



# **Guidelines for Places of Refuge Decision-Making**



(Photo: M/V *Golden Seas* being towed to a place of refuge, December 2010)

**Revision 1 – September 2013**

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## 1. Purpose and Scope

The purpose of the *Guidelines for Places of Refuge Decision-Making (Guidelines)*<sup>1</sup> is to provide:

- (1) An incident-specific decision-making process (Appendix 1) to assist U.S. Coast Guard (USCG) Captains of the Port (COTP) in deciding whether a vessel needs to be moved to a place of refuge and, if so, which place of refuge to use; and
- (2) A framework for developing pre-incident identification of Potential Places of Refuge (PPOR) (see Appendix 2) for inclusion in the appropriate subarea contingency plan (SCP).

These *Guidelines* address places of refuge decision-making in waters of Alaska. They are consistent with the December 2003 International Maritime Organization “Guidelines on Places of Refuge for Ships in Need of Assistance” and the July 2007 National Response Team “Guidelines for Places of Refuge Decision-Making.”

These *Guidelines* provide the COTP with a process that will help: (1) expedite place of refuge decision-making and (2) ensure appropriate federal and state agency partners, federally-recognized tribes, stakeholders, and other technical experts (e.g., marine pilots) are consulted as appropriate. This in turn, helps ensure that the COTP has appropriate input and the best available information prior to making a place of refuge decision.

## 2. Overview

A “place of refuge” is defined as a location where a vessel needing assistance can be temporarily moved to, and where actions can then be taken to stabilize the vessel to: (1) protect human life, sensitive natural and cultural resources, historic properties, national defense, security, economic interests, and critical infrastructure and/or (2) reduce or eliminate a hazard to navigation. A place of refuge may include constructed harbors, ports, natural embayments, temporary grounding sites, or offshore waters.

Imperiled, structurally damaged, or leaking vessels may need to be brought into a harbor or anchored or moored in protected waters to make repairs to stop the loss of oil or other hazardous substances. Likewise, vessels that have lost power or steering may need to be brought into a place of refuge for repairs to prevent a shipwreck that could result in the loss of fuel, hazardous substances, or other cargo. Taking these actions would help prevent or minimize potential adverse effects to the public, the environment, and resource users.

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<sup>1</sup> “Guidelines” mean the decision-making guidelines and matters set forth in this document. Notwithstanding any such words as “may,” “should,” “will,” or “would,” these guidelines are intended solely as factors that may be considered with respect to the exercise of judgment in deciding whether, where, and when to direct or permit a vessel to seek a place of refuge, as well as considered during the execution and implementation of any such decisions.

There is no single place of refuge suitable for all vessels and all situations. Decisions relating to places of refuge need to be made on an incident-specific basis because they encompass a wide range of issues that vary according to each situation, such as:

- Each incident is unique (e.g., vessel size, fuel carried, and reason for assistance).
- Information relevant to a specific location may be incomplete or out-of-date.
- Weather and sea conditions are variable.
- Fish and wildlife resources are mobile and may or may not be in an area as anticipated.
- The locations of other activities (e.g., commercial fishing and subsistence use) vary over time.
- Resources (e.g., salvage vessels) available to respond to the incident vary over time.

The Alaska Regional Response Team (ARRT) does not support the pre-approval of places of refuge in Alaska; therefore, there are no pre-approved places of refuge identified in the state. However, the ARRT does support the pre-incident identification of PPORs (see Appendix 2) that would be evaluated on an incident-specific basis using the decision-making process outlined in Appendix 1 of these *Guidelines*. It is important to note that identifying a PPOR does not require that those locations be used as a place of refuge. PPORs have been identified in each of the nine subareas of the *Alaska Federal/State Preparedness Plan for Response to Oil and Hazardous Substance Discharges/Releases (Unified Plan)* that include portions of Alaska's coastline. Used in conjunction with these *Guidelines*, the SCP for each of those nine subareas includes a PPOR section (Section H) with site-specific PPOR information.

The best location for a place of refuge at any given point in time is dependent on incident-specific characteristics and real-time input by appropriate federal and state agency partners, federally-recognized tribes, stakeholders, and other technical experts (see Tab A). When considering places of refuge decisions, the COTP will need to consider multiple interests, which will include one or more of the following: (1) protecting human life, sensitive natural and cultural resources, historic properties, national defense, security, economic interests, and critical infrastructure and (2) reducing or eliminating a hazard to navigation.

Decisions regarding places of refuges will consider each of the following options, as appropriate:

- The vessel remaining in the same position.
- The vessel continuing on its voyage.
- The vessel moving farther from shore.
- The vessel being intentionally grounded.
- The vessel being intentionally scuttled in deep water.
- The vessel moving to a place of refuge.

The incident-specific decision-making process for places of refuge, outlined in Appendix 1, recognizes that while the timeframe for the COTP to make decisions regarding places of refuge varies, it may be divided into the following three categories:

- (1) The vessel's situation requires immediate action, leaving no time for consultation with any federal and state agency partners, federally-recognized tribes, or stakeholders or for any input from other technical experts.

