

RRT-6

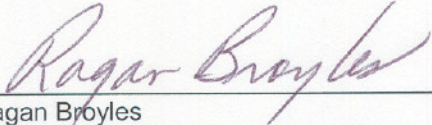
NEAR SHORE ENVIRONMENT DISPERSANT EXPEDITED APPROVAL PROCESS and CHECKLISTS

RRT-6 APPROVED January 25, 2005

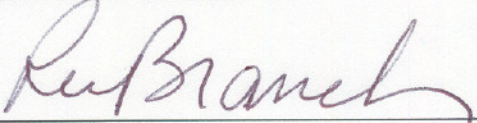
Purpose and Use of These Checklists and Process

This document, and any internal procedures adopted for its implementation, is intended solely to assist the Federal On-Scene Coordinator and the RRT in the expeditious gathering of information required to facilitate and expedite the RRT decision to approve or reject the use of dispersants on a case-by-case basis in the near shore environment. It does not constitute rulemaking by any agency and may not be relied upon to create a right or benefit, substantive or procedural, enforceable by law or in equity, by any person. Any agency or person may take action at variance with this guidance or its internal implementing procedures, however, if done so, the rule governing dispersant use at Section 300.910 of the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR Part 300) shall be in full force and effect. Mention of trade names, commercial products, or commercial companies does not constitute endorsement or recommendation for their use by any agency of the United States Government.

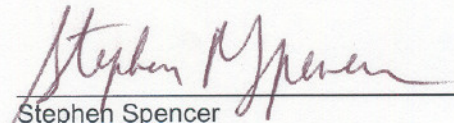
RRT VI REVIEW AND CONCURRENCE SIGNATURES
FOSC NEARSHORE DISPERSANT EXPEDITED APPROVAL PROCESS
January 2005



Ragan Broyles
Chief, Response & Prevention Branch
U.S. Environmental Protection Agency
Region VI RRT Co-Chair



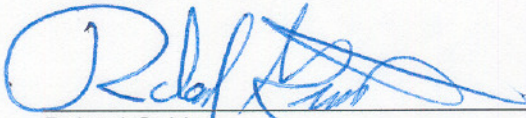
Capt Ron Branch
Commander, 8th Coast Guard District (M)
U.S. Coast Guard
Region VI RRT Co-Chair



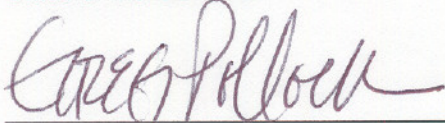
Stephen Spencer
Regional Environmental Officer
U.S. Department of the Interior



Thomas Callahan
Primary RRT Member
U.S. Department of Commerce - NOAA



Roland Guidry
Louisiana Oil Spill Coordinator
Louisiana Oil Spill Coordinator's Office
Office of the Governor



Greg Pollock
Deputy Commissioner, Oil Spill
Texas General Land Office

**RRT6
Near Shore Environment Dispersant Use Expedited Approval Process
(NSE EAP)**

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PREFACE

This document is intended to describe an expedited information gathering and decision-making process, hereafter Expedited Approval Process (EAP), relative to the potential use of chemical dispersants on oil spills in, or threatening the near shore environment (NSE) of Region 6.

For oil spills in or threatening the NSE, it is probable that the time frame for impact of near shore and shoreline resources will be shorter than for spills covered by the Offshore Pre-authorization Process. Therefore, if dispersants are to be used in the NSE, it is important that the dispersant use decision be made as quickly as possible. **This EAP attempts to focus the information gathering and decision making process on the most important or key questions while at the same time minimizing the RRT's focus on the operational parameters that can be handled, coordinated, or enforced by the FOSC.**

This is not a dispersant use pre-authorization, and therefore RRT6 approval **is** required on a case-by-case basis with the use of this EAP. The goal of this document is to expedite the approval process specified in the RRT 6 Regional Contingency Plan Subpart H Authorization.

This expedited approval process (EAP) is designed to promote the timely use of dispersants along with mechanical techniques and *in-situ* burning for near shore oil spill response. No single response method is 100% effective, thereby establishing a need to consider the use of all available methods from the start of the spill response. Initially, the assumption needs to be made that all three methods (mechanical, *in-situ* burn, and dispersants) may be appropriate and then adjustments are made to that assumption as information concerning the spill is received by the Federal On-Scene Coordinator (FOSC) and appropriate approvals are granted by the RRT6.

