



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Washington, D.C. 20240

In Reply Refer To:  
FWS/AES/DEC

MAR. 9 1998

## Memorandum

To: Regional Directors, Regions 1-7

From: Director

Subject: The Service Oil Spill Response Program (Response Due: May 1, 1998)

Please convey my thanks to your spill response staff for all of the hard work they have contributed to the development of both the National and Regional Fish and Wildlife Service Spill Response Contingency Plans. The Service National Spill Response Contingency Plan was distributed to field offices and refuges in June-July 1997, and the Regional Spill Response Contingency Plan(s) were completed October 1, 1997. These plans meet the national standards as outlined in the Federal interagency National Contingency Plan (40 CFR 300) and provide the framework for our planning and response efforts needed to protect our managed resources from the danger of oil spills.

The Service is currently working with other bureaus within the Department to establish a Departmental spill response program. Until this project is completed, it will be necessary for the Service to assume the responsibility for our managed resources with respect to the consequences of oil spills and oil spill response. In order for the program to achieve its goals, we must establish our ability to respond, conduct a focussed response effort, and document the benefits to the public resources managed by the Service.

The Service Spill Response Program is currently unfunded making it necessary to prioritize the prespill planning and the spill response efforts that must be conducted by the Service. As recommended by the Service's National and Regional Spill Response Coordinators, prespill activities will focus on three activities required by the Oil Pollution Act and the National Contingency Plan. Spill response activities will follow two guidelines. These activities and guidelines are described below.

### Prespill Activities:

1. Once a spill occurs there is usually Federal funding available from the Coast Guard administered Oil Spill Liability Trust Fund to support Service personnel during spill response efforts to protect managed resources. However, there are no funds available to prepare Service personnel prior to the call to respond. The Service must strictly adhere to

the established safety standards and properly train all selected responders to know and understand their responsibility to protect Service managed resources. Each Regional Spill Response Coordinator, in cooperation with National Wildlife Refuge Managers, Field Supervisors, and Project Leaders, will designate a Field Spill Response Coordinator and one alternate for each unit. Prior to any spill response effort, the selected Service response personnel must be properly trained in both safety and operations as outlined in the National and Regional Spill Response Contingency Plans. Therefore, all Service field and regional response personnel must receive the required safety and operational training appropriate to their spill response duties (Attachment A) prior to any participation in an actual spill response. Annual participation in a minimum of one notification or table top spill drill is required for identified response personnel.

2. The Service, in coordination with the National Oceanic and Atmospheric Administration, is required to develop the Fish and Wildlife and Sensitive Environment Annex of all Area Contingency Plans. The Regional Spill Response Coordinator, in coordination with the Field Spill Response Coordinators, will designate a Service lead for participation on each Area Contingency Plan. Other Service personnel with expertise in migratory birds, endangered species, certain marine mammals, freshwater and anadromous fish, the National Wildlife Refuge System, wetlands and habitat will occasionally be called upon, by the designated Service lead, to address specific program/resource planning for the Area Contingency Planning process and especially for the Fish and Wildlife and Sensitive Environments Annexes required in §300.210 (c)(4) of the NCP (a summary of the requirements is provided in Attachment B).
3. The interagency National Response System has implemented the Incident Command System as the spill management standard. The Service has adopted the ICS spill management organization (Attachment C) and designed the Service roles and responsibilities to better integrate into the national spill response effort. The designated Service spill responders will receive ICS training.

#### Spill Response Guidelines:

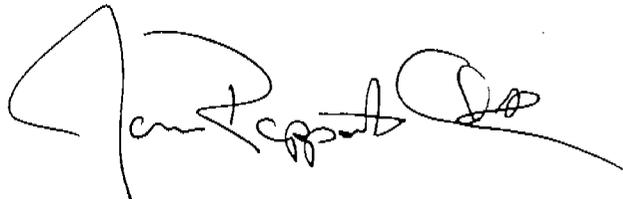
1. Service personnel who are untrained in spill response safety and for specific response operations are not allowed to respond to actual spills on or off-Service lands. The safety of all Fish and Wildlife Service response personnel is our highest priority.
2. All official response activities will be funded by the Oil Spill Liability Trust Fund unless the Service is the Responsible Party. The Service response personnel will conduct responses following the established Regional response priorities and the guidelines provided in the National Fish and Wildlife Service Spill Response Contingency Plan, the Regional Fish and Wildlife Service Spill Response Contingency Plan, and the approved Area Contingency Plan(s).

