Why Plan for Oil Spills and Hazardous Substance Releases?

- Oil discharges and hazardous substances releases may come anytime, anywhere, and from many sources. Potential sources of releases include human error and mechanical failure, local emergencies such as structure fires and truck rollovers, and from the occurrence of regional emergencies resulting from natural disasters (e.g., floods, earthquakes). All Alaskan citizens and government entities (local, State, Federal and tribal) must be prepared to respond in order to protect human health and the environment.

Legal Requirements for Planning

- Federal laws such as the Oil Pollution Act of 1990[1] (OPA 90) amendment to the Clean Water Act[2] (CWA) established planning entities and requirements for the National Response System to specifically address worst-case discharges of oil and CWA hazardous substances during preparedness and response. In addition, regulations such as the National Contingency Plan (NCP) in 40 CFR 300 require Federal agencies (i.e., the USCG and EPA) to have regional and area response plans in place.

- State laws (such as Alaska Statute, 46.04) require State agencies (i.e., the Department of Environmental Conservation) to have response plans in place.

Joint Contingency Planning in Alaska

- In 1992, the Alaska Regional Response Team (ARRT) and the State Emergency Response Commission (SERC) approved the concept for joint Federal/State contingency planning for responding to oil and hazardous materials incidents. The Alaska Department of Environmental Conservation (ADEC), the United States Environmental Protection Agency (EPA), the United States Coast Guard (USCG) and other State and Federal agencies worked together to prepare and issue joint plans for Alaska.

- These "unified" government plans provide a broad framework for use by private businesses to develop their own, more detailed oil and hazardous materials prevention and response plans such as Spill Prevention Control and Countermeasures (SPCC) Plans, Facility Response Plans (FRPs) and Vessel Response Plans (VRPs). They also provide a framework for local governments to develop their own emergency spill response plans through their Local Emergency Planning Committees (LEPCs).

[1] The Oil Pollution Act of 1990 (OPA 90) can be found in Public Law (PL) 101-380
[2] The Clean Water Act (CWA) can be found in United States Code (USC) 33 USC 1321
[3] The NCP can be found in the Code of Federal Regulations (CFR) 40 CFR 300

Regional Contingency Planning in Alaska

- A Regional Contingency Plan (RCP), commonly known as the Unified Plan, was published in May 1994 after a public review and formal approval by the USCG Seventeenth District (D17), the SERC, and the ARRT. The plan is periodically reviewed and updated. Change 1 to the Unified Plan was published in May 1996, Change 2 was published in September 1999, and Change 3 was published in January 2010.

Area Contingency Planning in Alaska

- Area Contingency Plans (ACPs) are statutorily required for the active interaction of response personnel before, during, and after oil discharges or hazardous substance releases have occurred. These plans are the connectivity between preparedness, prevention, and response. In Alaska, we use the term Subarea instead of Area. That is why our plans are called Subarea Contingency Plans (SCPs).
- There are 10 Subareas Alaska: Aleutians, Bristol Bay, Cook Inlet, Kodiak, Interior, North Slope, Northwest Arctic, Prince William Sound, Southeast Alaska, and Western Alaska.
- ACPs/SCPs are a response tool. They contain specific information (such as maps, sensitive area data, and logistical information) to assist responders in mitigating the effects of an incident.
- ACPs/SCPs are community plans. They include information from all levels of government (local, State, Federal, and tribal) in addition to information from industry, oil spill response organizations, and other interested community members.

How to Improve Contingency Planning in Alaska

- The EPA, along with the USCG, are the only federal agencies with the authority to work to the local level and we can provide strong examples of how all levels of government and the private sector work together to prevent and prepare for oil discharges and hazardous substance releases. Community members can improve these plans by reviewing and providing input on local areas of concern, such as subsistence resources, and information on local capabilities (lodging, equipment resources, etc.) to assist in the event of a large-scale response in their community.