Definition of Near shore Environment (NSE): For the purposes of this document, the NSE is defined as the Gulf of Mexico waters seaward of the shoreline but less than 3 miles from shore or less than 10m in depth beginning from the Texas-Mexico border and extending through the states of Texas and Louisiana to the boundary between Regions VI and IV, **and** in which dispersants can be applied in a specified manner so as to achieve an acceptably low enough level of risk of dispersant being sprayed directly on or drifting laterally in the air and onto the shoreline in consideration of at least the following parameters:

- Wind speed and direction
- Accuracy of spray platform
- Type and geometry of shoreline
- Anticipated proximity of oil to the shoreline
- Shoreline resources at risk from over spray, especially human use (e.g. recreational use of beaches)

The NSE does not include inland bays and estuaries.

GENERAL OVERVIEW

1. This is not a pre-authorization. RRT6 approval for dispersant use is required on a case-by-case basis in the NSE.
2. The primary elements of this EAP are as follows:
 - a. **Spill Information Questions**: A standardized set of pre-identified questions about the spill that cover the initially required pertinent information (see **NSE-EAP Initial Call Checklist**).
 - b. **Minimum Criteria**: A set of pre-identified operational parameters to which the FOSC assures/coordinates appropriate compliance, thereby preventing the need for RRT review other than on an exception basis. (see **NSE-EAP Minimum Criteria Checklist**)
 - c. **RRT Approval Decision Questions**: A standardized set of pre-identified questions, the answers to which are intended to become the primary basis of the RRT's approval/dis-approval decision. (see **NSE EAP Decision Checklist**)
3. The EAP includes checklists to capture information or confirmations for transmittal to the RRT relative to each of the primary elements in item 2 above. In addition to the minimum criteria referenced in 2b above, an approval for dispersant use could include any additional specific conditions or restrictions pertinent to the specific situation and deemed appropriate by the RRT (see **NSE EAP Decision Checklist- Item 8**).

ANTICIPATED PROCESS OUTLINE

1. The RP provides the necessary information and works with the FOSC and SSC to complete the **NSE EAP Initial Call Checklist**.
2. The RP, FOSC and SSC make an initial assessment of the minimum criteria items, especially items 1-5 in the **NSE EAP Minimum Criteria Checklist**, to determine if dispersant use is potentially feasible and potentially beneficial.
3. The FOSC or SSC advises the RRT
 - a. That the **NSE EAP Initial Call Checklist** has been completed and that an initial review of the **NSE EAP Minimum Criteria Checklist** suggests that a dispersant mission in a relatively short time frame is feasible for the generally identified area, and
 - b. that a formal request for dispersant use approval along with additional information and a **NSE EAP Decision Checklist** is anticipated to be submitted to the RRT within **1-2 hours**.
4. Continuing information gathering and standby status: (parallel path)
 - a. The RRT and/or SSC make initial contact with the specific resource trustees likely to be involved (at a minimum NOAA, DOI and the affected states).
 - b. Appropriate consultations for technical assistance are made (e.g. ESA, EFH, NHPA, etc.)
 - c. The RP, FOSC and SSC continue to gather and compile information to be conveyed to the RRT on the **NSE EAP Decision Checklist**.
 - d. The RP works with the FOSC, and the SSC as necessary to review and confirm the ability to comply with all items on the **NSE EAP Minimum Criteria Checklist**. Any exceptions, or anticipated exceptions, are noted on the **NSE EAP Decision Checklist**.
 - e. The RP ensures that the dispersant operation is able to respond within the proposed time frame.
 - f. The FOSC puts the SMART team on an alert status appropriate for deployment within the proposed time frame. RRT should consider requiring tier 2 or 3 sampling for reapplications
5. A formal request is made by the FOSC/SSC to the RRT for dispersant use approval. A complete as possible copy of the **NSE EAP Initial Call Checklist**, the **Minimum Criteria Checklist**, and the **NSE EAP Decision Checklist** is submitted to the RRT for review.
6. The RRT makes the decision to approve or dis-approve the use of dispersants **within a target time of 1 hour**.
7. If dispersant use is approved by the RRT, and the dispersant mission is actually conducted, a notification will be made to the RRT. Preliminary post-application information/results will be provided to the RRT either written or as a debrief conference call when response activities allow. A detailed "After-Action-Report" will be provided to the RRT within 30 days of the completion of the response, and the RRT will be briefed at the next regularly scheduled RRT meeting. An incident specific debrief by conference call will be convened at anytime requested by the RRT to discuss lessons learned that should be incorporated into future dispersant discussions.
8. ESA/EFH consultations continue, if required.

