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In the office of the Secretary of State
of the State of California
EDMUND G. BROWN Jr., Secretary of State
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Deputy Secretary of State

OIL SPILL CONTINGENCY PLAN

(The command structure of this plan will be implemented for spills of hazardous materials until a separate contingency plan is formulated.)

STATE OF CALIFORNIA

Ronald Reagan, Governor

N. B. Livermore
Secretary for Resources

Revised March 1974

In the event of an oil spill, hazardous substance spill, oil pipeline break, or other such occurrence, immediately call this toll-free telephone number and give details of the incident.

(800) 852-7550

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100 INTRODUCTION

101 Authority

101.1 This California oil spill contingency plan, as revised, is developed in compliance with Sections 8574.1 et seq. of the Government Code. (See Appendix #1)

101.2 The National Oil and Hazardous Substances Pollution Contingency Plan is prepared at the direction of the 92nd Congress and provides a mechanism for coordinating a response to a spill of oil or hazardous polluting substance at the national level which presents an imminent or substantial threat to the public health or welfare, including the living resources.

101.3 The national plan establishes federal regional plans within its framework. California, along with the States of Nevada, Arizona and Hawaii are in Region IX.

Region IX has separate plans for coastal and inland waters. The coastal plan is developed and operational by the Coast Guard. The inland plan is developed and operational by the Environmental Protection Agency.

102 Purpose

102.1 The purpose of this plan is to carry out the State's obligation of protecting the lives and health of the populace, protecting public and private property, the living and natural resources from spillages of oil, which present an imminent or substantial threat to the public health, welfare or the living and natural resources.

103 Objectives

103.1 The principal objectives of this plan are: (a) to provide a coordinated and integrated response to oil spills by the various agencies of the State; and (b) to provide local governments, the public, and the news media with accurate and timely information regarding the spill and its effects on the populace, property and the living and natural resources.

104 Scope

104.1 This plan is for spills of oil on land and waters throughout the State, including its territorial seas, its territorial sea bottoms and its shoreline.

104.2 The provisions of this plan apply to all agencies of the State. This plan is designated to operate independently or within the framework of the national and regional oil spill plans.

104.3 The State Operating Authority is hereby designated as California's member to the regional response teams for coastal and inland waters.

104.4 The Department from which the State Operating Authority is appointed is hereby designated as the agency to supervise the State's oil spill removal operations. It is also designated as the governmental unit to request reimbursement from the National Pollution Revolving Fund pursuant to Section 311(c)(2)(H) of Public Law 92-500 when applicable. Otherwise, it is designated as the governmental unit to seek reimbursement from the person or persons causing the spillage of oil.

104.5 This contingency plan is an extension of the California Emergency Plan, Part II, and is consistent with the California Emergency Services Act and Public Law 91-606.

105 Policy

105.1 It is the policy of the State to utilize mechanical and other physical control methods that will result in removal of oil from the environment with subsequent proper disposal. The use of oil spill cleanup agents will be governed by Sections 13164 et seq. of the Water Code and Sections 2300 et seq. of Title 23 of the Administrative Code which by reference become part of this plan. (See Appendix 1.3)

105.2 It is the policy of the State for all State agencies to follow applicable provisions of this plan when they are engaged in day to day operations concerning oil spills of lesser magnitude or significance than that which would constitute a pollution incident as defined.

105.3 Whenever it is determined the person(s) responsible for the discharge of oil is taking adequate action to remove and mitigate its effects, the principal thrust of the State Agency Coordinator (SAC) shall be to observe and monitor progress and provide advice and counsel as may be necessary.

105.4 Whenever it is determined that the person(s) responsible for the discharge of oil does not act promptly, does

not take or propose to take proper and appropriate actions to contain, cleanup and dispose of the oil and oily debris, or the costs of such mitigating capabilities would be over and above those normally expected to be borne by such person(s), or the discharger is unknown, the State Operating Authority will take the necessary steps to access the National Pollution Revolving Fund through the federal on-scene coordinator. (See Section 104.4).

In the event access to the National Pollution Revolving Fund is denied, the State Operating Authority will take the necessary steps to access the State Water Pollution Cleanup and Abatement Account as provided in Section 800.

106 Definitions

106.1 Oil - oil of any kind or in any form, including but not limited to petroleum, fuel oil, sludge, oily refuse and oil mixed with wastes or dredged spoils.

106.2 Pollution Incident - any oil spill, including an imminent threat of a spill, of such magnitude or significance that it poses a substantial threat to the public health or welfare, or the living resources, or arouses acute public concern, or which is, or is likely to be beyond the control of the personnel and equipment of local organizations.

106.3 Public Health or Welfare - includes consideration of all factors affecting the health and welfare of man, including but not limited to human health, the natural environment, aquatic life, wildlife, public and private property, shorelines and beaches.

106.4 Remove or Removal - is the removal of oil and oily substances from the water, the land, and shorelines, or the taking of such other actions as may be necessary to minimize or mitigate damage to the public health or welfare. For the purpose of this plan, removal refers to Phase III and IV, Response Phases.

