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November 1, 2002

- ◆ Last week, we reported on the State of California's Office of Spill Prevention and Response ("OSPR") issuing its final rule on rating oil spill response organizations. As a follow up to this article, NRC's Steve Candito informed us that the regulations allow the State of California to perform unannounced drills on the OSRO's – at the OSRO's expense – rather than simply drilling the plan holders as is provided by OPA '90 and PREP. As expected, many spill contractors (including NRC) strongly opposed this aspect of the rule to no avail. Another interesting aspect of this story is that the State of California also wants to test the sensitive area strategies that have been developed in the Area Contingency Plans to be sure they actually work. Other states, including Texas and New Jersey, pay OSRO's to do this sensitive site testing from state funds. California, on the other hand, could conceivably use the unannounced drill program to get the OSRO's to essentially fund such testing, rather than using some of the tax revenue that is collected on oil imports to pay for these exercises, which would at the same time support the OSRO industry. ***Editor's Note: This issue is one of great concern to our Association and our industry, especially in light of the fact that many spill contractors are struggling to make ends meet in today's market. SCAA agrees with the premise of increased enforcement on the part of the EPA and Coast Guard regarding plan holder performance of PREP and OPA'90 response exercises – which would help sustain the viability of the private sector responders in that they would be compensated for these resource deployments – the State of California may be setting a trend that other states could conceivably follow to the detriment of our profession and the environment. We strongly oppose unannounced drills on OSRO's for which OSRO's receive no compensation. Moreover, the responsibility for testing the adequacy of a response plan rests with the plan holder, not the OSRO, as is clearly defined in federal regulations. State and Federal regulators should recognize the plight of the OSRO and the response industry at large, and take actions to support its maintenance and viability.***
- ◆ We are in the midst of planning the SCAA Annual Meeting for 2003, and we are tentatively looking at Las Vegas as the location, and early February as the tentative time frame for the event. We're considering a theme for the event along the lines of rethinking the way we - as a profession - conduct business now and in the months and years ahead. We'd like to obtain input from our membership on programming suggestions along the lines of this theme, and on any other ideas our members may have for the annual meeting. Send them to us at mikes@scaa-spill.org or marcs@scaa-spill.org, or you can fax them to 1-313-849-1623.
- ◆ The Spills Advisory Group met on October 24, 2002 at the API headquarters in Washington, DC. Following are some notes from the meeting that might be of interest to our members:
 - 1.) The Coast Guard noted the following: (a.) The 90-day comment period on the NPRM for Salvage and Marine Firefighting ended on October 18. The final regulation is expected to be published in late 2003.

(b.) To date, 135 OSRO's have been classified, and over 1,439 resource sites have been verified. (c.) The next spill of national significance ("SONS") exercise will take place in 2004, and is currently planned for the west coast – California. (d.) The International Oil Spill Conference Program committee is sponsoring a first-ever workshop to evaluate preparedness and response regimes for countries and regions around the globe. The committee selected and invited a group of 35 experts representing various government, industry, geographic regions, responders, and policy makers to meet in London this November. The workshop, entitled "Global Challenges to Preparedness and Response Regimes", will author a paper to be presented at the IOSC. (e.) An overview of the changes to the PREP guidelines was provided, and it was noted that with the exception of the potential frequency of

government initiated unannounced exercises, all of the changes to the PREP are intended to clarify exercise parameters rather than to increase or decrease the scope or scale of individual exercises.

- 2.) MSRC reported on the following (a.) they are very close to reaching a contracting agreement with the Coast Guard that would make MSRC's resources available to an FOSC under significant emergency conditions; (b.) MSRC, MPA, and several cooperatives in California and Washington continue discussions regarding future consolidation; (c.) MSRC has been working with the Coast Guard in taking the appropriate action to meet the new OSRO Guidelines, and will have all necessary classifications in the near future.
- 3.) NOAA's Marine Sanctuaries division gave an overview of how NOAA responds to various environmental threats in marine sanctuaries. Apparently, NOAA has a small revolving fund – which is replenished via settlements - to respond to various types of environmental threats. One of the group's initiatives is identifying, locating and assessing the environmental risks of sunken vessels in or near marine sanctuaries.
- 4.) A representative from the Ocean Studies Board of the National Research Council indicated that they were interested in putting together a consortium to explore the potential of spills from sunken vessels/wrecks. As a part of that, they would evaluate how responses might be funded and what the potential extent of funding might be.
- 5.) A representative from CITGO indicated that they would be participating in an exercise with the Federal Emergency Management Agency ("FEMA") in February 2003 that would revolve around a terrorist incident resulting in an oil and/or hazardous chemical spill. The exercise will be performed under FEMA's Comprehensive Hazmat Emergency Response Capability Assessment Program ("CHERCAP").
- 6.) It was announced that a TOPOFF national exercise was being planned for May 2003. The exercise will be constructed around a systematic series of complex "building block" exercises that are designed to produce a more integrated and effective WMD preparedness strategy. TOPOFF is the acronym for "Top Officials", and is a national-level domestic and international exercise series designed to produce a more effective, coordinated, global response to WMD terrorism. ***Editor's Note: These exercises provide an excellent opportunity to provide input concerning the role of the private sector responder in homeland security/defense initiatives.***

Many thanks to Dan Sheehan and John Parker for attending the SAG meeting and representing SCAA, as well as providing us their notes and comments from the meeting!

- ♦ **Work/Life/Health:** E-mail networks connect more than 23 million workers, and that number continues to grow. While recognizing the value of e-mail communication, managers must also understand that e-mail can be dangerous if it isn't used properly. Following are some common e-mail abuses that should be avoided: (1.) **Hiding behind the terminal** – don't use e-mail for disciplinary actions, performance reviews, or touchy matters. (2.) **Forgetting it's in writing** – the informality associated with e-mail is part of its convenience, but don't forget that it is a permanent record of written communication. (3.) **Flaming** – spontaneity is another benefit of e-mail, but watch the tone of the e-mail as closely as you would a memo written on paper. Sarcasm can be devastating when it appears on the computer screen. (Source: *The Motivational Manager*)
- ♦ **Quote of the Week:** "People are always blaming their circumstances for what they are. I don't believe in circumstances. The people who get on in this world are the people who get up and look for the circumstances they want, and, if they can't find them, make them." – George Bernard Shaw (1856-1950), *Mrs. Warren's Profession [1893], act II*