In order for the Service Spill Response Program to better prepare for the proposed Departmental option, the following information is required from your Regional Spill Response Coordinator:

1. Describe the Regional prioritization for spill responses on refuges and for managed fish and wildlife resources.
2. Provide a list of the field and Regional spill responders, their successfully completed training, and the certification dates.
3. Provide a list of the required ACPs that must be completed within your Region.
4. Provide the current status of the Fish and Wildlife and Sensitive Environment Annexes for each of these required ACPs, the designated Service lead, and any Service program personnel assigned.
5. Regional and field response personnel will keep a log of time, type of activity, and technical support expenses for all activities related to spill response including prespill planning. The Regional Response Coordinator will be responsible for compiling these statistics and reporting to the National Spill Response Coordinator during the annual review of the national Service Spill Response Contingency Plan.

The Service is the first bureau within the Department to complete a nationwide contingency plan. The development of our program and the fish and wildlife response protocols are setting a standard both within and outside the Department upon which to build and improve. Our record is excellent and we will continue to work to maintain our standards for safety, prevention and response while encouraging the development of a funded Departmentwide spill response program.

Please provide the requested information to the Chief, Division of Environmental Contaminants by May 1, 1998.



Attachments

## **TRAINING REQUIREMENTS FOR RESPONSE PERSONNEL**

This appendix covers requirements for specific activities and needs associated with responding to spills. First, it discusses the required training for actual or potential exposure to health hazards during response operations according to the Occupational Safety and Health Administration, in *29 CFR Ch. XVII §1910.120, Hazardous Waste Operations and Emergency Response*. These requirements apply to FWS personnel responding to spills, discharges, and/or participating in related NRDAR activities. Second, it lists suggestions for training that is not mandatory, but that would increase response capabilities and personnel safety.

### **Required Training**

The following identifies and defines the training requirements for persons potentially exposed to hazardous substances, health hazards, or safety hazards at incident sites. There are three levels of response personnel .

#### **Level One**

For general site workers that are engaged in the removal of hazardous substances or other activities which expose them to hazardous substances and health hazards a minimum of 40 hours of off-site instruction is required, in addition to a minimum of 3 days field experience under direct supervision. This class, a 40 hour training unit, is referred to as "Hazwoper Training" and is offered by the Environmental Protection Agency (at no cost to FWS) and by nongovernment contractors.

**The 40 hour Hazwoper training is required for FWS personnel directly involved (on site) in discharges and releases. All Environmental Contaminants specialists shall have this training.**

#### **Level Two**

For workers that are only occasionally on site or have a specific limited task and are not likely to be exposed to materials that exceed exposure limits, a minimum of 24 hours of off-site instruction in addition to a minimum of 1 day of supervised field experience is required. This class is offered by EPA and by nongovernment contractors.

**The 24 hours Hazwoper training is the minimum required for FWS personnel involved in activities related to discharges and releases.**

#### **Level Three**

For workers that respond to incidents for the purpose of protecting persons, property, and natural resources, but are not involved in direct contact with the site, a minimum of 24 hours of off-site instruction in addition to a minimum of 1 day of supervised field experience is required. During most spills, there are circumstances where a minimum of 4 hours would be appropriate. This is due to the fact that many participants who assist during spills are engaged in activities that constitute a low element of risk to their health. This class is offered by EPA and nongovernment contractors.