107 Abbreviations

107.1 State Agencies and Title Abbreviations

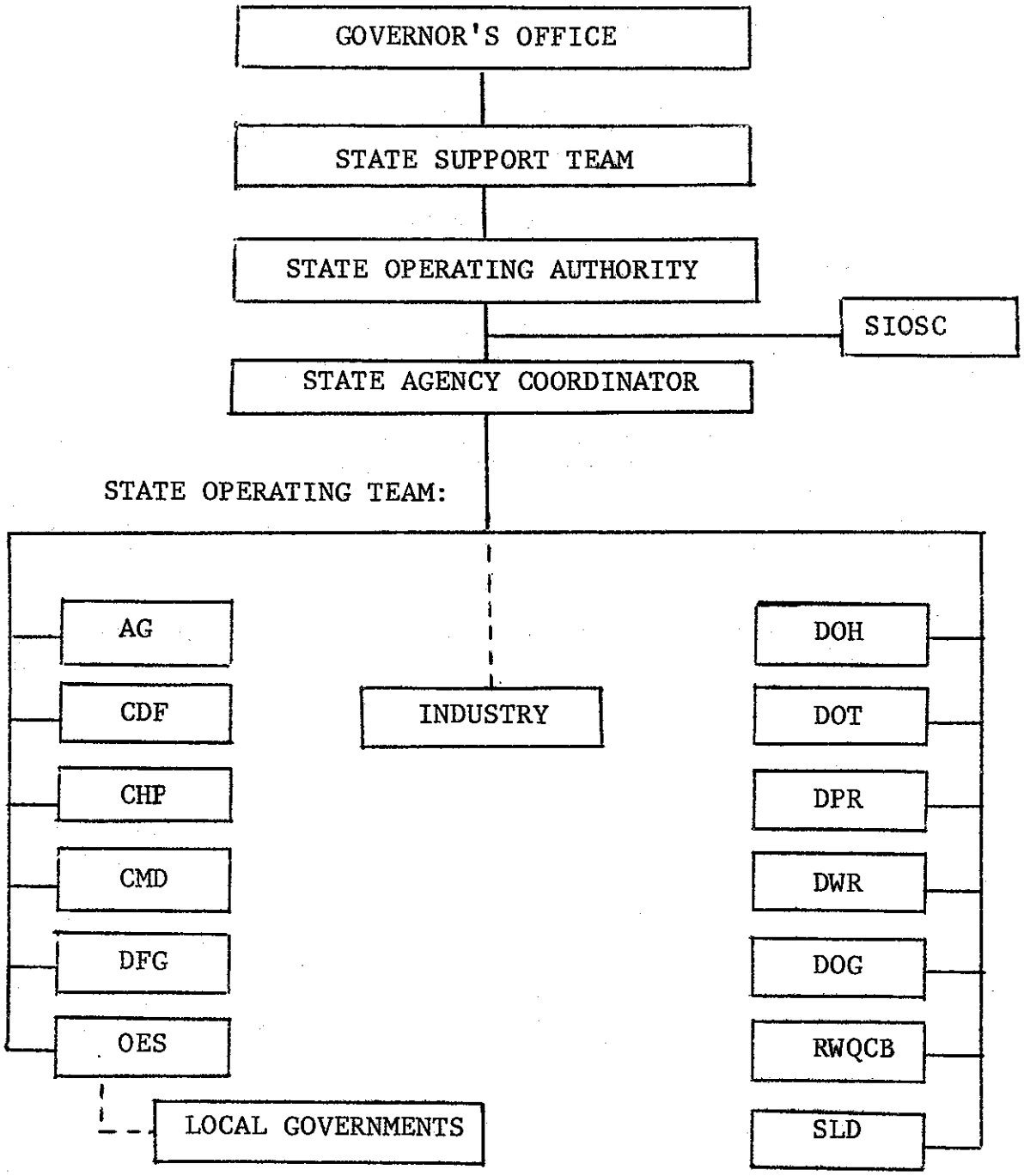
AG	Attorney General
CDF	Calif. Division of Forestry
CHP	Calif. Highway Patrol
CMD	Calif. Military Department
DFG	Department of Fish and Game

DOC	Department of Conservation
DOG	Division of Oil and Gas
DOH	Department of Health
DOT	Department of Transportation
DPR	Department of Parks and Recreation
DWR	Department of Water Resources
OES	Office of Emergency Services
RWQCB	Regional Water Quality Control Board
SLD	State Lands Division
SWRCB	State Water Resources Control Board

107.2 Operational Title Abbreviations

PIO	Public Information Officer
SAC	State Agency Coordinator
SIOSC	State Interagency Oil Spill Committee
SOA	State Operating Authority
SOC	State Operations Center
SOT	State Operating Team
SST	State Support Team

200 ORGANIZATION



201 State Support Team (SST)

201.1 Team Members

Secretary for Resources - Chairman
Secretary for Agriculture and Services
Secretary for Business and Transportation
Secretary for Health and Welfare
Attorney General
Director of Office of Emergency Services
State Adjutant General
Director of Department of Finance

201.2 The SST shall designate the State Operating Authority (SOA) and shall provide him with such support and authority as he may properly need to meet his responsibilities.

201.3 The SST may monitor and evaluate reports generated from the SOA. The SST may recommend courses of action in combating a pollution incident to the SOA for consideration by the State Agency Coordinator (SAC), but is not delegated direct operational control over the pollution incident or the SAC.

The SST is hereby delegated the necessary responsibility and authority to formulate, support and administer to a State interagency oil spill committee.

202 State Operating Authority (SOA)

202.1 That person charged with the responsibility and delegated commensurate authority for planning and directing the overall operations of all agencies of the State engaged in combating a pollution incident. He shall serve at the pleasure of the State Support Team. He is designated as California's liaison officer to the Federal regional response teams for coastal and inland waters. He is the chairman of the State Interagency Oil Spill Committee and is responsible for the work of the committee.

202.2 The SOA shall be a department director. He shall serve until replaced. He shall have a first and second alternate. Either the SOA or one of his alternates shall be available to respond to a pollution incident at all times.

