



Places of Refuge

Katie Matison
Aaron Fickes

May 18, 2017

Washington Public Ports Association

The Relevant Agencies

International Maritime Organization



National Response Team



U.S. Coast Guard



Region Ten

International Maritime Organization

The International Maritime Organization (“IMO”)

- IMO is the United Nations specialized agency for safety and security of shipping and prevention of marine pollution by ships
- Global standard-setting authority for safety, security and environmental performance of international shipping
- Creates a level playing field and sets standards to prevent unsafe practices to save money
- International shipping transports more than 80% of global trade throughout the world
- IMO measures impact all aspects of international shipping—design, construction, equipment, manning, operation, legal matters, technical cooperation and disposal for environmentally safe and energy efficient shipping operations

The International Maritime Organization (“IMO”) (con’t)

- **Key treaties of the IMO include:**
 - International Convention for the Safety of Life at Sea (SOLAS)
 - International Convention for the Prevention of Pollution from Ships (MARPOL)
 - International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW)
 - International Convention on Maritime Search and Rescue (SAR Convention)

The IMO Structure:

- IMO is based in London, England
- Represented by 171 Member States, three Associate Members and various Intergovernmental Organizations (IGO) and Non-Governmental Organizations (NGO)
- The United States is a Member State
- The Member States meet at the Assembly every two years in regular sessions to approve the work of the IMO

The IMO Structure (con't):

- There are Five Committees responsible for the review, updating and approval of the IMO's work:
 - Facilitation Committee (FAL)
 - Legal Committee (LEG)
 - Marine Environmental Protection Committee (MEPC)
 - Maritime Safety Committee (MSC)
 - Technical Co-operation Committee (TC)
- There are also various subcommittees

U.S. Participation in the IMO

- United States Coast Guard has been a key participant in the IMO for all policy development with IMO for more than 50 years.
- U.S. Coast Guard assisted in IMO participation by various governmental advisors, including Department of State, Department of Homeland Security, Department of Defense, Department of Justice, Environmental Protection Agency, National Oceanic and Atmospheric Administration, National Transportation Safety Board and various industry experts

IMO Guidelines on Places of Refuge for Ships in Need of Assistance

- IMO adopted Resolution A.949 (23) on December 5, 2003
- Adopted in response to three major shipping casualties, which demonstrated that coastal states can increase their risk if deny a vessel an opportunity to enter a place of refuge temporarily
- Purpose – encourage nations to balance needs of ships and adjacent coastal states to:
 - Enhance maritime safety
 - Protect the marine environment
- Resolution A.949 (23) presented to the Assembly on March 5, 2004

Three Major Casualties Prompting Resolution A.949 (23)

- **M/V ERIKA** — 1975 oil tanker sank off the coast of Brittany, France
 - Caused major environmental disaster when spilled 31,000 tons of heavy fuel oil
 - Ran into a heavy storm, broke in two and sank
 - This event triggered new EU legislation with regard to transport by sea



- **M/V CASTOR**

- Carrying 30,000 tons unleaded gasoline in western Mediterranean Sea
- Developed multiple cracks in its deck plating in December 2000
- Largest cracks were 72 feet long



- **M/V PRESTIGE**

- Greek operated single hull oil tanker—deadweight tonnage 81,000 tons
- November 13, 2002, carrying 77,000 metric tons of cargo—2 different grades of heavy oil fuel
- One of its 12 tanks burst during a storm off the coast of Galicia in Northwest Spain
- France, Spain and Portugal refused to allow the M/V PRESTIGE to dock in their ports
- Captain sought refuge in Spanish Port--Spanish government refused to allow ship to remain and demanded that ship leave the Port
- The integrity of the ship could not withstand the storm, breaking off a 40 foot section, releasing oil
- Resulted in catastrophic damage to marine life and the environment
- Keeping the ship in port and booming around her to contain the oil would have been less harmful to the marine environment

Resolution A.950 (23) Second IMO Resolution *Maritime Assistance Services (MAS)*

- Recommend that all coastal states establish maritime assistance service
- U.S.—Rescue Coordination Centers (RCCs) comply with the intent of this resolution





IMO

E

ASSEMBLY
23rd session
Agenda item 17

A 23/Res.949
5 March 2004
Original: ENGLISH

Resolution A.949(23)