**The 24 hour Hazwoper training is the minimum required for FWS personnel involved in activities related to discharges and releases. It is also required for those volunteers and employees of wildlife rehabilitators working with contaminated wildlife at rehabilitation center (but may be waived on-site by State or Federal authorities).**

**NOTE:** Any FWS personnel venturing into the spill for the purpose of monitoring, wildlife capture, sampling, etc., will take the 40 HOUR Hazwoper Training. Uncertified employees are not permitted to engage in on-site incident operations.

### **Refresher Training**

Under *29 CFR Ch. XVII §1910.120(e)(8)*, certified personnel are required to have 8 hours of refresher training annually to maintain their certification. This training is free and available from the FWS Regional Safety Officer on CD-ROM entitled, *Department of the Interior Safety & Occupational Health Training, Release 1, November, 1997*.

### **Aviation Safety Training**

The *Fish and Wildlife Service Manual, Aviation Management, Part 334, Chapter 3 §3.3* identifies the requirements for staff that regularly fly. This training, called "Pinch-Hitter" training, will be taken by all individuals that have the potential of participating in spill incidents that will involve flying in aircraft.

### **Incident Command System (ICS) Training**

The Incident Command System National Training Curriculum modules I-200 and 300 are required by any personnel expected to respond/participate in a spill incident (additional training modules are required depending on specific job responsibility. Additional information on the ICS may be found in Appendix C of the U.S. Fish and Wildlife Service Spill Response Contingency Plan. The Basic course and schedule information is available through the FWS Regional Fire Coordinators, the FWS Homepage (under Fire Management) on the Internet, the FWS Branch of Fire Management in Boise, Idaho at (208) 387-559, or from the FWS National Spill Response Coordinator at (703) 358-2148.

### **Additional Training** (not mandatory, but highly recommended)

For FWS personnel to participate in response activities for discharge and release incidents, supplemental training is highly recommended and in many instances necessary. The safety of FWS personnel during response operations and NRDAR is of the utmost importance and should always receive the highest priority. Additional activities require special knowledge and expertise to enable professional decisions to be made accurately under the pressures of managing an incident. Other activities enable personnel to gather information on the impacts of the incident on natural resources. These activities, though not mandatory under general training for response, require specific qualifications before personnel are allowed to participate. Although the following training is not required, it is strongly recommended (the Regions may have their own requirements above and beyond FWS national policy):

- (A) First Aid (Red Cross or equivalent)
- (B) Cardiopulmonary Resuscitation (CPR) (Red Cross, American Heart Association, or equivalent)
- (C) Wildlife Response
  - Countermeasures
  - Hazing
  - Capture Techniques
  - Husbandry
- (D) Watercraft Safety - (see requirements in 241 FW 1, U.S. Coast Guard or equivalent)
- (E) Natural Resource Damage Assessment (FWS National Conservation Training Center course)
- (F) Spill Response (NCTC course )
- (G) Media Relations (NCTC course)
- (H) Negotiation (NCTC courses)

These are not the only beneficial courses for enhancing spill expertise and personal safety. If other beneficial courses are identified and/or taken, please supply the appropriate information to the FWS National Spill Response Coordinator, so that it may be distributed to FWS personnel. The FWS Division of Environmental Contaminants can assist in locating sources for all training classes.

## Attachment B

AREA CONTINGENCY PLAN REQUIREMENTS

I. Introduction to the ACP Fish & Wildlife and Sensitive Environmental Annex Process: In order to provide for coordinated, immediate and effective protection, rescue, and rehabilitation of, and minimization of risk of injury to, fish and wildlife resources and habitat, Area Committees will incorporate into each ACP a detailed annex containing a *Fish and Wildlife and Sensitive Environments Plan* that is consistent with the RCP and NCP. The annex is outlined in the NCP and *will be prepared in consultation with the USFWS and NOAA and other interested natural resource management agencies and parties*. It will address fish and wildlife resources and their habitat, and will include other areas considered sensitive environments in a separate section of the annex, based upon Area Committee recommendations. The annex will provide the necessary information and procedures to immediately and effectively respond to discharges that may adversely affect fish and wildlife and their habitat and sensitive environments, including provisions for a response to a worst case discharge. Such information will include the identification of appropriate agencies and their responsibilities, procedures to notify these agencies following a discharge or threat of a discharge, protocols for obtaining required fish and wildlife permits and other necessary permits, and provisions to ensure compatibility of annex-related activities with removal operations.