203 State Interagency Oil Spill Committee (SIOSC)

203.1 This standing committee is hereby created and shall function until dissolved by the State Support Team.

203.2 The SIOSC consists of the State Operating Authority as Chairman, and as regular members, a representative and alternate from, and appointed by the head of each of the following agencies:

Attorney General
California Highway Patrol
California Military Department
Department of Conservation
Department of Fish and Game
Department of Health
Department of Transportation
Department of Parks and Recreation
Department of Water Resources
Division of Forestry
Office of Emergency Services
State Lands Division
State Water Resources Control Board

203.3 SIOSC shall be responsible for the following:

203.3.1 Establishing and maintaining liaison with federal, local and public and private organizations engaged in oil pollution and prevention and control.

203.3.2 Coordination between State agencies and other organizations in day to day procedures and practices relative to the prevention and mitigation of oil pollution from oil discharges.

203.3.3 The SIOSC shall meet annually in October at the call of the chairman and at any other time at the request of the chairman or of any two regular committee members. The Coast Guard, Environmental Protection Agency and industry cooperative organizations are invited to attend. At the October meeting the plan will be reviewed to consider the effects of new legislation and to consider amendments and/or additions to the plan. The State Operating Authority is delegated the responsibility to update the plan and to circulate the changes to the parties hereto.

203.3.4 Recommending necessary research and development, and testing by appropriate organizations of materials, equipment and methods related to oil spill prevention and control.

204 State Agency Coordinator (SAC)

204.1 The SAC is that person designated by the State

Operating Authority who is charged with the responsibility and delegated commensurate authority for planning and directing the on-scene operations of all State agencies engaged in combating a pollution incident. He will have the counsel of the State Operating Authority (SOA) and through the SOA, the counsel of the State Support Team, but shall be the single executive State agent that delegates mission assignments to appropriate State agencies.

204.2 In the event of a pollution incident, the first State official on site shall assume the duties of the SAC until relieved by the designated SAC.

204.3 The SAC shall determine the pertinent facts about the pollution incident, including but not limited to its potential impact on the public health and welfare; the nature, amount, and location of the material spilled; the probable direction and time of travel of the material; the resources and installations which are or may be affected, and the priorities for protecting them.

204.4 The SAC shall call upon and direct the needed resources as required by Phases III, IV, and V of this plan (See Section 400).

204.5 The SAC shall provide necessary support activities and documentation for Phase V activities.

205 State Operating Team (SOT)

205.1 This team (SOT) shall provide technical advice, operating personnel and equipment, and general counsel to the State Agency Coordinator whenever the team or any portion thereof is activated in response to a pollution incident.

205.2 This team shall be composed of designated representatives from the following agencies:

Attorney General
California Division of Forestry
California Highway Patrol
California Military Department
Department of Fish and Game
Department of Health
Department of Transportation
Department of Parks and Recreation
Department of Water Resources
Division of Oil and Gas
Office of Emergency Services

Regional Water Quality Control Board
State Lands Division
Representatives of other governmental agencies as appropriate
Representatives of industry as appropriate

205.3 SOT members must have a thorough knowledge of the resources their organization can provide and commensurate authority to place these resources at the disposal of the State Agency Coordinator in a timely manner. SOT members will act as liaison between their respective agencies and the SAC.

206 State Operations Center (SOC)

206.1 The State Operating Authority's public information officer will select the site of the SOC. The SOC preferably should be joined with or in a motel or hotel near other on-scene coordinators' response centers and should include one large room for use as an office and adjoining or nearby rooms for use of the State Operating Team members. The public information officer shall notify the telephone company to install additional telephones in the SOC if necessary. The telephone numbers in the "office" may be released to the press and the public. Numbers of the team members rooms should not be released.

206.2 Clerical help and office equipment will be provided by the Department of Fish and Game or the Office of Emergency Services. In the event these agencies are unable to supply these resources, they will be provided by such agencies as deemed appropriate by the State Agency Coordinator after consultation with the State Operating Team members on the scene.

207 Public Information Officer (PIO)

207.1 The State agency from which the State Operating Authority is designated shall furnish the PIO for the State Operating Team.

207.2 The State Agency Coordinator may call upon other State agencies to provide public information officers, provided that such personnel should have a basic understanding of the problems related to the cleanup of an oil spill in advance of the emergency assignment.

300 OIL SPILL REPORTING

301 Wide Area Telephone Service (WATS)

301.1 The State Support Team funds a 24-hour wide area telephone service (WATS).

301.2 The purpose of the WATS system is to enable the reporting of an oil spill to one single telephone number for the 13 State agency response capability.

301.3 When an oil spill is reported on the WATS system, the officer receiving the call will advise those State agencies on the State Operating Team that are or may become affected by the spill.

400 OPERATIONAL RESPONSE PHASES

401 For the purposes of coordination and clarity, the State hereby adopts the response phases, including their definitions, of the national plan as they exist or are amended. Elements of any one phase may take place concurrently with one or more other phases.

402 Response Phases

Phase I . . . . . Discovery and notification
Phase II. . . . . Evaluation and Initiation of action
Phase III . . . . . Containment and countermeasures
Phase IV. . . . . Cleanup, mitigation and disposal
Phase V . . . . . Documentation and cost recovery

500 RESPONSE ACTIONS AND RESPONSIBILITIES

501 State Operating Authority (SOA)

501.1 The SOA is that person who has the authority to declare an oil spill to be a pollution incident. When he makes such a declaration, he shall immediately appoint a State agency coordinator and activate response to the spill site by the Department of Fish and Game, the Office of Emergency Services and the Regional Water Quality Control Board. He will inform the Chairman of the State Support Team of his action and alert all other State Operating Team members.

