessels, facilities, or personnel involved in the incident; and
 - (c) evidence of impact, damage or loss.
- 4) Coordinate concurrent investigations and conduct cooperative investigations where appropriate.
- 5) Manage the availability of evidence that may be required by separate or divergent investigation.
- 6) Inform the Unified Command of the status of investigations.
- 7) Implement and manage the Investigation Staff needed to proactively accomplish investigation tasking.

2260 Information Management Staff

The responsibilities of the Information Management Staff include:

- 1) Implement and manage the Information Management Staff needed to facilitate the availability of response information in the UC.
- 2) Coordinate information management system within the UCS to ensure the proper routing and availability of response information.
- 3) Coordinate standard information display systems, status boards, summary forms, and other methods to effectively manage response information.

2270 Legal Staff

The responsibilities of the Legal Staff include providing legal advice to the Unified Command in support of response decision-making.

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2300 Health and Safety

Coast Guard employees, other government employees, and contract personnel involved in oil spill response activities must comply with all applicable worker health and safety laws and regulations. The primary federal regulations are the Occupational Safety and Health Administrations (OSHA) standards for hazardous waste operations and emergency response found in 29 CFR 1910.120. This rule regulates the safety and health of employees involved in cleanup operations at uncontrolled hazardous waste sites being cleaned up under government mandate and in certain hazardous waste treatment, storage, and disposal operations conducted under the Resource Conservation And Releases Recovery Act of 1976 (RCRA). The regulations also apply to both emergency response and post-emergency cleanup of hazardous substances. The definition of hazardous substance used in these regulations is much broader than CERCLA, encompassing all CERCLA hazardous substances, RCRA hazardous waste, and all DOT hazardous materials listed in 49 CFR Part 172. Thus, most oil and oil spill responses are covered by these regulations. The rules cover employee protection during initial site characterization analysis, monitoring activities, materials handling activities, training, and emergency response.

OSHA classifies an area impacted by oil as an uncontrolled hazardous waste site. However, the regulations do not automatically apply to an oil spill cleanup. There must be an operation that involves employee exposure or the reasonable possibility for employee exposure to safety or health hazards. A typical beach cleanup worker collecting tar balls of weathered oil or deploying sorbents to collect a sheen may not be exposed to a safety or health risk. The role of the site safety and health supervisor (the Coast Guard District Occupational Health and Safety Coordinator could fill this position) is to assess the site, determine the safety and health hazards present, and determine if OSHA regulations apply. If an OSHA field compliance officer is on-scene, he or she should be consulted to determine the applicability of OSHA regulations. Disputes should be referred to the Department of Labor representative on the RRT. The individual making the site characterization should communicate the hazards associated with the spill, and provide recommendations for the protections of workers' safety and health through a site safety plan. The responsibility for the health and safety of personnel supporting a pollution response mission rests with the On Scene Coordinator.

For oil spill responses where OSHA regulations apply, the OSC must ensure that paragraphs (b) through (o) of 29 CFR 1910.120 are followed. Of most concern are the training requirements for CG personnel. Coast Guard personnel assigned to an MSO and routinely involved in pollution response should complete a 40 hour course meeting OSHA training requirements in paragraph (e) of 29 CFR 1910.120. Training records should reflect that OSHA requirements have been satisfied. Contractors are responsible for certifying the training of their employees. OSHA has recognized the need to remove oil from the environment and has empowered the OSHA representative to the RRT to reduce the training requirement to a minimum of 4 hours for responder engaged in post emergency response operations. An example of a post emergency response effort is shoreline cleanup operations. The reduced training applies to all Coast Guard personnel and to the private sector. This information may be found in OSHA Instruction CPL 2-2.51. The level of training required depends on the potential for exposure. Workers required to use respirators must have 40 hours of off-site training. The OSHA field compliance officer should be contacted to ascertain the worker training requirements and develop an implementation plan to minimize the hazards of exposure to workers involved in cleanup operations. Training requirements may vary from State to State. State requirements that are more restrictive will preempt Federal requirements. The OSC should establish contact with the State OSHA representative, where applicable, to determine the State training requirement for oil spill response.