II. The annex will:

- (A) Identify and establish priorities for fish and wildlife resources and their habitats and other important sensitive areas requiring protection from any direct or indirect effects from discharges that may occur. These effects include, but are not limited to, any seasonal or historical use, as well as all critical, special, significant or otherwise designated protected areas.
- (B) Provide a mechanism to be used during a spill response for timely identification of protection priorities of those fish and wildlife resources and habitats and sensitive environmental areas that may be threatened or injured by a discharge. These include as appropriate, not only marine and freshwater species, habitats, and their food sources, but also terrestrial wildlife and their habitats that may be affected directly by onshore oil or indirectly by oil-related factors, such as loss or contamination of forage. The mechanism will also provide for expeditious evaluation and appropriate consultations on the effects to fish and wildlife, their habitat, and other sensitive environments from the application of chemical countermeasures or other countermeasures not addressed in the NCP.
- (C) Identify potential environmental effects on fish and wildlife, their habitat, and other sensitive environments resulting from removal actions or countermeasures, including the option of no removal. Based on this evaluation of potential environmental effects, the annex should establish priorities for application of countermeasure and removal actions to habitats within the geographic region of the ACP. The annex should establish methods to minimize the identified effects on fish and wildlife because of response activities, including, but not

limited to: disturbance of sensitive areas and habitats; illegal or inadvertent taking or disturbance of fish and wildlife or specimens by response personnel; and fish and wildlife, their habitat, and environmentally sensitive areas coming in contact with various cleaning or bioremediation agents. Furthermore, the annex should identify the areas where the movement of oiled debris may pose a risk to resident, transient, or migratory fish and wildlife, and other sensitive environments and should discuss measures to be considered for removing such oiled debris in a timely fashion to reduce such risk.

(D) Provide for pre-approval of application of specific countermeasures or removal actions that, if expeditiously applied, will minimize adverse spill-induced impacts to fish and wildlife resources, their habitat, and other sensitive environments. Such pre-approval plans must be consistent with the NCP, and must have the concurrence of the natural resource trustees.

(E) Provide monitoring plan(s) to evaluate the effectiveness of different countermeasures or removal actions in protecting the environment. Monitoring should include "set-aside" or "control" areas, where no mitigative actions are taken.

