



OCT 2000

# Region III Oil Program Activities

Volume 8, Issue 1

## CLEANUP AND RESTORATION WORKING TOGETHER IN THE WAKE OF THE PEPSCO OIL SPILL.

*Deborah Carlson*  
*On-Scene Coordinator*

A 126,000 gallon oil spill from the Pepco Chalk Point Generating Station in southeastern Prince George's County, Maryland this past April impacted 17 linear miles of the Patuxent River and over 40 miles of shoreline. The United States Environmental Protection Agency is designated as the lead federal agency within that particular geographical area and had responsibility for overseeing and directing the cleanup of oil and protection of human health. Initial cleanup efforts focused on the removal of the free oil and to ensure unaffected areas were not impacted. Long term cleanup efforts are refocusing on the shorelines of the Patuxent River and its tributaries including all environmentally sensitive areas such as marshes, animal nesting areas and public beaches.

Concurrently with cleanup actions, other government agencies began a Natural Resource Damage Assessment (NRDA) to determine whether natural resources have been impacted and act on behalf of the public to repair the harm to the environment. For the Pepco oil spill, four government agencies have been working with Pepco and ST Services (the responsible parties) to restore the natural resources. The Natural Resource Trustees are comprised of the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA), the Department of Interior's US Fish and Wildlife Service (USFW), the Maryland Department of Natural Resources (MDNR) and the Maryland Department of the Environment (MDE).

The Natural Resource Trustees have a team of scientists including toxicologists, ecologists, biologists and economists working to collect ecological injury data, evaluating natural resource service losses caused by the spill and developing restoration plans. A number of studies have been undertaken

to determine the oil's impact on the area's natural resources and associated services. For the Pepco oil spill, resources that the Natural Resource Trustees are concerned about include:

- birds, including herons, ospreys and eagles;
- wetlands, including marshes and benthic organisms;
- wildlife, including terrapins, muskrats and other furbearer;
- finfish and shellfish including crabs, clams and striped bass; and
- loss of use, including recreational fishing, boating and shellfishing.

The information collected from the NRDA studies will help identify and evaluate the methods to rehabilitate and implement projects to compensate for losses incurred as a result of the spill. By late 2000, the Natural Resource Trustees working on the Pepco oil spill expect to have a better understanding of the injuries to the natural resources and will begin developing a draft Restoration Plan that describes assessment activities, natural resource injuries and potential restoration projects.

For more information on the Natural Resource Damage Assessment process, please contact NOAA's Damage Assessment and Restoration Program at [www.darp.noaa.gov](http://www.darp.noaa.gov).

## ***FACILITY RESPONSE PLANS Q/A***

**Question:** OPA added new requirements for the development of a workable exercise program for the spill response plan. What guidance could a facility turn to when preparing a workable exercise program?

**Answer:** The National Preparedness for Response Exercise Program (PREP) was developed for this purpose. PREP satisfies the exercise requirements of the USCG, EPA, DOT's Office of Pipeline Safety, and the Department of Interior's Minerals Management Service.

**Question:** Is use of the PREP necessary for complying with

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exercise requirements of the EPA FRP regulations?

**Answer:** No, facilities subject to the FRP regulations are not required to follow the PREP guidelines. They may develop their own alternative exercise program that complies with the regulatory exercise requirements in 40 CFR 112.21, subject to the approval of the RA.

**Question:** What are the training requirements for organizations who respond to oil spills?

**Answer:** Section 112.21 of the FRP rule requires a facility response training program for facility response personnel. However there are no specific requirements in the FRP regulations for private organizations that perform cleanups for the facility. Contractors conducting a response action under USCG or EPA direction must comply with OSHA Regulations.

## **GOVERNMENT-INITIATED UNANNOUNCED EXERCISES**

Under the Clean Water Act Section 311 (33 USC 1321(j)(7)), as amended by the Oil Pollution Act of 1990, the President “shall periodically conduct drills of removal capability without prior notice ... under relevant ... facility response plans.” Executive Order 12777 delegated this authority to the U.S. Environmental Protection Agency (EPA) for onshore and offshore facilities in the inland zone. The National Preparedness for Response Exercise Program (PREP) guidance was developed jointly between the U.S. EPA, U.S. Coast Guard, the Research and Special Programs Administration, the Minerals Management Service, state and industry representatives. It outlines a means for compliance with exercise requirements and conditions for unannounced exercises.