- (2) The vessel's situation requires rapid action, leaving time for consultation with only appropriate federal and state agency partners.
- (3) The vessel's situation allows time for consultation with appropriate federal and state agency partners, federally-recognized tribes, and stakeholders and for input by other technical experts.

Decisions to direct or permit a vessel to seek a place of refuge, as well as the decisions and actions implementing those decisions, will be based on best available information and best professional judgment. If time allows, the COTP will activate a Unified Command (UC) under the Incident Command System to assist with the decision-making process if the vessel is in state waters and/or the vessel may be intentionally grounded or moved to a place of refuge in state waters. For incidents that also include response activities (e.g., responding to an oil discharge from the vessel) in addition to places of refuge decision-making, the COTP should consider forming a "places of refuge" unit within the Planning Section, headed by the Deputy Planning Chief, to conduct the place of refuge evaluation. This unit would include appropriate natural resource trustees and other technical experts from the Operations and Planning sections and the Command Staff. In addition, the unit would consult with representatives of appropriate federally-recognized tribes and stakeholders.

Figure 1 provides an overview of the places of refuge decision-making process.

### **3. Authorities and Responsibilities**

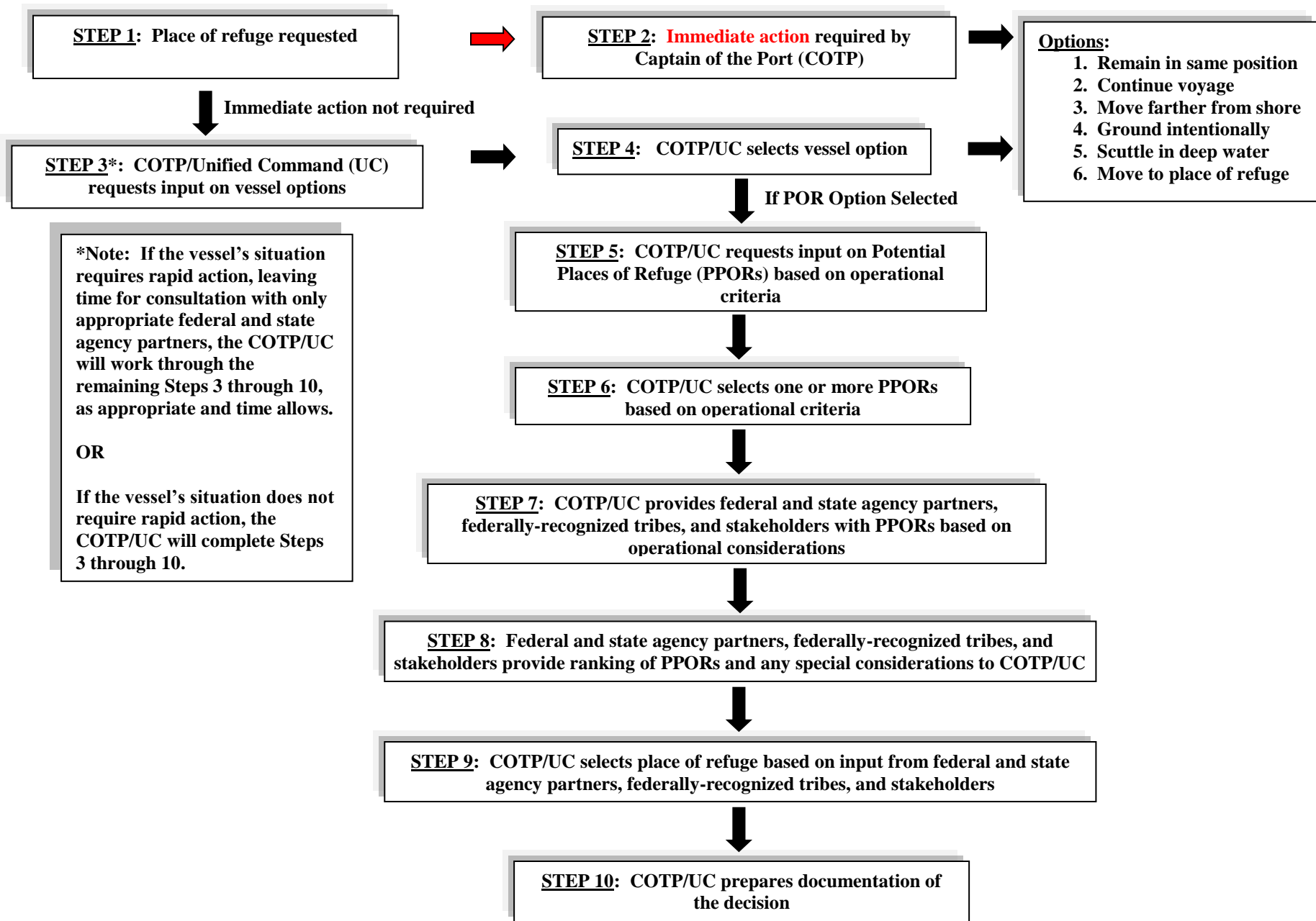
The following is a description of selected authorities and responsibilities for federal and state agencies that may be involved in places of refuge decision-making, as described in these *Guidelines*.