The Safety Officer is responsible for monitoring and assessing hazardous and unsafe situations, and developing measures for assuring personnel safety. The Safety Officer will correct unsafe acts or conditions through the established line of authority, although the Safety Officer may exercise emergency authority to stop or prevent unsafe acts when immediate action is required. The Safety Officer maintains awareness of active and developing situations, ensures the preparation and implementation of the Site Safety Plan and all safety messages with the IAP. Refer to Appendices [9720.100 Incident Management Handbook](#), [9720.200 ICS Forms Database](#) and [9300 Draft IAP](#) for additional information and an IAP template.

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2310 Site Characterization

[RESERVED FOR AREA COMMITTEE DEVELOPMENT]

2320 Site Safety Plan

At a minimum, the plan should include health and safety hazard analysis for each site, task or operation with a comprehensive operations work plan. It should address personnel training requirements, personal protective equipment selection criteria and confined space entry procedures. In addition, it should detail an air monitoring plan, site control measures, and the format for pre-entry and pre-operations briefings. Refer to Appendix [9310 Site Safety Plan](#) for information necessary to develop a site safety plan and for an ICS compatible template.

2330 Operational Risk Management (ORM)

[RESERVED FOR AREA COMMITTEE DEVELOPMENT]

2400 Information

The Information Officer is responsible for developing and releasing information about the incident to the news media, to incident personnel, and to other appropriate agencies and organizations. Only one Information Officer will be assigned for each incident, including incidents operating under Unified Command. The Information Officer may have assistants as necessary with the assistants representing assisting agencies and jurisdictions.

2410 Protocol for Access / Timing of Media Briefings

[RESERVED FOR AREA COMMITTEE DEVELOPMENT]

2420 Joint Information Center (JIC)

During a major oil spill when media activity is expected to last several days, the lead Information Officer (IO) should establish a [Joint Information Center](#) (JIC) to coordinate the Public Affairs activities of participating agencies and parties. The role of the JIC is to provide multiple phone lines for incoming calls, staffed by knowledgeable individuals; and ensure State and Federal Government Public Affairs Officers (PAOs) are available to the media. In addition the JIC develops joint news releases under the UC, and schedules, organizes, and facilitates news conferences.

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It is recommended that the JIC be in the same building as the Command Center, but in a room separate from other sections. PAOs need to be close to the UC and other sections for effective communication, but not so close as to disturb response operations. Equipment needs for the JIC vary, dependent on the size and impact of the incident, and media and public interest levels. If possible, a separate “Press Room” should be established for reporters’ use, at spills that attract a great deal of media interest. This room may be used by reporters covering the story, and would ideally be equipped with several phone lines, electrical outlets, and a couple of desks, tables and chairs. There should be a way to display maps, status boards, and other visual aids that could be used on-camera, and a table near the door for the latest news releases, fact sheets, and advisories. If there is room for seating and a podium with PA system, the press room is a good site for all formal news conferences. This allows TV news crews to set-up cameras in advance, and reporters to do stand-ups and call-ins from an easy, central location.

2430 Media Contacts

See Appendix 9260 for a detailed list of media contacts.

2500 Liaison

The Liaison Officer is the point of contact for personnel from assisting and cooperating agencies. The Liaison Officer will proactively coordinate with state and local government officials, keeping them advised of the situation and anticipated actions and listening to their concerns. Refer to Appendix [9200 Personnel and Services Directory](#) for a list of federal, state and local trustees, agency representatives and environmental, economic and political stakeholders.

2510 Investigators

While many if not all spills and releases are marine casualties over which the Coast Guard has jurisdiction under Title 46 Code of Federal Regulations part 4, the National Transportation Safety Board (NTSB) often investigates accidents resulting in large oil or hazardous substance discharges. Accordingly, relationships between investigators will be governed by the Memorandum of Understanding between the Coast Guard and the NTSB, as well as side-bar agreements on investigation between state and local investigators. The FOOSC will normally group the investigation as a separate entity from the response through the Liaison Officer. The Liaison will normally appoint an assistant solely to handle the investigators during a large response or complex investigation; this assistant should immediately contact the Coast Guard’s Office of Investigation and Analysis in Washington DC through the Coast Guard chain of command to discuss the details of the investigation/response relationship in the particular case at hand.