Section §112.21 of 40 CFR requires that facilities required to “prepare a facility response plan under §112.20 shall develop and implement a facility response training program and a drill/exercise program” and “ a program that follows the National Preparedness for Response Exercise Program (PREP) ... will be deemed satisfactory for purposes of this section.”

The government-initiated unannounced exercises allows our agency the opportunity to evaluate the effectiveness of the FRP and the response preparedness of the targeted facility. These exercises should be viewed as a chance to improve the response plan and response system for your facility. Implementation and upkeep of the plan is essential to its success.

EPA Region III is currently revising our exercise program to become more proactive and include more outreach and feedback to the facilities and response organizations. FRP regulated facilities within Region III are all possible targets for the next drill. We will continue to choose facilities at random within the region, however, facilities may receive notification that a drill is scheduled for the area within a specified time frame. This allows the facility time to prepare and to have the appropriate personnel available during that period.

Once a facility is targeted for an unannounced drill the FRP will be reviewed and a scenario developed based upon the average most probable discharge scenario as discussed in the plan. Advancement of the scenario will involve input from facility representatives who will work with the EPA personnel to ensure the scenario remains realistic. The exercise will be no more than 4 hours in duration and will include equipment deployment to respond to the scenario as required under the PREP Guidelines. Immediately following completion of the drill EPA personnel will provide a verbal critique of the exercise. A written report will later be provided to the facility. Plan holders are required to address any issues that arise from the evaluation and for making changes to the plan as appropriate to ensure the highest level of preparedness. Upon successful completion of the drill, the facility will not be targeted again for at least 36 months.

The PREP guidelines are currently under review. A Preparedness for Response Exercise Program Workshop was held in Washington, DC on August 29, 2000. The workshop provided a forum for participating Federal agencies, state governments, and industry to begin the process of evaluating the PREP program and to determine what changes, if any, are appropriate. Though the PREP is a voluntary program, it represents the minimum guidelines for ensuring adequate response preparedness. If you have any questions regarding the Government-Initiated Unannounced Exercise Program in EPA Region III, please contact Linda Ziegler at 215-814-3277 or Patricia Fleming at 215-814-2816.

## **REGIONAL RESPONSE TEAM III**

*Dennis Carney  
Chief, EPA Region III Removal Branch*

The Regional Response Team III is a federal component of the National Response System for the states of West Virginia, Maryland, and Delaware, the District of Columbia, and the Commonwealths of Pennsylvania and Virginia.

The RRT is composed of representatives from sixteen federal departments and agencies and each of the

states/commonwealths.

It is co-chaired by an EPA representative (currently myself) and a representative from the Coast Guard (currently Capt. John Schrinner of Portsmouth, Virginia). The team's vision is to work as an efficient and effective team, pooling our talents and experience to provide the best possible assistance to responders.

Our mission is to protect public health and safety and the environment by ensuring a coordinated, efficient and effective response to significant oil and chemical incidents within Federal Region III. The team is a planning, policy and coordinating body which does not respond directly to the scene of a spill or release. We provide assistance as requested by the On-Scene Coordinator during an incident. For example, we may be called upon to provide technical advice, equipment or manpower to assist with a response.

Each RRT develops a Regional Contingency Plan to ensure that the roles of the federal and state agencies during an actual incident are clear. Following an incident, the team reviews the On-Scene Coordinator's reports to identify and correct any problems with the response to the incident.

We also can assist State Emergency Response Commissions in the development of their contingency plans and help other agencies and organizations in the development and implementation of contingency plans for natural and man-made disasters.

For more information, to learn about some of our recent initiatives, or to read our meeting minutes by visiting our web site at [www.uscg.mil/lantarea/rrt](http://www.uscg.mil/lantarea/rrt). You can also contact me by email at [carney.dennis@epa.gov](mailto:carney.dennis@epa.gov)

### **MIDNIGHT DUMPERS BEWARE**

EPA Region III continues to aggressively identify dischargers responsible for unknown sheens and discharges on the Ohio River, and other streams and rivers in the Region.