- The USCG COTP (who is also the designated Federal On-Scene Coordinator) has the authority to order vessels into and out of ports, harbors, and embayments in order to protect the public, the environment, and maritime commerce<sup>2</sup>. While the COTP retains ultimate authority for places of refuge decision-making, the COTP will consult with the appropriate federal and state agency partners, federally-recognized tribes, and stakeholders and will seek input from other technical experts in accordance with the *Guidelines* and will activate a UC as appropriate.
- The State of Alaska has authority to represent and protect the state's interest for incidents that may threaten or impact land, waters, and other resources within the territorial jurisdiction of the state, including state-owned tide and submerged lands. The Alaska Department of Environmental Conservation (ADEC) provides the designated State On-Scene Coordinator (SOSC), who in turn, is responsible for providing timely input to the COTP/UC on interests under the state's authorities and/or jurisdiction.

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<sup>2</sup> It should be noted that there may be some maritime homeland security situations where the COTP may have access to Sensitive Security Information and/or classified information that may affect the final disposition of a vessel requesting "Force Majeure" or permitting a vessel to seek a place of refuge. It may not be practical or possible to share the specifics of this information with any or all federal and state agency partners, federally-recognized tribes, stakeholders, or other technical experts.

**Figure 1: Overview of Places of Refuge Decision-Making Process**



- The U.S. Department of the Interior (DOI), the U. S. Department of Commerce, and U.S. Department of Agriculture each have authority to represent and protect their respective interests for incidents that may threaten or affect lands (including submerged lands), shorelines, waters, or other resources within their respective jurisdiction (e.g., units of the national park system, national wildlife refuges, national forests, national marine sanctuaries, migratory birds, marine mammals, threatened and endangered species and their critical habitats, essential fish habitat, cultural resources, and historic properties). Representatives of these agencies are responsible for providing timely input to the COTP/UC on interests under their respective authorities and/or jurisdiction.
- The Alaska Department of Natural Resources (ADNR) and the Alaska Department of Fish and Game (ADF&G) each have authority to represent and protect their respective interest for incidents that may threaten or affect cultural and historic sites, state parks and recreation areas, state forests, state refuges, sanctuaries and critical areas, or other state lands under their respective management authority. Representatives of these agencies are responsible for providing timely input to the SOSC/UC on interests under their respective authorities and/or jurisdiction.
- It should be noted that there are other agencies (e.g., the U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, and U.S Customs and Border Protection; U.S. Department of Health and Human Services, Centers for Disease Control and Protection; and U.S. Department of Justice, Federal Bureau of Investigation) that may also provide input to, or otherwise be involved in, places of refuge decision-making based on their respective authorities and jurisdiction. In those cases, representatives of these agencies are responsible for providing timely input to the COTP/UC on interests under their respective authorities and/or jurisdiction.

#### **4. Guidelines Development and Revision**

This document was developed in 2004 by the ARRT Places of Refuge Subcommittee (Subcommittee). Subcommittee members included representatives from the following entities: USCG, Environmental Protection Agency, DOI, U.S. Department of Commerce, U.S. Department of Justice, ADEC, ADF&G, ADNR, oil spill cooperatives, industry production and transportation interests, Alaska marine pilot representatives, salvage operators, and regional citizens advisory councils. Following review and approval of the *Guidelines* by the Subcommittee, the document was submitted to the ARRT for action. The *Guidelines* were approved by the ARRT in October 2004 and included in the *Unified Plan* as Annex O.

The *Guidelines* are reviewed and updated, as appropriate. Revision 1 of the *Guidelines* was approved by the ARRT in September 2013. For the current version of the *Guidelines*, see: [http://dec.alaska.gov/spar/perp/plans/uc/Annex%20O%20\(Jan%2010\).pdf](http://dec.alaska.gov/spar/perp/plans/uc/Annex%20O%20(Jan%2010).pdf).

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## **APPENDIX 1: INCIDENT-SPECIFIC PLACES OF REFUGE DECISION-MAKING PROCESS**

### **Step 1. Place of refuge requested.**

**The U.S. Coast Guard Captain of the Port (COTP) receives a request from a vessel master or his/her representative<sup>1</sup> to move a vessel to a place of refuge<sup>2</sup>. The COTP will request the following information from that individual, as appropriate:**

- Number of people on board and list of crew members, including:
  - Names
  - Dates of birth
  - Nationalities.
- Length of time the crew has been awake.
- Vessel particulars (e.g., length and gross tonnage).
- The location of the place(s) of refuge (if a specific location is requested).
- The reasons the vessel needs assistance and the specific assistance required.
- A summary of medical and/or life safety issues associated with the incident, including the need to evacuate or quarantine individuals from the vessel.
- Time when the problem(s) began.
- The status of the vessel and its systems, including:
  - Steering
  - Propulsion
  - Bilge pumps
  - Lifesaving (e.g., lifeboats)
  - Firefighting capability
  - Service generator and emergency generator
  - Watertight integrity.
- If the vessel is flooding, status of the vessel's pumping system.
- Types, quantities, hazards, and condition of petroleum products, hazardous substances, and/or other cargo onboard.
- The presence (or suspected presence) of rats, other invasive species, and/or animal, plant, or human diseases onboard the vessel.
- On-scene weather and water conditions and marine forecast.
- Status of notifications completed by master (e.g., owners, operators, agents, Qualified Individual, class society).
- Measures already taken by the crew, including:
  - Repairs
  - Ballasting
  - Cargo shifts.
- Status of actions take.
- Nation of origin.

