

OPA 1990 and the Role of EPA

Oil Spill Prevention & Response Workshop:
Moscow, Russia (Dec. 4-5, 2003)



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“Pre-OPA” EPA Oil Program

- National Contingency Plan (1968)
 - Oil Spill and Hazardous Waste Response
 - Network of Federal, State and Local responders
- 1972 Clean Water Act, Sec. 311(j)
- Spill Prevention, Control and Countermeasures regulation (1974)
 - SPPC Inspections
 - Enforcement

Triggering Events for OPA

- Ashland, Pennsylvania tank rupture to ice-covered Monongahela River (4 Million gallons), 1988
- Exxon Valdez spill in Prince William Sound, Alaska (10 million gallons), 1989
- OPA enacted in 1990

Ashland Tank Collapse (1988)



OPA Enacted, 1990

- Improved Nation's ability to prepare for and respond to oil spills
- Created \$1 billion Oil Spill Trust Fund to provide Spill Response and Natural Resource Damages resources
- Strengthened Liability/Financial Responsibility of Tanker/Facility owners
- Required Contingency Planning by both government and industry (FRP/VRP and Area Planning)



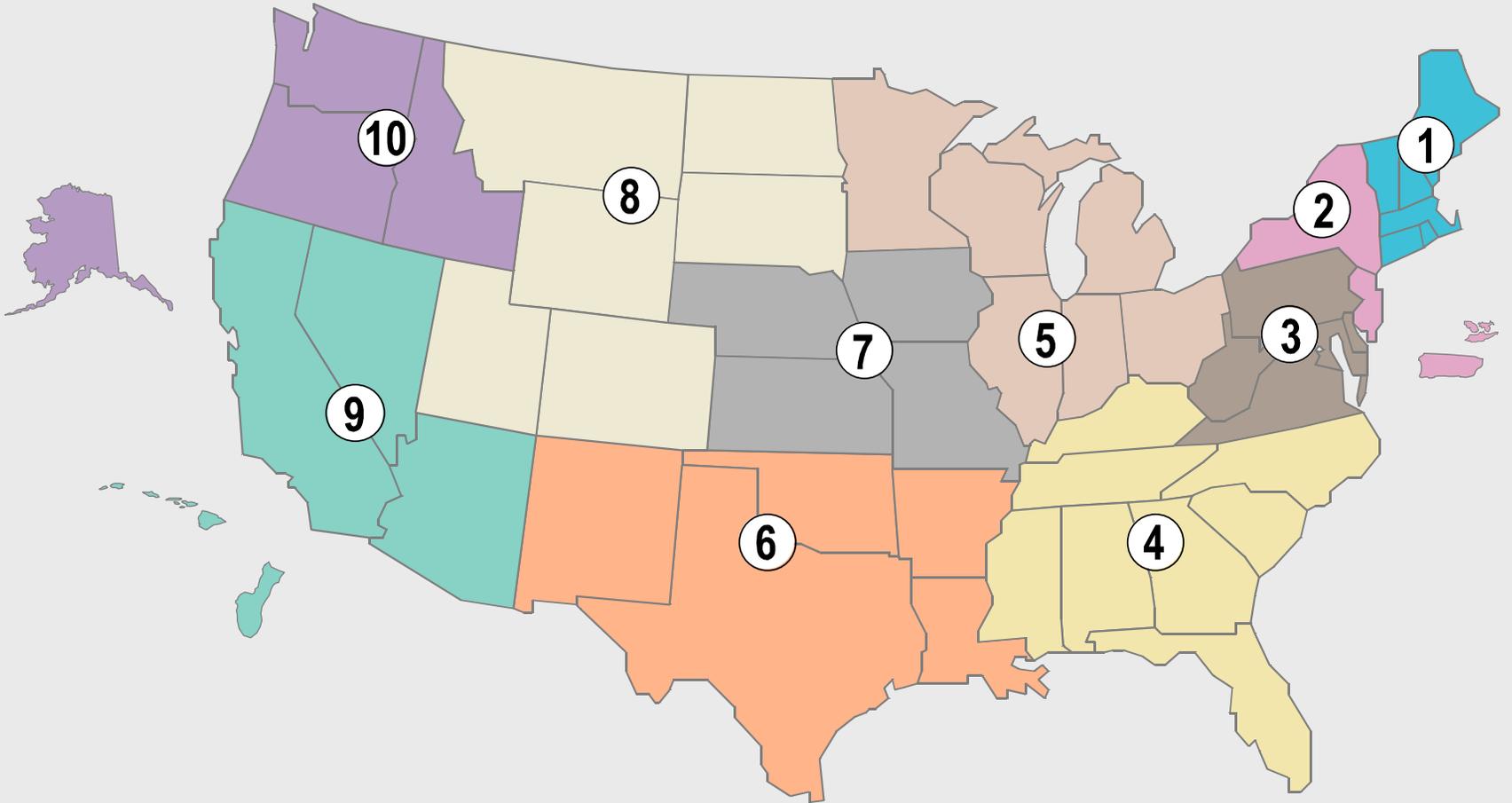
Valdez cleanup underway

EPA Role under OPA

- Inland Spill Response
 - EPA-regulated facilities
 - Pipeline/Transportation spills
- Facility Response Plans
 - Regulation/Guidance
 - Plan Review/Approval
 - Exercises
- Area Contingency Plans
 - Convene Area Committees
 - Exercise Area Plans



EPA's 10 Regions



Oil Spill Response



- EPA Regions respond to spills that threaten or impact inland waters of the United States.
- EPA supports U.S. Coast Guard during spills to the marine environment.
- EPA provides specialized support through the *Environmental Response Team (ERT)*.