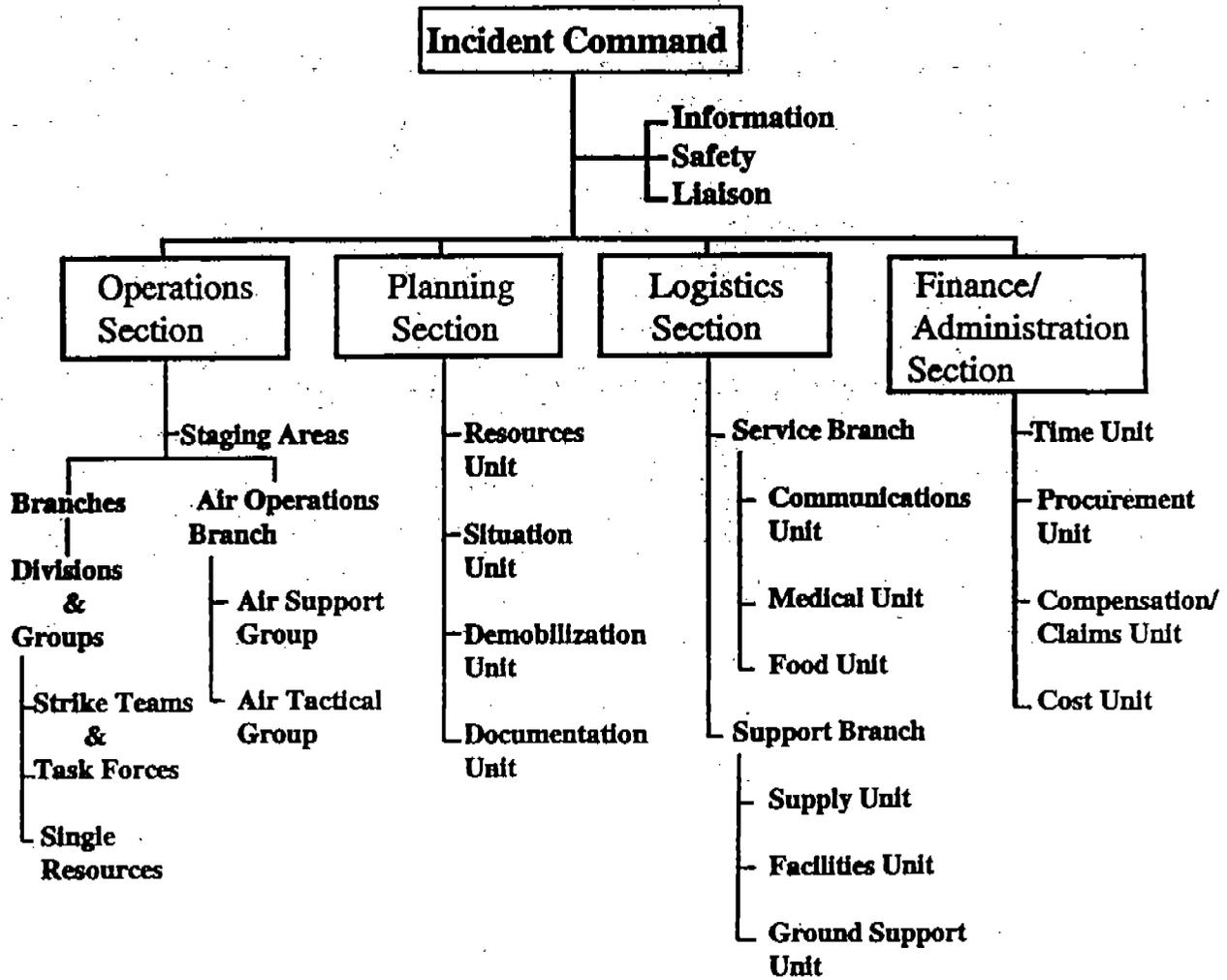
(F) Identify and provide for the acquisition and utilization of necessary response capabilities for protection, rescue, and rehabilitation of fish and wildlife resources and habitat. This may include appropriately permitted private organizations and individuals with appropriate expertise and experience. The suitable organizations should be identified in cooperation with natural resource law enforcement agencies. Such capabilities will include, but not be limited to, identification of facilities and equipment necessary for deterring sensitive fish and wildlife from entering oiled areas, and for capturing, holding, cleaning, and releasing injured wildlife. Plans for the provision of such capabilities will ensure that there is no interference with the OSC's removal operations.

(G) Identify appropriate Federal and State agency contacts and alternates responsible for coordination of fish and wildlife rescue and rehabilitation and protection of sensitive environments; identify and provide for required fish and wildlife handling and rehabilitation permits necessary under Federal and State laws; and provide guidance on the implementation of law enforcement requirements included under current Federal and State laws and corresponding regulations. Requirements include, but are not limited to, procedures regarding the capture, transport, rehabilitation, release of wildlife exposed to or threatened by oil, and disposal of contaminated carcasses of wildlife.

(H) Identify and secure the means for providing, if needed, the minimum required OSHA and EPA training for volunteers, including those who assist with injured wildlife.

(I) Define the requirements for evaluating the compatibility between this annex and non-Federal response plans (including those of vessels, facilities and pipelines) on issues affecting fish and wildlife, their habitat, and sensitive environments.

# INCIDENT COMMAND SYSTEM ORGANIZATION



*Incident Command System Organization*