NSE EAP Minimum Criteria Checklist

	Y	N	N/A	NSE EAP Minimum Criteria
1.				<u>Dispersability:</u> Available technical information or experience suggests that the spilled product is dispersible and will still be dispersible in the time frame of anticipated application of dispersants
2.				<u>NCP Listed Dispersant:</u> The dispersant to be used is listed on the current NCP Product Schedule and is considered appropriate for the existing environmental and physical conditions.
3.				<u>Inadequacy of other options:</u> Mechanical response equipment alone is not deemed adequate (either availability or timeliness) to protect potential resources at risk.
4a. 4b.				<u>Dispersant Availability and timeliness:</u> Enough dispersant and application equipment has been confirmed to be available a) to make a significant impact on the spilled product, and b) to be deployable within the proposed time frame.
5.				<u>Weather Conditions:</u> Weather and sea conditions are conducive to dispersant application by the chosen system or platform. (Generally, for <u>aerial application:</u> wind ≤ 25kts, visibility ≥ 3nm, and ceiling ≥ 1000'. Generally for <u>boat application,</u> a sea state that will allow the vessel to be used to conduct an effective and safe spray operation.)
6.				<u>PPE:</u> Personal protective equipment for personnel on-site will conform to the appropriate dispersant's MSDS and safe industry practice.
7a. 7b. 7c.				<u>General Adequacy of Dispersant Spray System and Personnel Competency:</u> In addition to any other requirements of the RRT6 NSE EAP, the general criteria for evaluating the suitability for use of any dispersant system should be the ability of the party or parties that are requesting approval to demonstrate to the satisfaction of the FOSC, the following: a) That the application system has been i. Specifically designed for its intended purpose, or ii. If not specifically designed for dispersant use, has been used previously and was deemed to be effective and appropriate, and will be used again in a similar manner, or iii. By some other specific means documentation or experience reasonably deemed to be effective and appropriate under the circumstances. b) That the design and operation of the application system can reasonably be expected to apply the chemical dispersant in a manner consistent with the dispersant manufacturers' recommendation, especially with regard to dosage rates, and concentrations. c) That the operation will be supervised or coordinated by personnel that have experience, knowledge, specific training, and/or recognized competence with chemical dispersants and the type of system to be used.
8a. 8b.				<u>Aerial Application Operational and Technical Issues:</u> In the case of Aerial Application of dispersants: a) The FOSC must ensure that the RP's dispersant operation provides for a dispersant controller who is over the spray zone(s) in separate aircraft from the dispersant aircraft. The controller must be qualified and be able to direct the dispersant aircraft in carrying out the near shore dispersant operation inclusive of avoiding the spraying of birds), marine mammals and turtles that may be in the area. b) Aircraft spray systems must be capable of producing dispersant droplet sizes that provide for optimal dispersant effectiveness (generally 250-500 μm, but follow manufacturer and ASTM guidance).