EPA Monitors, Directs, or Conducts Inland Oil Spill Responses

- EPA On-Scene Coordinators
- EPA OSC vs. NPFC (CG) roles
- Reimbursement (EPA) and Claims (States) on Oil Fund



Alternative Countermeasures

- Mechanical Recovery is point of departure
- The NCP Product Schedule (Subpart J) lists chemical and biological agents:
 - Dispersant, Bioremediation, Surface Washing, Surface Collecting, and Miscellaneous Agents
- OSC/Regional Response Teams (RRT) and Area Committees decide appropriate response for individual spills

Prevention and Preparedness



EPA reviews close to *6,000 high-risk facilities holding one million gallons or more of oil.*

Facility Response Plans (FRP)

- 1994 Regulation, modeled after Coast Guard's Facility and Vessel Response Plan (FRP/VRP) rules
- For inland facilities, 1 million gallon capacity threshold (or 42,000 gallons if "over water" transport), and meet a substantial harm criteria
- FRP's must include Low, Medium and Worst-Case scenarios

FRP (Cont.)

- Response Plans must include:
 - Notification Procedures
 - Identification of Sensitive Areas
 - Equipment/Man-power commitments
- EPA Review/Approval based on Significant/Substantial harm criteria
 - See Supplemental slides for these criteria
- Exercises and Drills (in accordance or consistent with PREP Guidelines)

Preparedness for Oil Spills

- **National Preparedness for Response Exercise Program (PREP).**

- EPA works with industry, state and federal agencies.
- *PREP* drills test government & industry spill response plans.



Area Contingency Planning

- 10 EPA Regions, 13 Area Plans; Regions+
 - Caribbean
 - Pacific Islands
 - Alaska
- Sub-Area Planning by On-Scene Coordinators
- Multi-jurisdictional (Federal, State, Local governments, and Facility Owners)
- Area Exercises

Sensitive Area Mapping

- Public Drinking Water Supplies
- Endangered Species
- Protected Natural Areas
- GIS/Mapping Capabilities

To Recap: OPA Strengthened

- Oil Spill Response:
 - Oil Spill Trust Fund
 - Liability/Enforcement
- Preparedness for Response:
 - Facility (and Vessel) Response Plans
 - Area/Sub-Area Planning, cross-jurisdictional coordination/collaboration
 - Sensitive Area Mapping

But Don't Forget Prevention

- Prevention is better and cheaper than the best Spill Response
- SPCC rule establishes baseline requirements for > 400,000 facilities
 - Facilities storing/using oil > 1,320 gallons, with potential to reach navigable waters
 - Containment for Above-ground Tanks, and Loading/Unloading
 - Tank/Pipeline Integrity
 - Professional Engineer develops/certifies SPCC plan
 - Routine Inspection of facility by owner
- Inspections and Enforcement are essential

U.S. EPA Oil Spill Program

■ Prevention

- Spill Prevention Control & Countermeasure

■ Preparedness

- Area Contingency Plans
- Facility Response Plans

■ Response

- National Contingency Plan
- National Response System
- Local, State, Federal, Responsible Party

You're Invited

- 2005 International Oil Spill Conference (IOSC)
 - May 15-19, 2005
 - Convention Center Miami, Florida
- The theme is "Prevention, Preparedness, Response and Restoration - Raising Global Standards"
- More than 2,000 people from 50 Countries are expected
 - Technical sessions
 - More than 300 exhibits at IOSC.
- For more information on IOSC: www.iosc.org

Questions/Comments?

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web.....www.epa.gov/oilspill/

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Oil Program

Welcome to the U.S. Environmental Protection Agency's Oil Program. This website provides information about the U.S. EPA's program for preventing, preparing for, and responding to oil spills that occur in and around inland waters of the United States. The Oil Program is administered through EPA headquarters and the 10 EPA Regions.



- ### Key Topics
- [NCP Product Schedule and Notebook](#)
 - [Laws & Regulations](#)
 - [Spill Prevention Control & Countermeasures](#)
 - [Freshwater Spills Symposia](#)
 - [Publications](#)
 - [Oil-Related Sites](#)

Current Issues

New Spill Prevention Control and Countermeasure (SPCC) Rule

On July 17th, 2002, EPA issued a final rule amending the Oil Pollution Prevention regulation promulgated under the authority of the Federal Water Pollution Control Act (CWA). This rule amends the Oil Pollution Prevention (OPP) rule to require...