502 State Agency Coordinator (SAC)

502.1 The State Agency Coordinator shall consult with State agencies and others active in the field and evaluate the incident. The State Operating Team shall be activated with representatives of those agencies determined to be required by the State Agency Coordinator. The proper federal agencies shall be advised of the State's actions. The State Agency Coordinator through the public information officer will establish a State Operations Center. He will through the OES coordinator establish liaison with concerned local governments involved in or threatened by the incident. He will issue daily California pollution reports (CalPolReps) to the SOA and local governments through the OES coordinator. He will carry out the purpose, objectives, scope and other titles of this plan in such a manner as to optimize the State's effort in combating the pollution incident.

503 Public Information Officer (PIO)

503.1 The designated public information officer will be the principal on-scene public spokesman for the State Operating Team. He will notify the media of the location of the State Operations Center. All public communications will be issued by him. If critical circumstances dictate the need for unilateral public communication, the details shall be reported to him as soon as possible. He will have the authority and responsibility for all press releases, interviews and liaison with all news media whatever the situation. He will coordinate releases through the federal response PIO. He will have the responsibility to establish the State Operations Center.

504 Attorney General

504.1 The Attorney General will assist and consult the State Agency Coordinator and all participating State Operating Team members on legal ramifications of all actions taken or planned. The AG will also direct the gathering of facts or other materials by team members for proper utilization in any civil proceedings arising from the pollution incident.

505 California Division of Forestry (CDF)

505.1 The CDF, as the State landowner of State forests, will send a representative from the nearest ranger unit to the State Operations Center for pollution incidents occurring on State owned forests. He will counsel the State Agency

Coordinator on such matters as: access routes to and from such forests, critical areas within the forest that need special application of Phases III, IV, and V and priorities for the protection of such areas. He will also maintain sufficient logistics to define damages to the forests caused by the pollution incident for all State interests except fish and wildlife.

502.2 In the event that a pollution incident is of sufficient magnitude anywhere in the State that the containment/counter measures and cleanup/mitigation and disposal are deemed by the State Agency Coordinator to be beyond the contractual capabilities for manpower and equipment in a specified area, the SAC is hereby authorized to seek assistance from the Fire Control Section of the State Forester's office.

The Fire Control Section will activate response to the State Operations Center by a representative of the forest district in which the pollution incident occurs. It will be his responsibility to furnish such inmate manpower, housekeeping equipment, communication and other equipment as the need requires and within the capability of the CDF.

506 California Highway Patrol (CHP)

506.1 The CHP has primary responsibility for traffic supervision and control on all State highways constructed as freeways, all State owned vehicular crossings (toll bridges) and on highways within unincorporated areas of the State.

> Note: "The term 'traffic' includes pedestrians, ridden animals, vehicles, streetcars, and other conveyances, either singly or together while using any highway for the purposes of travel." (Section 620 CVC)

506.2 If highway traffic on the above routes is, or is likely to be adversely affected by a pollution incident, the Commander of the area wherein the occurrence is located is to be notified. He shall be requested to send a member of his staff to the State Operations Center for liaison. He shall be advised of the situation and action being taken to control and eliminate the pollution.

506.3 The CHP will take control measures necessary to ensure safe traffic movement and to enable other agencies to expedite cleanup of the condition. The CHP will coordinate its emergency traffic control operations with the State Agency Coordinator, local law enforcement agencies, and appropriate highway maintenance authorities, as necessary.

506.4 Should CHP assistance be requested under the authority of the Statewide Law Enforcement Mutual Aid Plan, CHP law enforcement functions will be carried out in cooperation with the Operational Area Coordinator (County Sheriff) in the county where the incident has occurred.

507 Military Department (CMD)

507.1 The Military Department directs the resources of the California Army and Air National Guard - both men and equipment. In addition, it controls State owned armories, warehouses and equipment. At the direction of the Governor, the Military Department provides support to civil authorities designed to augment their resources.

507.2 The Military Department will respond to the call for assistance from the State Agency Coordinator who will have received approval from the Governor's office by means of a written agreement.

508 Department of Fish and Game (DFG)

508.1 The DFG will activate its oil and hazardous materials contingency plan, which, by reference, becomes an annex to this State plan. The DFG team commander will represent DFG on the State Operating Team. The DFG is designated as the State agency that will assess damages to the living resources and their habitat relating to a pollution incident.

509 Department of Health (DOH)

509.1 The DOH will send a representative from the district office having jurisdiction of the area in which a pollution incident is declared when such incident involves or threatens to involve any domestic water supply. They will send a representative in case a shellfish bed is contaminated. He will advise the State Agency Coordinator of the immediate corrective actions taken by or contemplated by the DOH to protect human health.

510 Department of Transportation (DOT)

510.1 The DOT, by its statutory obligations, has the responsibility for providing for the containment, cleanup and restoration of all materials causing a pollution incident on rights-of-way of all State highways within the State. In

the event of a declared pollution incident on roadways under its responsibility, the DOT will send a representative from the district having jurisdiction of the roadway to the State Operations Center to advise and counsel the State Agency Coordinator of the immediate corrective actions taken and those contemplated to mitigate the causes of the pollution incident.