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<sup>1</sup> In the event there are no individuals on board the vessel authorized to make the request, or the vessel has been abandoned, the COTP will be responsible (to the extent possible) for obtaining appropriate information requested in Step 1.

<sup>2</sup> It is possible that the requestor will ask the COTP to identify a suitable place of refuge.

### **Step 1, Cont.**

- Vessel's last port of call.
- Current position (if vessel is equipped with an Automatic Identification System [AIS], direct the vessel master to turn the system on to aid in vessel tracking).
- Vessel owner's name, address, and contact information.
- Certificate of Financial Responsibility (commonly referred to as COFR).
- Oil spill response organization (person in charge name and contact information).

### **Step 2. Immediate action required by COTP.**

**If the vessel's situation requires immediate action, leaving no time for consultation with appropriate federal and state agency partners, federally-recognized tribes, and stakeholders, or input by other technical experts, the COTP will:**

- Evaluate the options of the vessel remaining in the same position, continuing on its voyage, moving farther from shore (e.g., which could include using the assistance of a tug and an emergency towing system), being intentionally scuttled in deep water, being intentionally grounded, or moving to a place of refuge.

If evaluating a place of refuge, take into account, if possible, any Potential Places of Refuge (PPOR) identified in the Section H of the appropriate subarea contingency plan(s) (SCP).

- Permit or direct the vessel to remain in the same position, continue on its voyage, move farther from shore, intentionally ground, move to a place of refuge, or prepare for scuttling in deep water.
- Inform federal and state agency partners, federally-recognized tribes, and stakeholders of the decision.
- Activate, if necessary, a Unified Command (UC) to address any remaining issues.

### **Step 3. COTP/UC<sup>3</sup> requests input on vessel options.**

**If the vessel's situation requires rapid action, leaving time for consultation with only appropriate federal and state agency partners, the COTP/UC will work through Steps 3 through 10, as appropriate and as time allows.**

**OR**

**If the vessel's situation does not require rapid action, the COTP will complete Steps 3 through 10:**

- Activate a UC, if appropriate.
- Require, if appropriate, the vessel master or owner/operator to contract with a salvor and/or pollution response contractor.

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<sup>3</sup> While information in Steps 3 through 10 refers to the COTP/UC, if the COTP determines that activation of a UC is not appropriate or necessary, the reference to "UC" in Steps 3 through 10 will not be applicable.

### **Step 3, Cont.**

- Dispatch, if safety considerations and time allows, an inspection team (i.e., the “Away Team”) to board the vessel and evaluate the vessel’s condition.
- Determine whether security partners should be notified, and if so, perform appropriate notifications.
- Review Section H of the appropriate SCP(s) to determine whether PPORs (if any) may be appropriate for this incident.
- Contact the National Oceanic and Atmospheric Administration (NOAA) Scientific Support Coordinator (SSC) to request that the NOAA SSC identify the following information, as appropriate, for the options of the vessel remaining in the same position, continuing its voyage, moving farther from shore, being intentionally scuttled in deep water, being intentionally grounded, or moving to a place of refuge:
  - Weather and sea states, including prevailing winds.
  - Tides and currents.
  - Largest scale navigational charts of the area.
  - Seasonal considerations, such as ice.
  - Potential temporary grounding locations (if intentional temporary grounding is an option).
  - Trajectories for products already or potentially discharged or released from the vessel.
  - Oil or chemical fate analysis.
- Contact federal and state natural resource trustees (see Tab A) to request that they:
  - Identify any impacts, or potential impacts, to natural and cultural resources and historic properties at risk for the options of the vessel remaining in the same position, continuing on its voyage, moving farther from shore, being intentionally scuttled in deep water, being intentionally grounded, or moving to a place of refuge.
- Contact (depending on the incident) appropriate federal, state, and/or local safety and public health agency representatives to request that they:
  - Identify any public health and/or safety issues, or potential issues, related to individuals still onboard, individuals responding to the incident, and/or the general public for options that may include a vessel remaining in the same position, continuing on its voyage, moving farther from shore, being intentionally scuttled in deep water, being intentionally grounded, or moving to a place of refuge.
- Contact (depending on the incident) federal, state, and/or local critical infrastructure and/or security entities to request that they:
  - Identify any security issues, or potential issues, related to individuals still onboard, individuals responding to the incident, and/or the general public; and/or any critical infrastructure considerations for the options of the vessel remaining in the same position, continuing on its voyage, moving farther from shore, being intentionally scuttled in deep water, being intentionally grounded, or moving to a place of refuge.

