

NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN



High-pressure hot-water washing after the Exxon Valdez oil spill. Credit: NOAA.

Overview

The National Oil and Hazardous Substances Pollution Contingency Plan, more commonly called the National Contingency Plan or NCP, is the federal government's blueprint for responding to both oil spills and hazardous substance releases. The National Contingency Plan is the result of our country's efforts to develop a national response capability and



The Torrey Canyon tanker oil disaster, Cornwall, 1967. Credit: Jane Bown/Guardian.co.uk

promote overall coordination among the hierarchy of responders and contingency plans.

The first National Contingency Plan was developed and published in 1968 in response to a massive oil spill from the oil tanker Torrey Canyon off the coast of England the year before. More than 37 million gallons of crude oil spilled into the water, causing massive environmental damage. To avoid the problems faced by response officials involved in this incident, U.S.

officials developed a coordinated approach to cope with potential spills in U.S. waters. The 1968 plan provided the first comprehensive system of accident reporting, spill containment, and cleanup, and established a response headquarters, a national reaction team, and regional reaction teams (precursors to the current National Response Team and Regional Response Teams). Congress has broadened the scope of the National Contingency Plan over the years. As required by the Clean Water Act of 1972, the NCP was revised the following year to include a framework for responding to hazardous substance spills as well as oil discharges. Following the passage of Superfund legislation in 1980, the NCP was broadened to cover releases at hazardous waste sites requiring emergency removal actions. Over the years, additional revisions have been made to the NCP to keep pace with the enactment of legislation. The latest revisions to the NCP were finalized in 1994 to reflect the oil spill provisions of the Oil Pollution Act of 1990.

Key Provisions of National Contingency Plan

§300.110 Establishes the National Response Team and its roles and responsibilities in the National Response system, including planning and coordinating responses to major discharges of oil or hazardous waste, providing guidance to Regional Response Teams, coordinating a national program of preparedness planning and response, and facilitating research to improve response activities. EPA serves as the lead agency within the National Response Team (NRT).

§300.115 Establishes the Regional Response Teams and their roles and responsibilities in the National Response System, including, coordinating preparedness, planning, and response at the regional level. The RRT consists of a standing team made up of representatives of each federal agency that is a member of the NRT, as well as state and local government representatives, and also an incident-specific team made up of members of the standing team that is activated for a response. The RRT also provides oversight and consistency review for area plans within a given region.

§300.120 Establishes general responsibilities of federal On-Scene Coordinators.

§300.125(a) Requires notification of any discharge or release to the National Response Center through a toll-free telephone number. The National Response Center (NRC) acts as the central clearinghouse for all pollution incident reporting.

§300.135(a) Authorizes the predesignated On-Scene Coordinator to direct all federal, state, and private response activities at the site of a discharge.

§300.135(d) Establishes the unified command structure for managing responses to discharges through coordinated personnel and resources of the federal government, the state government, and the responsible party.

§300.165 Requires the On-Scene Coordinator to submit to the RRT or NRT a report on all removal actions taken at a site.

§300.170 Identifies the responsibilities for federal agencies that may be called upon during response planning and implementation to provide assistance in their respective areas of expertise consistent with the agencies' capabilities and authorities.

§300.175 Lists the federal agencies that have duties associated with responding to releases.

§300.210 Defines the objectives, authority, and scope of Federal Contingency Plans, including the National Contingency Plan (NCP), Regional Contingency Plans (RCPs), and Area Contingency Plans (ACPs).

Oil Removals

§300.317 Establishes national priorities for responding to a release.

§300.320 Establishes the general pattern of response to be executed by the On-Scene Coordinator (OSC), including determination of threat, classification of the size and type of the release, notification of the RRT and the NRC, and supervision of thorough removal actions.

§300.322 Authorizes the OSC to determine whether a release poses a substantial threat to the public health or welfare of the United States based on several factors, including the size and character of the discharge and its proximity to human populations and sensitive environments. In such cases, the OSC is authorized to direct all federal, state, or private response and recovery actions. The OSC may enlist the support of other federal agencies or special teams.

§300.323 Provides special consideration to discharges which have been classified as a spill of national significance. In such cases, senior federal officials direct nationally-coordinated response efforts.

§300.324 Requires the OSC to notify the National Strike Force Coordination Center (NSFCC) in the event of a worst case discharges, defined as the largest foreseeable discharge in adverse weather conditions. The NSFCC coordinates the acquisition of needed response personnel and equipment. The OSC also must require implementation of the worst case portion of the tank vessel and Facility Response Plans and the Area Contingency Plan.

§300.355 Provides funding for responses to oil releases under the Oil Spill Liability Trust Fund, provided certain criteria are met. The responsible party is liable for federal removal costs and damages as detailed in section 1002 of the Oil Pollution Act (OPA). Federal agencies assisting in a response action may be reimbursed. Several other federal agencies may provide financial support for removal actions.

Subpart J Establishes the NCP Product Schedule, which contains dispersants and other chemical or biological products that may be used in carrying out the NCP. Authorization for the use of

these products is conducted by Regional Response Teams and Area Committees, or by the OSC in consultation with EPA representatives.

Hazardous Substance Removals

§300.415(b) Authorizes the lead agency to initiate appropriate removal action in the event of a hazardous substance release. Decisions of action will be based on threats to human or animal populations, contamination of drinking water supplies or sensitive ecosystems, high levels of hazardous substances in soils, weather conditions that may cause migration or release of hazardous substances, the threat of fire or explosion, or other significant factors effecting the health or welfare or the public or the environment.

Source : <http://www.eoearth.org/view/article/51cbef997896bb431f69e357/?topic=51cbfc79f702fc2ba812a1bb>