2520 Federal/State/Local Trustees

2520.1 Identification Of Lead Administrative Trustee (LAT)

The Natural Resource Trustee will notify the U.S. Coast Guard of the LAT as soon as possible after an oil spill. As required by E.O. 12777 (October 22, 1991), the Federal Natural Resource Trustee must select a LAT. Depending on the resources at risk and other relative factors, it might be appropriate for the LAT to be a non-federal agency. In such cases, the Federal Natural Resource Trustees would still select a Federal LAT for the purpose of coordination with the representatives of the Oil Spill Liability Trust Fund (OSLTF) to initiate the damage assessment. The non-federal LAT will coordinate all other damage assessment activities.

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The Natural Resource Trustees intend to execute a general Memorandum of Agreement (MOA) to coordinate damage assessment and restoration activities. Among other things, the MOA will identify trustees, establish criteria for selecting a LAT, and provide procedures for decision making and handling monetary recovery efforts.

2520.2 Trustee Funding

2520.2.1 Contacts with Responsible Party (RP)

The RP should be the primary funding source for the Natural Resource Damage Assessment (NRDA). The trustees will need early access to representatives of the RP to determine the availability of funding, personnel, and equipment for damage assessment activities. The LAT will first notify the appropriate U.S. Coast Guard representative and request that a meeting be arranged between the Natural Resource Trustees and the RP's representative. Should the U.S. Coast Guard fail to arrange a meeting in a timely fashion, the Natural Resource Trustees will establish contact directly with the RP's representative. When the RP is unknown, contacting the RP is not feasible, or the RP is unwilling or unable to provide funds, the LAT may request funding from the OSLTF.

2520.2.2 Lead Administrative Trustee (LAT) Access to the Oil Spill Liability Trust Fund (OSLTF)

The Federal LAT must submit a request for initiation of a NRDA to the National Pollution Fund Center (NPFC) to secure a funding obligation following an oil spill. The request must include: the amount requested, the plan for fund use, an estimated completion date, an agreement for subrogation of all cost recovery actions, an agreement to comply with NPFC documentation requirements, and a certification of lead trustee status. Based on the request for initiation, an Interagency Agreement (IAG) will be executed for each OPA incident, establishing the amount of funds authorized for initiation. The NPFC will assign a document control number to track costs.

The Federal LAT is responsible for documenting expenditures and submitting the documentation to the NPFC. In order for the trustee agencies to be funded for their activities all operations must be conducted in compliance with the procedures set forth by the NPFC in the Technical Operating Procedures (TOPS) for Resource Documentation Guidelines for Natural Resource Trustees.

The Federal LAT is expected to manage the funds available for initiation of NRDA. Whenever it appears that actual costs may exceed the amount of the IAG, the LAT should promptly request supplemental funding in the same manner as the original request. Until the IAG is amended to reflect supplemental funding, the LAT must take action to prevent exceeding the obligated amount.

2530 Agency Representatives

For incidents involving multiple jurisdictions, an agency or jurisdiction will send a representative to assist with coordination efforts.

An Agency Representative is the individual assigned to an incident from an assisting or cooperating agency, who has been delegated authority to make decisions on matters affecting that agency's participation at the incident. Agency Representatives report to the Liaison Officer or to the Incident Commander in the absence of the Liaison Officer.

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2540 Stakeholders

2540.1 Environmental

2540.1.1 Natural Resource Damage Assessment (NRDA) Representative

The NRDA Representative is responsible for coordinating NRDA needs and activities of the trustee team within the ICS spill response operations. This includes close coordination with the Liaison Officer for obtaining timely information on the spill and injuries to natural resources. The representative will coordinate NRDA or injury determination activities.

2540.2 Economic

[RESERVED FOR AREA COMMITTEE DEVELOPMENT]

2540.3 Political

[RESERVED FOR AREA COMMITTEE DEVELOPMENT]

2600 Area Command

As outlined in the NRP and in accordance with NIMS process, resource and policy issues are addressed at the lowest organizational level practicable. If the issues cannot be resolved at that level, they are forwarded up to the next level for resolution. An Area Command is established when the complexity of the incident and incident management span-of-control considerations so dictate.

2700 Reserved

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