511 Department of Parks and Recreation (DPR)

511.1 The DPR, as the State landowner of the State's parks and beaches, will send a representative from its district or area units to the State Operations Center for pollution incidents occurring within the parks or beaches and for parks or beaches threatened by such an incident. He will counsel the State Agency Coordinator on such matters as access routes to and from such parks and beaches, whether the beaches will support heavy beach cleaning equipment, critical areas that need special applications of Phases III, IV, and V, and priorities for the protection of such areas. He will maintain sufficient logistics to define damages to the parks and beaches caused by the pollution incident for all State interests except fish and wildlife. He will assist the Department of Fish and Game in establishing collection stations for oiled birds and mammals should the need arise.

512 Department of Water Resources (DWR)

512.1 The DWR, by its statutory obligations, has the responsibility to protect the waters of the State Water Project from pollutants. The system includes intake bays and pumps, the natural channels delivering water to the system, and its reservoirs and aqueducts. If the system is, or is likely to be affected by a pollution incident, the DWR will send a representative, designated through the DWR operations control center in Sacramento, to the State Operations Center to advise and counsel the State Agency Coordinator of the immediate corrective actions taken or those contemplated to mitigate the causes of the pollution incident. He will counsel the SAC on routes of access to the project and provide the SAC with a list of priorities to be protected to keep the spread of the pollutant to a minimum.

513 Division of Oil and Gas (DOG)

513.1 The DOG, by its statutory obligations, supervises all oil and gas well operations within the territorial boundaries of California. In the event of a pollution incident

emanating from a drilling or producing facility or area within the State, the DOG will be responsible for determining the appropriate actions to be taken to control and secure the source. By letter agreement, the State Lands Division will be the initial point of contact in all matters involving the control of spills emanating from facilities in navigable state waters. In the event that major mitigating action is necessary, it will be a coordinated decision of the DOG and State Lands Division.

When a pollution incident is declared that involves the DOG, it will send a representative from the district office having jurisdiction over the facility or area to the State Operations Center to advise and counsel the State Agency Coordinator of the immediate corrective actions taken or contemplated to mitigate the causes of the pollution incident.

514 Office of Emergency Services (OES)

514.1 The OES will send a representative from its mutual aid region in which a pollution incident occurs to the State Operations Center. He will assume the responsibility of advising the OES manager and concerned local governments of the situation, actions, and plans concerning the incident by California Pollution Reports (CalPolReps). In the event that the law enforcement mutual aid or the fire and rescue emergency plans are activated, the OES will send a representative from its proper divisions to the SOC. He will assume the responsibilities of advising the regional area law enforcement and/or fire coordinators of the situation, actions, and plans concerning the situation. The OES will furnish such communication facilities as mutually determined by the OES representative and the State Agency Coordinator.

515 Regional Water Quality Control Boards (RWQCB)

515.1 The RWQCB having jurisdiction over an area in which a pollution incident occurs will send a representative to the State Operations Center. It will be his responsibility to designate areas for the disposal of contaminated oil and oily debris removed in the cleanup and containment of the spill. In designating such areas, the representative shall take into consideration the amount of oil and oily debris involved in the pollution incident and the logistics and time involved in the transportation of the contaminants. It will also be his responsibility to advise the State Agency Coordinator of the critical water users in the area that might be affected by the spill so that special counter-measures can be taken. It will also be his responsibility to advise the critical water users

of the situation as it develops and to maintain liaison with them throughout the pollution incident.

516 State Lands Division (SLD)

516.1 The State Lands Commission, as the land manager of state-owned tide and submerged lands and other mineral lands, has a direct interest in any oil spill involving pipelines, piers, oil and gas loading facilities, surface facilities, and producing facilities on any or all of those lands. The State Lands Division, as the staff agency for the Commission, shall be notified immediately of all oil spills involving such operations.

State lessees or grantees are bound by lease and statute to be responsive to oil spills, and must immediately cease all operations other than mitigative should a pollution incident occur. State's lessees are required to prepare "Critical Operations and Curtailment Plans" that provide for review of effectiveness and availability of oil spill containment and recovery equipment and other factors relating to safety of operations. Such plans cover the suspension of operations in the event of an oil spill, oil spill reporting, and other factors.

The Division of Oil and Gas has regulatory responsibility for such operations but, by letter agreement, the State Lands Division will be the initial point of contact in all matters involving the control of spills emanating from facilities in navigable state waters.

In the event that major mitigative action is necessary, it will be a coordinated decision of the Division of Oil and Gas and the State Lands Division.

When a pollution incident is declared that involves the State Lands Division, it will send a representative from the area office having jurisdiction over the facility or area to the State Operations Center to advise and counsel the State Agency Coordinator of the immediate corrective actions taken or contemplated to mitigate the causes of the pollution incident.

600 FEDERAL RESPONSE

601 Whenever the Coast Guard (CoGard) or the Environmental Protection Agency (EPA) activates a federal response team because of an oil spill, the State Operating Authority may declare a pollution incident and activate the State plan.

602 The State Agency Coordinator will contact the pre-designated federal on-scene coordinator (OSC) and establish a mutual liaisonship with him. The SAC will make known to the OSC the response actions and responsibilities of the State Operating Team. The SAC will work through the OSC in such a manner that the overall purposes and objectives of both the federal and State contingency plans will result in a coordinated effort in combating the pollution incident.

603 The State's public information officer will make contact with the federal public information officer and will coordinate press releases and California Pollution Reports (CalPolReps) in such a manner that the media and the public will receive information from a single source.

700 VOLUNTEERS

701 Policy

701.1 Recognizing that Section 8574.3 of the Government Code allows the State Agency Coordinator to use volunteer workers during a pollution incident; and recognizing such volunteer workers are deemed employees of the State for purposes of Workmens Compensation under Sections 3350 et seq. of the Labor Code; and recognizing payments for such compensation shall be made from the State Water Pollution Cleanup and Abatement Account of the State Water Resources Control Board fund; it is the policy of the State to utilize such volunteer services (in concurrence with the federal OSC), only when

(a) the SAC deems their services will aid him in carrying out the purpose and objectives of this plan;

(b) They will be assigned only to tasks that have minimal safety risks such as beach surveillance, logistic support or cleaning of oiled birds or mammals.