### **Step 3, Cont.**

- ❑ Contact (depending on the incident) federal, state, and/or local agricultural and animal agency representatives to request that they:
  - Identify any issues, or potential issues, related to animal or plant disease and/or invasive species and disposal or salvage of animal, plant, and/or food cargo for the options of the vessel remaining in the same position, continuing on its voyage, moving farther from shore, being intentionally scuttled in deep water, being intentionally grounded, or moving to a place of refuge.
- ❑ Contact (depending on the incident) federal, state, and/or local economic agency representatives to request that they:
  - Identify any federal, state, and/or local economic impacts, or potential impacts, for the options of the vessel remaining in the same position, continuing on its voyage, moving farther from shore, being intentionally scuttled in deep water, being intentionally grounded, or moving to a place of refuge.
- ❑ Contact (depending on the incident) representatives of federally-recognized tribes to request that they:
  - Identify any impacts, or potential impacts, to interests of federally-recognized tribes related to the vessel remaining in the same position, continuing on its voyage, moving farther from shore, being intentionally scuttled in deep water, being intentionally grounded, or moving to a place of refuge.
- ❑ Contact (depending on the incident) representatives of appropriate stakeholders (see Tab A) as time allows to request that they:
  - Identify any impacts, or potential impacts, to their respective interest for the options of the vessel remaining in the same position, continuing on its voyage, moving farther from shore, being intentionally scuttled in deep water, being intentionally grounded, or moving to a place of refuge.
- ❑ Contact vessel master, vessel owner, and salvage experts to request that they provide information on:
  - Vessel status/seaworthiness, in particular buoyancy, stability, availability of propulsion and power generation, docking ability, and any progressive deterioration.
  - Any impending threat to the vessel or its product.
  - Availability and location of rescue tugs/tow vessels of sufficient size and power to aid the vessel in distress, including towing.
  - Availability and location of vessel towing packages for deployment to the incident.
- ❑ Contact (depending on the incident) representatives of appropriate oil spill response organization(s) to request that they provide information on:
  - Ability and/or feasibility to respond to discharges/releases from the vessel.

#### **Step 4. COTP/UC selects vessel option.**

**Based on the input received in Step 3, the COTP/UC will evaluate the considerations listed below and will then determine whether the vessel should remain in the same position, continue on its voyage, move farther from shore, be intentionally scuttled in deep water, be intentionally grounded, or move (or be taken to) a place of refuge:**

##### Vessel Status and Risk Considerations

- The kind and size of the vessel.
- The status/seaworthiness of the vessel, in particular buoyancy, stability, availability of propulsion and power generation, docking ability, and progressive deterioration.
- Types, quantities, hazards, and condition of petroleum products, hazardous substances, and/or other cargo onboard.
- The presence (or suspected presence) of rats, other invasive species, and/or animal, plant, or human diseases onboard.
- Any impending threat to the vessel or its product.
- Weather conditions and forecasts.
- Master's ability to navigate the vessel or need for a pilot.
- Health of crew members and vessel passengers, including the ability to isolate and control the movement of passengers, crew, and airborne infection to populated areas.
- Vessel traffic in the area.
- Ability of vessel to move from its current location, and estimated distance it could transit without further incident.
- The number and type of anchors, length and size of anchor chain, and operational status of anchor windlass.
- Other vessel status or risk considerations, if any.

##### Response and Salvage Resources Considerations

- Availability and location of rescue tugs/tow vessels of sufficient size and power to aid the vessel in distress, including towing.
- Availability and location of vessel towing packages.
- Salvage and spill response resources on-scene with the vessel and available during transit.
- Vessel traffic in the area.
- Access to pier, dock, or mooring buoy with repair facilities and/or cargo handling facilities.
- Access to vessel by emergency service equipment (e.g., ambulances, firefighting equipment, and radiological gear).
- Other considerations, if any.

##### Public Health and Safety Considerations

- Safety, or potential safety, issues for individuals (if any) still onboard the vessel.
- Safety, or potential safety, issues for individuals performing salvage/response activities.
- Impacts, or potential impacts, on public health and safety (e.g., from human diseases and/or cargo onboard).

#### **Step 4, Cont.**

- Closure, or potential closure, of water intakes (e.g., drinking water supplies, power plants, and/or canneries).
- Impacts, or potential impacts, on subsistence activities (e.g., food gathering and/or consumption) and/or recreational and commercial fishing (e.g., fishing closures).
- Other considerations, if any.

#### **Natural and Cultural Resources and Historic Properties Considerations**

- Impacts, or potential impacts, on sensitive resources (e.g., migratory birds, marine mammals, fish, shellfish, threatened or endangered species, cultural resources, and/or historic properties) and/or the potential use of those resources (e.g., subsistence harvest of shellfish and recreational fishing).
- Impacts, or potential impacts, on sensitive areas (e.g., designated essential or critical habitat, eel grass beds, marshes, parks, refuges, native allotments, and/or forests).
- Other considerations, if any.

#### **National Defense, Security, and Economic and Critical Infrastructure Considerations**

- Impacts, or potential impacts, to national security interests and defense readiness.
- Economic, or potential economic, impacts resulting from:
  - Port closures (e.g., loss of perishable goods and/or delays in transportation of goods and people).
  - Disruption of recreational activities (e.g., beach closures), commercial fisheries, mariculture, and other activities.
- Other considerations, if any.