**Adopted on 5 December 2003
(Agenda item 17)**

**GUIDELINES ON PLACES OF REFUGE FOR SHIPS
IN NEED OF ASSISTANCE**

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships,

IMO Guidelines — Places of Refuge — Definitions:

- **Ship in Need of Assistance:** [A] ship in a situation, apart from one requiring rescue of persons on board, that could give rise to loss of the vessel or an environmental or navigational hazard.
- **Place of Refuge:** means a place where a ship in need of assistance can take action to enable it to stabilize its condition and reduce the hazards to navigation, and to protect human life and the environment.
- **MAS:** means a maritime assistance service, as defined in resolution A.950(23), responsible for receiving reports in the event of incidents and serving as the point of contact between the shipmaster and the authorities of the coastal State in the event of an incident.

Applicability of Guidelines

- When safety of life is involved—provisions of the Search and Rescue Convention (SAR Convention) should be followed.
 - These Guidelines do not address the issue of operations for the rescue of persons at sea.
- When ship is in need of assistance, but safety of life is not involved, these Guidelines should be followed. This involves property damage and environmental damage.

Objectives of Providing a Place of Refuge

- **Main Issue:** What should be done when a ship is in serious difficulty—without a risk to human life or safety? Should the ship be brought into shelter near the coast or into a port—or taken out to sea?
- **Considerations:** When ship has suffered incident—best way to prevent damage is to lighten cargo and bunkers and repair damage—Guidelines state this is best to perform this work in a place of refuge
- **Problem—**
 - Bringing a ship near the coast could endanger the coastal State economically and environmentally
 - Local authorities may object to bringing a ship into territorial waters

Objectives of Providing a Place of Refuge (con't)

- **Balancing Act:** Granting access to a place of refuge can be a political decision determined on a case-by-case basis with due consideration given to balance between the risk to the environment, damage to the ship and the potential damage to the coastal state.
- **Variables in Each Case:** Every decision concerning access to a place of refuge is based on a case by case basis:
 - Taking ship to a local place of refuge in a port or terminal could result in work on boat being done easily.
 - It may be advantageous to conduct a cargo operation to minimize or prevent pollution



Purpose of the IMO Guidelines

- Provide Member Governments, shipping companies and Salvage operators with framework to assessing situation of ships needing assistance
- Provides common framework to respond effectively to casualty

Guidelines for Action Required of Masters and Salvors for Ships Needing Place of Refuge

- Identify the hazards and the nature of the event:
 - Fire
 - Explosion
 - Damage to the ship that may be caused
 - Collision Risk
 - Impaired Vessel Stability
 - Grounding Risk
 - Pollution Risk

Guidelines for Action Required of Masters and Salvors for Ships Needing Place of Refuge (con't)

- Take into account all reasonable and foreseeable consequences resulting from the following factors:
 - What happens if the ship stays in the same position?
 - What happens if the ship continues the voyage?
 - What happens if ship is admitted to place of refuge?
 - What happens if ship is taken out to sea?

Guidelines for Action Required of Masters and Salvors for Ships Needing Place of Refuge (con't)

- Identify the assistance needed
- Contact the coastal state and give full disclosure required under all international conventions
- Coordinate with the Maritime Assistance Service (“MAS”)
- Report all procedures in accord with ISM Code

Guidelines for Actions Expected of Coastal States

- Comply with all applicable international conventions
- Coastal State may require ship's master to take appropriate action within a time limit
- Establish procedures to respond to request for assistance
- Establish MAS
- Make Generic Assessment and Preparatory Measures for Places of Refuge
- Conform to local contingency plans

Guidelines for Actions Expected of Coastal States (con't)

- **Expert Analysis:**
 - Balancing all risks—What is the nature of the problem and what foreseeable problems will result
 - The Coastal State is under no obligation to grant access to a place of refuge, but Coastal State should weigh all options and factors
 - If place of refuge is a port—balancing the disruption to the port's operation
 - Evaluation of the consequences if request is refused
 - Inform all authorities

Guidelines for Actions Expected of Coastal States (con't)

- **Make Assessments of Event Specific Factors—including:**
 - The type of cargo—hazardous? Quantity?
 - Seaworthiness of the vessel
 - Weather and sea conditions
 - Whether ship and cargo are insured?
 - Identification of all insurers
 - Provisions of Financial security necessary
 - Whether salvage operations are ongoing
 - Measures already taken
 - Whether master and crew on board
 - Legal authority of country concerned
- All governmental authorities should make contact with ship authorities

