



20-02

www.scaa-spill.org

May 23, 2002

- ◆ The Partnership Action Team (“PAT”) of the Quality Partnership for Marine Safety and Environmental Protection between the SCAA, the U.S. Coast Guard, and APICOM met this week in Delaware, and was hosted by Gene Johnson of the Delaware Bay and River Cooperative. Some notes of interest from the meeting:
 - 1.) The Coast Guard gave an overview of their activities to date. Some of the things that weren’t mentioned last week as a part of the highlights from the SAG meeting include: (A.) The Coast Guard intends to hold three public meetings to discuss the Salvage and Fire Fighting Notice of Proposed Rulemaking that was published on May 10, 2002. The meetings will likely take place in Seattle, Houston, and Philadelphia. Notice of all meetings will be published in the *Federal Register* 30 days prior to each meeting. The Coast Guard is particularly interested in OSRO’s looking at the NPRM to ensure that the response criteria for the salvage and fire fighting resources mesh well with the response requirements for oil spill resources. (B.) In July 2001, a Memorandum of Agreement (“MOA”) was signed that was intended to help FOSC’s comply with both the Endangered Species Act and the Federal Water Pollution Control Act, as well to improve the oil spill planning process and spill response. A training package has been developed and will be disseminated to many different agencies and audiences which describes the MOA and the process used to make it work. The training information will be made available via the Internet, Coast Guard Intranet, and will also be sent out as a CD-ROM to all involved agencies through the work group.
 - 2.) The group discussed the usage of public sector resources in lieu of private sector resources that are immediately available during an oil spill response effort, and how perceived funding for the response effort impacts decisions made in this regard. The group discussed the education of FOSC’s and COTP’s about response efforts and how they relate to funding provided through the Oil Spill Liability Trust Fund. ***Editor’s Note: It’s important to remember that both public and private sector response entities are reimbursed for the resources used on a federalized oil pollution response via the Fund. The use of public sector resources does not result in a cost savings, since their reimbursable rates are generally higher than those of the private sector!***
 - 3.) The group discussed the Jones Act, particularly with regard to the use of foreign assets instead of U.S. assets on a spill response effort. Of note is the fact that the Coast Guard cannot get Jones Act waivers unless it shows it has exhausted U.S. resources first. Moreover, such waivers are normally reserved for instances where national security or defense are involved. Whether

response to a substantial threat of pollution or a pollution event is a part of homeland security or homeland defense remains a question for discussion. If there appears to be a shortage of available U.S. assets, the Coast Guard agreed that they would consult SCAA prior to attempting to obtain a waiver.

- 4.) There was a brief discussion of the revised guidelines for the Preparedness for Response Exercise Program ("PREP"), and the contention that the word "timely" as it appears therein sets forth a performance standard instead of a planning standard. The Coast Guard provided its assurance that its position on planning standards versus performance standards has not changed (i.e., they are not trying to set performance standards).

- 5.) The group discussed the new OSRO guidelines, and many of the concerns heard from various OSRO's during the workshops the Coast Guard has conducted to date. In short, the Coast Guard recognizes that the OSRO's still have concerns with the revised classification guidelines, and is willing to receive comments from SCAA and APICOM discussing these concerns. ***As such, we would like any of our members that have concerns with the revised OSRO classification guidelines to submit your comments to us ASAP. Send them to us via fax (1-313-849-1623) or e-mail (mikes@scaa-spill.org).***
- 6.) The group discussed the use of volunteer labor on oil spill response efforts, since the issue was raised at a recent meeting of Region III's Regional Response Team. The Coast Guard suggested that SCAA and APICOM as associations, along with their respective individual members, put forth letters with their opinions on the issue. ***We encourage all of our contractor members to make their voices heard on this issue!***
- ◆ SCAA member Complete Environmental Products, Inc. ("CEP") of Houston, Texas recently announced the opening of their new CEP-New Orleans location. This new location will be full service for all Louisiana contractors and sorbent supply companies. Located near the west bank and greater New Orleans, the location will maintain multiple truckload quantities of CEP's ISO 9002-certified meltblown sorbent products. For more information on CEP and the products and services offered by the company, contact Chad Clay at 1-713-921-7900, facsimile 1-713-921-7967, e-mail cclay@cepsorbents.com.
 - ◆ ***Congratulations!*** to Cliff Berry II, who was recently elected as the Southeast District Vice President of the United States Propeller Club. In this position, he will represent all the various Propeller Clubs in the Southeast District with respect to their interface with the national organization. Mr. Berry, who served two consecutive terms as President of the Propeller Club of Port Everglades, was named the "2002 Maritime Man of the Year" during National Maritime Day ceremonies that were held on May 22, 2002.
 - ◆ Brazilian oil giant Petrobras was fined \$8 million recently after some 4,100 gallons of a light crude oil spilled into the ocean near Ilha Grande (a popular beach resort), 100 miles west of Rio de Janeiro. The spill occurred during the offloading of a ship that was delivering oil from Nigeria. Petrobras, which dispatched 500 workers to contain and clean up the spill, has 20 days to appeal the fine. (Source: *AP*)
 - ◆ The U.S. National Academy of Science issued a press release recently stating that it is publishing a report called "Oil in the Sea". According to the report, some 29 million gallons of petroleum enter North American oceans each year as a result of human activity. Of that, about 85% comes from land based runoff, polluted rivers, airplanes, small boats, and jet skis. The report says that only 8% comes from tankers and pipelines carrying oil in bulk. For more information and a full copy of the report, visit <http://www.nationalacademies.org>. (Source: *Maritime Items*)
 - ◆ ***Work/Life/Health:*** Did you know that you don't need antibiotics for most upper respiratory infections? New guidelines recently published for doctors say that for most healthy adults, the best treatment for the symptoms of colds, bronchitis, sinusitis, and sore throat are nasal sprays, decongestants, cough drops, and salt water gargles. It's normal for most viral infections – which are not helped by antibiotics – to last as long as two weeks. However, if after two weeks your symptoms don't improve or seem unusual, be sure to see a doctor. (Source: *Health Connection*)
 - ◆ ***Quote of the Week:*** "The strongest is never strong enough to be always the master, unless he transforms his strength into right, and obedience into duty." – Jean Jacques Rousseau (1712-1788), *The Social Contract* [1762], I, ch. 1