#### **Stakeholder Considerations**

- *To be identified by stakeholders* (e.g., subsistence use areas, mariculture sites, private lands, and/or commercial fishery areas).

#### **Other Command Management Considerations**

- Liability, insurance, and compensation issues and limits.
- Requirements of port or harbor authorities for financial responsibility and bonding.
- Media and public interest.
- Required notifications such as marine pilots, if applicable.
- Contamination of private property (e.g., marinas, docks, other vessels).
- Other considerations (not already identified).

**If the COTP/UC selects the option of moving the vessel to a place of refuge, the remaining steps in this appendix need to be completed. If the COTP/UC selects another vessel option (i.e., remaining in the same position, continuing on its voyage, moving farther from shore, being intentionally scuttled in deep water, or being intentionally grounded), no additional steps in this appendix need to be taken.**

## **Step 5. COTP/UC requests input on PPORs based on operational criteria.**

**If the COTP/UC determines that the risks of moving the vessel to a place of refuge are acceptable, the COTP/UC will request the following information to help identify one or more PPORs<sup>4</sup>.**

- Request from the NOAA SSC, the following information, as appropriate, for all PPORs being considered:
  - Weather and sea state including prevailing winds.
  - Tides and currents.
  - Seasonal considerations, such as ice.
  - Trajectories for products already or potentially discharged/released from the vessel.
  - Oil or chemical fate analysis.
  
- Request from appropriate Alaska Pilots Association or other mariners, the following port or anchorage criteria:

*Note: If one or more existing PPORs are being considered, the criteria are provided in Section H of the appropriate SCP. If the location is not an existing PPOR, contact the Alaska marine pilots and mariners familiar with the area.*

  - The type and size of the vessel and required “swing room” relative to the size of the place of refuge site.
  - Weather limitations.
  - Adequate water depth at mean low tide to accommodate the vessel.
  - Navigational approach, including vessel traffic and associated risks.
  - Pilotage requirements.
  - Anchoring depth and ground, or suitable docking facilities.
  - Availability of repair facilities.
  - Availability of cargo reception and storage facilities.
  - Land and/or air access.
  - Availability of required emergency response capabilities (e.g., firefighting, pollution prevention, or law enforcement).
  - Other pertinent port or anchorage information, if any.
  
- Request from appropriate salvage experts (e.g., USCG and vessel salvage representative) the following information, as appropriate, for all PPORs being considered:
  - Any new information on the status/seaworthiness of the vessel, in particular buoyancy, stability, availability of propulsion and power generation, docking ability, and progressive deterioration.
  - Any new information on the impending threat to the vessel or its product.
  - Availability and location of rescue tugs/tow vessels of sufficient size and power to aid the vessel in distress, including towing.
  - Availability and location of vessel towing packages.
  - Availability of salvage and spill response resources.
  - Availability of appropriate and compatible lightering equipment and receiving vessels.

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<sup>4</sup> See Section H of the appropriate subarea contingency plan for previously identified PPORs for the subarea.

### **Step 5, Cont.**

- Availability of product storage (e.g., tanker barge, other vessels).
  - Availability of skilled labor and trained personnel.
  - Access to repair equipment and facilities.
  - Availability of cargo reception and storage facilities.
  - Salvage and response vessel access.
  - Other pertinent salvage-related information, if any.
- Request (if applicable) from appropriate Alaska-based oil spill response organization(s), the following information for all PPORs being considered:
- Ability and/or feasibility to respond to discharges/releases from the vessel.
  - Other pertinent oil spill response information, if any.
- Request (if applicable) from appropriate port or harbor authorities and/or land owners and land managers, the following information for all PPORs being considered:
- Any permits or other requirements.
  - Other pertinent information, if any.

### **Step 6. COTP/UC selects one or more PPORs based on operational criteria.**

**Based on input received in Step 5, the COTP/UC will select one or more PPORs based on the following operational considerations:**

#### Port or Anchorage Area Criteria

- The type and size of the vessel compared to the size of the place of refuge site.
- Adequate water depth at mean low tide to accommodate the vessel.
- Navigational approach, including vessel traffic and associated risks.
- Pilotage requirements.
- Tides and currents.
- Seasonal conditions, such as ice.
- Anchoring depth and ground, or suitable docking facilities.
- Availability of repair facilities.
- Availability of cargo reception and storage facilities.
- Land and/or air access.
- Weather and sea state including prevailing winds.
- Requirements from port authorities and/or area landowners/managers.
- Availability of necessary emergency response capabilities (e.g., fire fighting, pollution response, and law enforcement).
- Sensitive areas requiring protection.
- Other pertinent port or anchorage information, if any.

#### Response, Salvage, and Repair Resources

- Available salvage and spill response resources.
- Salvage and response vessel access.



### **Step 6, Cont.**

- Availability of appropriate and compatible lightering equipment and receiving vessels.
- Availability of product storage (e.g., tanker barge, other vessels).
- Availability of skilled labor and trained personnel.
- Access to repair equipment and facilities.
- Availability of cargo reception and storage facilities.
- Other pertinent response, salvage, or repair resource information, if any.