702 Enrollment

702.1 No person shall be considered an active volunteer for the purposes of Section 8574.3 of the Government Code unless he or she is enrolled as a volunteer for specific tasks and for a specified time by officials of the Department of Fish and Game, Department of Parks and Recreation, California Division of Forestry or other agencies as deemed appropriate by the State Agency Coordinator after consultation

with the State Operating Team members on the scene acting under the provisions of this plan.

These State officials will issue to each enrolled volunteer an identification paper with sufficient data that will enable the volunteer to pass into controlled areas for the purpose for which he or she is enrolled. (See Appendix 2.0 for identification paper format).

703 Line Authority

703.1 The State officials enrolling volunteers shall have direct line authority over such volunteers and any decisions made by such officials through their line authority will be final and not appealable. The officials shall insure the enrolled volunteers receive appropriate briefing concerning their assignments.

800 FUNDING

801 State Water Pollution Cleanup and Abatement Account

The State Water Resources Control Board administers a Cleanup and Abatement Account (Cal. Water Code Sections 13440-13442). Upon application by a "public agency" with authority to cleanup a waste or abate the effects thereof, the State Board may order monies to be paid from the account to the agency to assist it in cleaning up the waste or abating its effects on waters of the State. "Public agency" means any city, county, city and county, district or other political subdivision of the State.

Since this fund is composed only of fines and donations and since other demands are made on this fund, no agency should request payment from this fund unless the agency is without funds of its own for cleanup or abatement and a request to the U. S. Coast Guard for assistance has been denied or is inappropriate.

Any request for payment from this fund should be sent to the "Executive Officer, State Water Resources Control Board, 1416 Ninth Street, Room 1015, Sacramento, California, 95814". The request must be accompanied by a certification that the public agency has no funds for cleanup or abatement and that the U. S. Coast Guard has denied assistance or a request for such assistance is inappropriate and the reasons therefor.

In addition the public agency must furnish an itemized statement of costs. The State Board will only pay for costs over and above the normal operating costs of the agency which are directly incurred as a result of the oil spill.

900 LOCAL GOVERNMENT

901 Policy

901.1 The State recognizes that most emergency planning flows upward through three levels of government - local, state, and federal. The foundation of California's emergency planning is a statewide system of mutual aid in which each local jurisdiction relies on its own resources, then calls for assistance from its neighbor.

A master mutual aid agreement, developed in 1950 and adopted by California's incorporated cities and by all 58 counties, creates a formal structure within which each jurisdiction retains control of its own personnel and facilities, but can give and receive help whenever it is needed.

On the other hand, oil spill planning is unique in that the federal government takes the leadership in combating an oil spill incident from the very outset. The federal oil spill contingency plans encourage the States and local governments to participate in regional planning and preparedness functions.

In order to reconcile these differences in emergency planning, for pollution incidents, it is the policy of the State to provide local governments with accurate and timely information regarding the spill and its effects on the populace, property and all the living resources. With such information, developed by the federal and state on-scene coordinators, local governments will be better able to plan their responses in a coordinated fashion.

902 Local Law Enforcement

902.1 Local municipal law enforcement agencies are charged with the protection of life and property including traffic supervision (except on State highways constructed as freeways) within the limits of their respective cities.

902.2 County sheriffs' departments are charged with the protection of life and property (but not traffic control and supervision) in unincorporated portions of their respective counties. In some municipalities, however, a sheriff's department will perform both general law enforcement and traffic supervision functions under contract with the city administration.

902.3 See Section 506.1 for Highway Patrol responsibilities on highways in unincorporated parts of the State and freeways within incorporated cities.

902.4 If the lives and property, or highway traffic, in the above local jurisdictions are, or are likely to be adversely affected by a pollution incident, the appropriate chief of police or sheriff is to be notified. He should be requested to send a member of his staff to the State Operations Center for liaison. He should be advised of the situation and the action being taken to control and to eliminate the problem.

902.5 The appropriate law enforcement agency will take measures it feels necessary to protect life and property and control traffic to enable other agencies to expedite cleanup of the condition. It should coordinate its operations with the State Agency Coordinator and adjacent law enforcement agencies, including the Highway Patrol, as necessary.

902.6 Should assistance be required under the authority of the statewide law enforcement mutual aid plan, mutual aid operations will be carried out in cooperation with the operational area coordinator (county sheriff) in the county where the incident has occurred.

903 Local Fire Control Agencies

903.1 Fire prevention and suppression in cities is the responsibility of a municipal fire department, local fire protection district (paid or volunteer) or a county fire department on a contract basis. In unincorporated areas the task may be handled by the U. S. Forest Service, the California Division of Forestry, a county fire department, or local fire protection district.

903.2 If the lives and property in the above jurisdictions are, or are likely to be adversely affected by a pollution incident of a type where fire prevention or suppression expertise is needed, the appropriate fire chief or forestry fire suppression officer is to be notified. In cases where a fire fighting agency has resources which could assist in cleanup operations, although no fire hazard may exist, the

appropriate fire fighting officer should also be notified. In either situation, he should be requested to send a member of his staff to the State Operations Center for liaison. He should be advised of the situation and the action being taken to control and eliminate the problem.