EPA has perfected a program to coordinate the timely collection of oil samples during spill investigations. These spill investigations include collecting samples from sheens of unknown origins on streams and rivers, so that a source can be identified. As per interagency agreement, sample collection equipment has been distributed to strategic locations including locks and dams, and state offices.

Since inception of this initiative in 1994, numerous illegal

dischargers have been identified.

### **API PUBLICATION AVAILABLE**

The American Petroleum Institute (API) has available a guide for Overfill Protection for Storage Tanks in Petroleum Facilities.

The publication covers overfill protection for all aboveground storage tanks in petroleum facilities, including refineries, terminals, bulk plants, and pipeline terminals that receive Class I (flammable) liquids from mainline pipelines or marine vessels. It is not intended to include process tanks or tanks used in initial crude oil production activities.

The essential elements of this publication are based on current industry safe operating practices and existing consensus standards. Federal, state, and local regulations or laws may contain additional requirements that must be taken into account when a tank overfill protection program is developed for a specific facility.

The publication can be obtained by contacting the API, 1220 L Street NW, Washington, DC 20005-4070, (202) 682-8375. Order K 23502.

### **REGION III HAZMAT TRANSPORTATION SEMINARS**

November 28-30, 2000, Norfolk, VA. Registration fee is \$35.00. Join the staff from US EPA Region III, and the Pennsylvania Transcaer Committee, for three days of networking, workshops and hands-on tabletop exercises. Transportation incidents are one of the most common Hazmat responses. From trains and ships to trucks and planes, we'll cover it all and make sure you are prepared to respond. For further information, contact our Conference Hotline at (410) 676-0882.

### **REGION III RRT MEETING**

The next regularly scheduled Region III RRT meeting will be held in January in Williamsburg, VA. For further information, contact Linda Marzulli at (215) 814-3256.

### **OIL AND GAS HISTORY OF WEST VIRGINIA**

Both oil and natural gas were discovered in western Virginia by the first explorers in the mid-1700s. George Washington acquired 250 acres in what is now West Virginia because it

contained an oil and gas spring. This was in 1771, making the father of our country the first industry speculator.

A thriving commercial oil industry was in process as early as 1819 with the first major wells drilled at Petroleum, outside Parkersburg, early in 1859; and Burning Springs a year later in 1860. Natural gas was moved in wooden pipes from wells to be used as a manufacturing heat source by the Kanawha salt manufacturers as early as 1831. These events truly mark the beginnings of the oil and gas industry in the United States.

With oil selling for \$30.00 a barrel in 1860 and natural gushers being drilled at only 100 feet, the West Virginia oil field quickly made local millionaires. The wealth of the first oil barons was used politically in bringing about statehood for West Virginia during the Civil War. Many of the founders and early politicians were oil-men - governors, senators and congressmen - who had made fortunes at Burning Springs in 1860-1861.

On May 9, 1863, the important Burning Springs oil field was destroyed by Confederate raiders led by General Jones. This was the first of many oil fields destroyed in the war. After the war, the industry was revived and during the next fifty years the gas booms spread over almost all the counties in the state. Drilling and producing of both oil and natural gas continues throughout the state to this day.

**Expect a whole new look in January's edition of The Region III Oil Program Activities Update. The publication is do for a "make over" if you will. While much of the content will remain unchanged, the publication will take on a whole new look, and possibly even a new name. The long established newsletter has been widely accepted as a valuable tool to the regulatory community. We hope to continue to provide the most up to date information and guidance on ever changing regulations and programs, as well as current events, upcoming events, training, etc. We welcome your comments, and ideas.**

## **FACILITY CHANGE IN OWNERSHIP**

With the advent of electric choice for consumers, many electric companies are selling their generating facilities or merging with other companies. When change of ownership or operator occurs, facilities with Facility Response Plans (FRPs) must provide copies of the revised FRP to EPA with the EPA-issued facility identification number. Assuming the new owner does not make any material changes to the facility, only updated telephone and personnel lists need to be sent to EPA as soon as possible. If the OSRO is changed and has different support capabilities than the previous organization,

this information must be sent within 60 days of the change and the change approved by EPA.

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