### **Step 7. COTP/ UC provides federal and state agency partners, federally-recognized tribes, and stakeholders with PPORs based on operational considerations.**

**The COTP/UC will provide the following information to federal and state agency partners, federally-recognized tribes, and stakeholders, as appropriate:**

- The list of PPORs.
- Principal reasons for selecting each location (e.g., the vessel cannot travel far without sinking; or location of repair facilities).
- How the vessel will transit to the area (e.g., on its own power or pulled by a tug) and transit route.
- Amount, location, and type of petroleum products and/or other hazardous substances remaining on the vessel; the likelihood of discharge/release; and the anticipated trajectory for any products released at any point along the vessel's intended transit route.
- The presence (or suspected presence) of rats, other invasive species, and/or animal, plant, or human diseases onboard.
- What incident-related activities are planned in the place of refuge (e.g., underwater welding).
- What support vessels/aircraft will be required (e.g., salvage vessel).
- The estimated duration the vessel will be in that location.
- Anticipated weather and sea states (including prevailing winds), tides and currents, and seasonal considerations relevant to places of refuge locations.
- The transit route of the vessel upon leaving the location.
- Other pertinent information, if any.

### **Step 8. Federal and state agency partners, federally-recognized tribes, and stakeholders provide ranking of PPORs and any special considerations to COTP/UC.**

**Based on information provided to them in Step 7, federal and state agency partners, federally-recognized tribes, and stakeholders will:**

- Rank all PPORs, using the collaborative process outlined in Tab B, providing a consensus ranking when possible, including any identified special considerations, constraints (e.g., any locations to be avoided during the vessel transit to a place of refuge), and/or any permits or other authorizations required (if any) for each PPOR.

## **Step 8, Cont.**

*Note: In the event the COTP/UC provides federal and state agency partners, federally-recognized tribes, and stakeholders in Step 7 with only one PPOR location based on operational considerations, federal and state agency partners, federally-recognized tribes, and stakeholders will provide consensus input to the COTP/UC regarding the location, any identified special considerations, constraints, and/or any permits or other authorizations required, and documentation of considerations taken into account when arriving at the consensus position.*

## **Step 9. COTP/UC selects place of refuge based on input from federal and state agency partners, federally-recognized tribes, and stakeholders.**

**Based on input received from federal and state agency partners, federally-recognized tribes, and stakeholders in Step 8, the COTP/UC will:**

- Direct or allow the vessel to move to a place of refuge in accordance with any identified special considerations, constraints (including any locations to be avoided during the vessel transit to the place of refuge), and/or any permits or other authorizations.
- Inform federal and state agency partners, federally-recognized tribes, and stakeholders of the decision and of any additional response-related assistance required.
- Continue monitoring and/or directing, as appropriate, vessel operation until the vessel has departed the place of refuge.

*Note: In the event that PPOR(s) identified in Step 7 and evaluated in Step 8 are not workable because circumstances have changed, the COTP/UC will re-evaluate options using appropriate steps in these guidelines.*

## **Step 10. The COTP/UC prepares documentation of the decision.**

The decision document will include the following information:

- Brief summary of the incident/situation which prompted activation of the PPOR process.
- Summary of the consultation process (if time allowed) with the appropriate federal and state agency partners, federally-recognized tribes, and stakeholders.
- PPORs considered in the process and the rationale for selection/non-selection (e.g., environmental sensitivity concerns, operational considerations, etc.) of each PPOR.
- Summary of any special considerations, constraints, and/or any permits or other authorizations required.
- Other pertinent information.
- Signatures and dates of the COTP and the State On-Scene Coordinator if the UC was activated.

## **Tab A: Federal and State Agency Partner, Federally-Recognized Tribe, Stakeholder, and Other Technical Expert Identification**

### **Identification of Federal and State Agency Partners, Federally-Recognized Tribes, and Stakeholders:**

Before using this Tab for assistance in identifying appropriate federal and state agency partners, federally-recognized tribes, and stakeholders, check the appropriate Subarea Contingency Plan (see Potential Places of Refuge [PPOR] Section H) to determine whether specific stakeholders (or organizations) have already been identified for any PPORs that are being considered. If so, use the specific list developed for that PPOR, supplementing the list on an incident-specific basis, if appropriate. If not, use the information below.

### **Situation requiring rapid action:**

When a vessel's situation allows time for consultation with federal and state partners only, the Captain of the Port (COTP)/Unified Command (UC) should contact:

- The State On-Scene Coordinator (if a UC has not been activated).
- Federal and state natural resource trustees.
- Federal and state safety and public health agencies (if there is a risk to public safety and/or health).

### **Situation allowing consultation and input:**

When a vessel's situation allows, in addition to consulting with the federal and state agency partners identified above, the COTP/UC should also consult with appropriate federally-recognized tribes and stakeholders and seek input from other appropriate technical experts:

- Federally-recognized tribes.
- Local governments (e.g., boroughs or cities).
- Private land owners (e.g., Native corporations).
- Regional Citizens Advisory Councils.
- Area safety/security committees and law enforcement partners.
- Commercial operators.
- Port authorities.
- Marine pilots and mariners.
- Harbor masters.
- Other stakeholders.