NSE EAP Minimum Criteria Checklist

	Y	N	N/A	NSE EAP Minimum Criteria, continued
9.				<p><u>Boat Application Operational Technical Issues:</u> If the system involves spray arms or booms that extend out over the edge of a boat and have fan type nozzles that spray a fixed pattern of dispersant, the dispersant operator has confirmed that application will comply with the following ASTM standards as appropriate:</p> <ul style="list-style-type: none"> a) ASTM F 1413-92 “Standard Guide for Oil Spill Dispersant Application Equipment: Boom and Nozzle Systems b) ASTM F 1460-93 Standard Practice for Calibrating Oil Spill Dispersant Application Equipment Boom and Nozzle Systems c) ASTM F 1737-96 Standard Guide for Use of Oil Spill Dispersant Application Equipment during Spill Response: Boom and Nozzle Systems.
10.				<p><u>Fire Monitor Operational and Technical Issues:</u> If the system involves the use of a fire monitor and or fire nozzle to apply the dispersants from a boat, the dispersant operator has confirmed that application will comply with the following:</p> <ul style="list-style-type: none"> a) A straight and narrow “firestream” flow of dispersant directly into the oil is to be avoided. At such a time as applicable ASTM standards are finalized, they should be complied with appropriately relative to the process and potential dispersant application described herein. b) The specific fire monitor system(s) intended for use must have been specifically designed for dispersant application and/or must have been specifically calibrated via field trial for dispersant use.
11.				<p><u>SMART Deployment:</u> The FOSC must activate the Special Monitoring of Applied Response Technologies (SMART) Program monitoring team. Every attempt should be made to implement the on-water monitoring component of the SMART monitoring protocols in every dispersant application. At a minimum, Tier 1 (visual) monitoring must occur during any dispersant operations approved. Tier 2 or Tier 3 sampling may be required for reapplications.</p>
12.				<p><u>SMART Controller/Observer:</u> The SMART controller/observer must be flying over the response zone to visually assess effectiveness of the dispersant applications, and to look out for marine animals.</p>
13.				<p><u>DOI / DOC Representative:</u> When possible DOI/DOC will provide a specialist in aerial surveying of marine mammals/turtles and pelagic/migratory birds who will accompany the SMART controller/observer.</p>
15.				<p><u>ESA and EFH Consultations:</u> RRT representatives of DOI and DOC were notified and, if listed species and/or critical habitat are present in the area, or could be present, emergency consultation has been initiated. FWS and NMFS representatives have provided recommendations to avoid and/or minimize impacts to listed species and/or critical habitat, advised the FOSC whether incidental take related to response actions is anticipated, and, if so, advised the FOSC to document incidental take for use in formal consultation post-response. Both the FOSC and FWS/NMFS representatives maintain records of oral and written communications</p>

After-Action-Report Requirements

- ◆ **Incident Overview**
- ◆ **Oil Slick Trajectory and Behavior**
- ◆ **Justification for Dispersant Use**
- ◆ **Chronology (Date and Time) of Dispersant-Related Events**
- ◆ **Overview of Dispersant Operations**
- ◆ **Completed NSE EAP Initial Call Checklist, NSE EAP, Minimum Criteria Checklist, and RRT NSE EAP Decision Checklist.**

Suggested outline for report requirements:

Incident Overview

- Description of initial report (date, time, source, etc.)
- Spill source
- Spill location
- Estimated quantity & potential quantity
- Environmental conditions

Oil Slick Trajectory and Behavior

- Expected movement of slick
- Expected weathering and behavior of product
- Observations of same

Justification for Dispersant Use

- Potential impact areas and their respective sensitivities to impact
- Potential for use of other recovery methods (e.g., mechanical recovery, in-situ burning)
- Weather and seastate

Chronology (Date and Time) of Dispersant-Related Events

- FOSC notification of spill
- Reconnaissance aircraft requested
- Reconnaissance aircraft "wheels up"
- Gulf Strike Team alerted for SMART
- SMART en-route
- Reconnaissance aircraft on-scene and reports
- RP requested use of dispersants
- Source and field sample requested by USCG
- Dispersant use approved
- Dispersant contractor notified
- Dispersant stock requested
- Dispersant stock en-route
- Dispersant stocks arrive at airport/dock
- Spotter aircraft "wheels up"
- Dispersant aircraft/boat "wheels up"/left dock
- SMART vessel launch
- Spotter aircraft on-scene
- Dispersant aircraft/boat on-scene
- SMART vessel on-scene
- Source and "in-water" sample collected
- SMART sampling begins

- First application
- Spotter aircraft opinion of efficacy
- SMART sampling results (go/no go)
- SMART sampling begins, again
- Second application
- Spotter aircraft opinion of efficacy
- SMART sampling results (go/no go)
- Additional applications, Spotter aircraft opinions, and SMART sampling (as required)
- Termination of dispersant operation

Overview of Dispersant Operations

- Amounts and times of dispersants applied
- Any extenuating circumstances affecting the deployment of any element (spotters, dispersant, SMART, etc.)
- Estimates and observations of efficacy
- Any discrepancies between estimates
- Any discrepancies between observations
- Any sightings of pelagic/migratory birds, sea turtles, or marine mammals

Completed Checklists and forms.

Request for Additional Information

- Parties may request additional information (e.g., pilot's logs, SMART logs, and SMART data) by contacting the FOSC for the particular spill/release response activity
- Information requested will be provided within 30 to 60 days following the request.