903.3 The fire fighting agency will take measures it feels necessary to protect life and property through the immediate suppression of fire or the elimination of fire hazards. If within the scope of their statutory functions and available resources, they may also assist with cleanup operations although no fire hazard exists.

903.4 Should assistance be required which can be provided under the California Fire and Rescue Emergency Plan (which governs mutual aid among fire departments), mutual aid operations will be carried out in cooperation with the Operational Area Fire and Rescue Coordinator in the county where the incident has occurred.

904 Local Planning

904.1 Each local government is invited to review the federal and State oil spill contingency plans. If it is determined that the federal and State plans are sufficient to meet the needs of the local government, then the State will expect local government participation to be expedited through the local offices of emergency services. However, if a local government decides that it has a need for its own oil spill contingency plan, it is encouraged to prepare a plan designed to operate within the framework of the national, regional and state plans. All local plans should be submitted to the State Operating Authority for review. The State will then expect the local government participation to be expedited through such plan. (See Appendix 4.0 for guidelines for local plans).

905 Local Government Participation (Other than Fire and Police Agencies

905.1 Each local government is invited to plan for participation at the State Operations Center should a pollution incident be declared that affects, or threatens to affect the community. The participation will be limited to one person from each local government. That person should have the authority to speak for his community and to commit personnel and facilities to mitigate the pollution incident. He will also have the responsibility to keep his legislative

and executive branches informed of the corrective or contemplated actions agreed upon in combating the spill.

906 State Operations Center Attendance

906.1 Local government representatives should make contact at the State Operations Center with the regional representative of the mutual aid region of the State Office of Emergency Services (OES). The OES representative has the responsibility to assure local governments of full information and cooperation.

At least once a day the State Agency Coordinator will issue a California Pollution Report (CalPolRep) that will summarize the situation, actions, plans and other information relating to the pollution incident. These CalPolReps are for the use of local governments and are not intended for release to the media. (See Section 503).

Also once a day the State Agency Coordinator will hold a meeting of the State Operating Team for reporting and planning purposes. A representative of the federal on-scene coordinator will attend so that State and local planning will result in a coordinated effort. Local government representatives will be expected to attend these meetings and participate in the planning process.

1000 INDUSTRY LIAISON

1001 Purpose

1001.1 The purpose of industry liaison is two-fold. First, it is to give to the company(s) suffering a pollution incident all information developed by the State Operating Team. Second, it is for the State Agency Coordinator to ascertain those facts about the incident known only by the company. It is only through such free exchange of information that a pollution incident can be properly mitigated to prevent undue public health or welfare stresses and at the same time contain and remove the pollutant to prevent undue liabilities.

1002 Company Participation

1002.1 Each company is invited to plan for participation at the State Operations Center should it suffer a declared pollution incident. The participation will be limited to one

person from each company involved in the incident. He should have the responsibility and be able to obtain the commensurate authority to commit his company's knowledge, personnel and facilities to mitigate the pollution incident.

1003 Cleanup Contractors

1003.1 Whenever a company suffering a pollution incident elects to contract for cleanup services with either a private company or an industry sponsored company or cooperative, the company suffering the incident will be responsible for the cleanup work. A contractor representative is invited to attend the daily meetings of the SOT at the SOC to exchange daily operating information.

1004 Participation Under Federal Response

1004.1 Whenever the Coast Guard or the Environmental Protection Agency activates a federal response team because of an oil spill and the State declares it to be a pollution incident, the company participation will be at the Regional Response Center.

GOVERNMENT CODE

Section 8574.1. In addition to any other authority conferred upon the Governor by this chapter, the Governor may establish a state oil spill contingency plan pursuant to the provisions of this article.

Section 8574.2. Any plan established pursuant to this article shall provide for an integrated and effective state procedure to combat the results of major oil spills within the state. Such plan shall provide for specified state agencies to implement the plan.

Section 8574.3. State agencies granted authority to implement a plan adopted under this article shall have the authority to use volunteer workers. Such volunteers shall be deemed employees of the state for the purpose of workmen's compensation under Article 2 (commencing with Section 3350) of Chapter 2 of Part 1 of Division 4 of the Labor Code. Any payments for workmen's compensation under this section shall be made from the account specified in Section 8574.4.

Section 8574.4. State agencies designated to implement the contingency plan shall account for all state expenditures made under the plan with respect to each oil spill. Expenditures accounted for under this section shall be paid for from the State Water Pollution Cleanup and Abatement Account of the State Water Quality Control Fund provided for in Article 3 (commencing with Section 13440) of Chapter 6 of Division 7 of the Water Code. If the party responsible for the spill is identified, that party shall be liable for the expenditures accounted for under this section, in action brought by the Attorney General. The proceeds from any such action shall be paid into the State Water Pollution Cleanup and Abatement Account of the State Water Quality Control Fund.

GOVERNMENT CODE

Section 8597. Whenever a state of emergency is proclaimed within any region or area, or whenever a state of war exists, the following classes of state employees who are within the region or area proclaimed or who may be assigned to duty therein, shall be peace officers and shall have the full powers and duties of such officers for all purposes as provided by Section 830.1 of the Penal Code, and shall perform such duties and exercise such powers as are appropriate or as may be directed by their superior officers:

(a) All members of the California Highway Patrol
(b) All deputies of the Department of Fish and Game who have been appointed to enforce the provisions of the Fish and Game Code pursuant to Section 851 of that code.
(c) The State Forester and the classes of the Division of Forestry who are designated by the State Forester as having powers of peace officers pursuant to Section 4156 of the Public Resources Code.
(d) Peace officers who are state employees within the provisions of Section 830.5 of the Penal Code.