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## **Tab B: Procedure for Incident-Specific Collaboration for Potential Places of Refuge Rankings/Recommendations<sup>1</sup>**

**The Captain of the Port's (COTP's) representative will lead the following collaborative process:**

- Confirm with the COTP/Unified Command (UC) the date/time that a recommendation is required.
- Determine when the COTP/UC is available for a teleconference.
- Provide to all teleconference participants, the date/time of the teleconference, teleconference logistics, and information identified in Step 7 of Appendix 1.
- Chair the teleconference following the steps outlined below:
  - Conduct roll call, recording names, titles, and affiliations of teleconference participants.
  - Request (from the COTP/UC) a summary/overview of the request and proposed plan.
  - Direct questions regarding the proposal to the appropriate UC representative(s).
  - Query the teleconference participants for input on the proposed plan, including any special considerations, constraints (e.g., any locations to be avoided during the vessel transit to a place of refuge), and/or permits or other authorizations required for each Potential Place of Refuge (PPOR).
  - Facilitate (when possible) development of a consensus recommendation by the representatives.
  - Review verbally the teleconference results.
- Prepare and provide as soon as possible to the COTP/UC and teleconference participants, a draft written summary of the teleconference, which includes the following:
  - Names, titles, and affiliations of teleconference participants.
  - PPORs considered.
  - Recommendation (e.g., consensus ranking of PPORs) and/or any special considerations, constraints, and/or permits or other authorizations required for each PPOR.

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<sup>1</sup> To facilitate this process, each federal and state agency partner, federally-recognized tribe, and stakeholders participating in this process will need to identify a representative who can provide input to the COTP/UC in the timeframe requested by the COTP/UC.

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## **APPENDIX 2: PROCESS FOR DEVELOPING PRE-INCIDENT INFORMATION ON POTENTIAL PLACES OF REFUGE**

### **Purpose**

This appendix provides a framework for developing pre-incident Potential Places of Refuge (PPOR) in Alaska. The resulting PPORs are included in Section H of the appropriate subarea contingency plan (SCP) of *The Alaska Federal/State Preparedness Plan for Response to Oil and Hazardous Substance Discharges/Releases (Unified Plan)*. Following this framework ensures that the process for developing and updating PPORs in Alaska and the resulting PPOR documents are consistent with the Alaska Regional Response Team (ARRT) *Guidelines for Places of Refuge Decision-Making* and among all SCPs.

### **PPOR Document Development**

Steps to be followed by each Subarea Committee, when developing PPORs for their respective geographic area, include the following:

- Establish a Places of Refuge Workgroup (Workgroup) of interested and knowledgeable federal and state partners, federally-recognized tribes, stakeholders, and other technical experts.

At a minimum, the Workgroup should include representatives from the U.S. Coast Guard, Alaska Department of Environmental Conservation, appropriate federal (e.g., Department of the Interior, Department of Commerce, and/or Department of Agriculture) and state (e.g., Alaska Department of Fish and Game and Alaska Department of Natural Resources) natural resource trustees, and the Alaska Marine Pilots Association. In addition, representatives of other federal and state agencies (e.g., safety and public health agencies), federally-recognized tribes, and stakeholders should also be invited to participate in the Workgroup.

- Identify the type(s) of vessel (e.g., oil tankers) likely to be in need of a place of refuge.
- Determine environmentally and culturally sensitive areas at risk.
- Identify candidate PPORs and document how they meet specified criteria.
- Prepare PPOR map, chart/table sheets for each site.
- Arrive at consensus among Workgroup members on the draft section.
- Submit the draft section to the Subarea Committee for review and approval.
- Include the document in the PPOR Section H of the appropriate SCP following public review.

## **PPOR Document Contents:**

Information to be included in Section H of the appropriate SCP include the following:

- Purpose and Scope - this narrative introduces the topic and describes how the document supports the ARRT's *Guidelines for Places of Refuge Decision-Making*.
- How to Use the Potential Places of Refuge - this section briefly describes how PPOR information is used in the ARRT's *Guidelines for Places of Refuge Decision-Making*.
- How the Document was Developed - this narrative outlines the process used to identify the PPORs and create the section, plus identifies who participated in the process.
- PPOR Chart/Table Sheets - these sheets identify the PPORs on a subarea index map. Specific information on each place of refuge is documented on a one-page (two-sided) sheet containing the following:
  - Side one: One or more color navigation charts of the candidate sites in the immediate vicinity showing approaches, anchorages, moorings, docks/piers, potential grounding sites, and existing geographic response strategies; a color aerial photograph of the location; and a chart legend.
  - Side two: Tables of information about each of the sites describing physical and operational characteristics of the sites (i.e., maximum vessel size, navigational approach, minimum water depths, maximum water depths, maximum vessel draft, swing room/dock face, bottom type, docks/piers, moorings, anchorages, firefighting anchorages, potential grounding sites, prevailing winds, currents, tides, sea conditions, shelter from severe storms, fog, and ice); a list of "stakeholders" for the site; and other site considerations (i.e., health and safety, natural resources, response, and other considerations).