Guidelines for Evaluation of Risks for Place of Refuge

- Threat to public safety
- Pollution
- Designation of Environmentally sensitive areas
- Sensitive species and habitats
- Fisheries and ongoing fishing at the time
- Economic and industrial facilities
- Amenity resources and tourism
- Facilities available

Emergency Response and Follow-up Action

- Other necessary actions:
- Lightering
- Pollution remediation
- Towage
- Salvage
- Storage—vessel/ cargo



IMO Guidelines on the Control of Ships in an Emergency

- Approved by Maritime Safety Committee in October, 2007
- These Guidelines do not apply when safety of human life is in jeopardy. When safety of human life is involved, the *SAR Convention* should be followed. (§ 1.3)
- Applies in conjunction with the ***Guidelines for Places of Refuge*** for ships needing assistance (§ 1.4)
- Contains ***Guidelines for Coastal States*** in **Article 5**
- Provides ***Guidelines for Masters***
Articles 6
- Provides ***Guidelines for Salvors*** in Article 7

National Response Team

U.S. Response and Implementation of the IMO Guidelines for Places of Refuge—Actions of the U.S. National Response Team

- The National Response Team (“NRT”) coordinates activities at the national and federal level with state and local governments
- NRT—Chair is the U.S. Environmental Protection Agency (EPA)
- NRT—Co-Chair is the U.S. Coast Guard

U.S. Response and Implementation of the IMO Guidelines for Places of Refuge—Actions of the U.S. National Response Team (con't)

- The following federal agencies are members of NRT:
 - U.S. Department of Agriculture
 - U.S. Department of Commerce
 - U.S. Department of Defense
 - U.S. Department of Energy
 - U.S. Department of Health and Human Services
 - U.S. Department of the Interior
 - U.S. Department of Justice
 - U.S. Department of Labor
 - U.S. Department of State
 - U.S. Department of Homeland Security
 - U.S. Federal Emergency Management Agency
 - U.S. General Services Administration
 - U.S. Nuclear Regulatory Commission
 - U.S. Department of Transportation
- For more information on NRT—See www.nrt.org

- In 2006, NRT formed a ***Places of Refuge Workshop*** to develop guidelines
- Workgroup produced the ***2007 NRT Guidelines for Places of Refuge Decision-Making*** (NRT POR Guidelines) dated July 26, 2007
 - Purpose—provide systematic process of incident specific decision-making to assist U.S. Coast Guard Captains of the Port to determine whether a vessel needs a port of refuge and best refuge location
 - Guidelines also developed a framework for pre-incident identification of **potential** places of refuge location to be included in the **Area Contingency Plans**

- July 17, 2007, U.S. Coast Guard—Department of Homeland Security—issued ***Commandant Instruction 16451.9 U.S. Coast Guard Places of Refuge Policy***
- Purpose—to provide policy guidance, risk assessment to aid commanders, Area Committees and Regional Response Teams (RRTs)
- Document 16451.9 should be interpreted in conformity with the NRT Guidelines

NRT GUIDELINES

- **Application:** Apply to places of refuge decision-making in waters subject to U.S. jurisdiction
- Should be interpreted consistently with ***IMO Guidelines***.
- **Defines “Place of Refuge”** as “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
 - (2) reduce or eliminate a hazard to navigation.

A Place of Refuge may include constructed harbors, ports, natural embayments, or offshore waters with the necessary maritime support infrastructure.”

NRT GUIDELINES (con't)

- Vessels needing assistance include the following:
 - Imperiled, structurally damaged, or leaking vessels
 - Vessels that were sunk and refloated
 - Vessels that need to be in a harbor or moored in protected water to make repairs or stop the loss of oil or hazardous substances
 - Vessels with lost power or steerage that need repairs
 - Vessels caught in force majeure or overwhelming force or condition that it threatens the loss of the vessel, cargo or crew unless immediate action is taken