Section 8598. Whenever a local emergency exists within a region or area of the state and the California Highway Patrol, the California State Police Division, or the Department of Corrections or the Department of the Youth Authority employing any peace officer within Section 830.5 of the Penal Code is requested by properly constituted authorities to assist local law enforcement, the officers assigned to assist within the designated regions or areas shall have the full powers of peace officers within the meaning of Section 830.1 of the Penal Code and shall perform such duties and exercise such powers as are appropriate or as may be directed by their superior officers.

PENAL CODE

Section 409.5. (Power of peace officers to close areas during emergencies: entering or remaining within area as misdemeanor: exception as to newspaper representatives, etc.)

(a) Whenever a menace to the public health or safety is created by a calamity such as flood, storm, fire, earthquake, explosion, accident or other disaster, officers of the California Highway Patrol, police departments or sheriffs' office may close the area where the menace exists for the duration thereof by means of ropes, markers or guards to any and all persons not authorized by such officer to enter or remain within the closed area. If such a calamity creates an immediate menace to the public health, the local health officer may close the area where the menace exists pursuant to the conditions which are set forth above in this section.

(b) Officers of the California Highway Patrol, police departments or sheriffs' office may close the immediate area surrounding any emergency field command post or any other command post activated for the purpose of abating any calamity enumberated in this section or any riot or other civil disturbance to any and all unauthorized persons pursuant to the conditions which are set forth in this section whether or not such field command post or other command post is located near to the actual riot or other civil disturbance.

(c) Any unauthorized person who willfully and knowingly enters an area closed pursuant to subdivision (a) or (b) and who willfully remains within such area after receiving notice to evacuate or leave shall be guilty of a misdemeanor.

(d) Nothing in this section shall prevent a duly authorized representative of any news service or radio or television station or network from entering the areas closed pursuant to this section.

WATER CODE

Section 13169:

(a) The state board may adopt regulations governing the testing, licensing and use of any chemical, or any other substance, for removing, dispersing or otherwise cleaning up oil or any residuary product of petroleum in or on any of the waters of the state. Such regulations shall be adopted in conformity, as nearly as practicable, with the provisions of Chapter 4.5 (commencing with Section 11371), Part 1, Division 3, Title 2 of the Government Code.

(b) The state board may establish a schedule of fees to cover the cost of testing and licensing the use of any substance for the purposes specified in subdivision (a), to be paid by the applicant for licensing of any such substance.

(c) The proper use of any such substance, in accordance with the state board's regulations shall be supervised and enforced by the Department of Fish and Game. The user shall pay to the Department of Fish and Game the cost of such supervisory and enforcement services and all related administrative and incidental costs, as computed by that Department, within 30 days after billing. Deputies of the Department of Fish and Game shall have all the powers and authority of a peace officer to make arrests for violations of regulations adopted by the state board pursuant to this section.

(d) Any person who uses any chemical or other substance in violation of any regulation adopted by the state board pursuant to this section shall be guilty of a misdemeanor. Each day's continuance of such violation shall constitute a separate offense.

Appendix 2.0

VOLUNTEER IDENTIFICATION PAPER FORMAT

STATE OF CALIFORNIA
VOLUNTEER ENROLLMENT FOR POLLUTION INCIDENT

First	Middle	Last	Age	Date

Address	Soc. Sec. No.

Sex	Height	Weight	Hair	Eyes

I do hereby declare that I have volunteered to work for the State of California without pay or other form of remuneration in order to assist the State in abating the results of a pollution incident of the waters of the State. I realize that my duties as a volunteer are limited only to the following specific duties and for the following specific times:

Duties: _____

_____

_____

_____

Times: _____

Signed _____

Approved _____

DISTRIBUTION

Numbered copies of this plan will be distributed to:

State Support Team	8 copies
State Interagency Oil Spill Committee	13 copies
State Operating Team	36 copies
State Operating Authority	2 copies
Governor's Office	2 copies
EPA - Coast Guard	10 copies

Unnumbered copies of this plan will be distributed to:

All counties	58 copies
All incorporated cities	410 copies
Industry	250 copies

Only those persons receiving numbered copies of this plan will be furnished amendments as the plan is updated from time to time.

CALIFORNIA POLLUTION REPORT (CALPOLREP)

N O T F O R R E L E A S E

Date_____ Time_____

CALPOLREP #_____

Name of Spill_____ Designator_____

Cal Oil Spill Contingency Plan activated: Date_____Time_____

State Operating Team Agencies Activated_____

State Operations Center (location)_____

State Agency Coordinator: (name)_____

Regional Response Team Activated: Date_____ Time_____

Federal Operations Center: (location)_____

Federal On-Scene Coordinator: (name)_____

I. SITUATION

A. Spiller_____

B. Pollutant_____Amount_____

C. Area of Contamination_____

D. Critical Water Users_____

E. Critical Environmental Areas Endangered_____

F. Disposal Sites_____

G. Weather_____Wind_____Current_____

H. Predicted Movement_____

II. ACTION

A. Containment and Countermeasures _____

B. Cleanup and Disposal _____

C. Restoration _____

D. Recovery of Damages and Enforcement _____

III. PLANS

A. Short Range _____

B. Long Range _____

IV. WILDLIFE INVOLVEMENT

A. Collection Stations _____

B. Treatment Facilities _____

C. Number and Kind of Contaminated Animals _____

D. Estimated Population of Animals in Area and Likelihood of Contamination _____

V. DEACTIVATION CAL OIL SPILL CONTINGENCY PLAN

Date _____ Time _____

VI. INVESTIGATION

Open _____ Closed _____