Authorities and Responsibilities Under NRT Guidelines

- **U.S. Coast Guard Captain of the Port (COTP)** is the **Designated Federal On-Scene Coordinator** with authority to order Vessels in and out of ports, harbors and embayments to protect the public, environment and maritime commerce
- COPT works with state, local governments, tribes and other stakeholders and activates a **Unified Command Center**
- U.S. Department of Interior, Department of Commerce and Department of Agriculture have authority to represent and protect their respective interests
- U.S. States and Territories shall provide a designated State On-Scene Coordinator who will report to the COTP/Unified Command

Authorities and Responsibilities Under NRT Guidelines (con't)

- All other U.S. agencies shall be involved in the Unified Command
- Port Authorities and local governments shall participate if involved in the selected Place of Refuge
- Tribes may participate if affected
- Private landowners and business owners may be asked to participate as necessary
- If dual sovereigns are involved, both shall designate Coordinators
- If more than one COPT zone involved, the U.S. Coast Guard District Commander shall participate

Selection of Places of Refuge—NRT Does Not Support Pre-Approval

- NRT DOES NOT support pre-approval of Places of Refuge in U.S. waters because there are no places of refuge that are suitable for all vessels and all situations.
- Selection of Places of Refuge should be made on an “Incident-Specific Basis”
- Rational—
 - All incidents are unique—vessel size and fuel carried
 - Information for a specific location may be out of date
 - Variability of sea conditions
 - Impact on fish and wildlife
 - Other activities near the Place of Refuge
 - Resources—i.e. salvage vessels—available to respond to incident over time

NRT Supports Pre-Incident Identification of Potential Places of Refuge (PPORs)

- The criteria for PPOR are contained in Appendix 3 to the Guidelines
- Any PPOR selected must be reviewed and refined during an incident specific process

Incident-Specific Places of Refuge Decision-Making Process—Appendix I

- **Step 1—Place of Refuge Requested**
- COTP Receives Request from Vessel Master or Representative
- COTP seeks following information from Vessel Representative:
 - Detailed information regarding crew and passengers, including nationality, age
 - All particulars about the Vessel, its flag, ownership, and the status of the vessel and all of its critical equipment
 - Information about all cargo carried, fuel status and whether the vessel is leaking oil
 - Marine forecast and current weather conditions
 - Reason place of refuge is requested and need for assistance, when the problems began
 - Measures taken by the crew to obviate the problem—i.e. ballasting, cargo shift, repairs

Incident-Specific Places of Refuge Decision-Making Process—Appendix I (con't)

Step 1—Place of Refuge Requested:

- Oil Spill Response Organization
- Information about last port of call, navigation route and destination
- What is necessary to remediate the problem?

Step 2—Immediate Action Required by COTP

- If the Vessel's situation requires immediate action, leaving no time for consulting with stakeholders or other technical experts, COPT will:
 - Evaluate the options
 - Determine whether removal to a Place of Refuge is an option
 - Determine whether Vessel should stay in place, continue on voyage, move away from shore, ground intentionally, or scuttle
 - Activate a Unified Command to address any remaining Issues

Incident-Specific Places of Refuge Decision-Making Process—Appendix I (con't)

- **Step 3—COTP/Unified Command Request Information from Stakeholders and Other Technical Experts on Vessel Options**
- **Step 4—COTP Unified Command selects vessel option based on input from Stakeholders and Other technical experts**
- This step requires the following balance:
 - Assessment of the Vessel Status and Risk Considerations
 - Response and Salvage Resources Considerations
 - Public Health and Safety Considerations
 - National Defense, Security and Economic and Critical Infrastructure Considerations
 - Balancing of other considerations, including liability, insurance available, requirements of port or harbor authorities for bonding, media and public interest and private property



Incident-Specific Places of Refuge Decision-Making Process—Appendix I (con't)

The Crossroads

- **Vessel Not Admitted to Place of Refuge:** If the COTP/Unified Command determines NOT to admit the Vessel to a Place of Refuge, no further action need be taken by COTP/Unified Command after Step 4.
- **Vessel Will be Allowed to Place of Refuge:** COTP/Unified Command will complete Steps 5 – 10 ONLY if a Place of Refuge is Selected.

Incident-Specific Places of Refuge Decision-Making Process—Appendix I (con't)

Step 5: COTP/Unified Command requests input from technical experts on operational considerations for potential places of refuge locations.

- Request information from NOAA concerning sea conditions, weather, seasonal consideration
- Seek information from Pilots Association regarding the port or anchorage criteria
- Gather information from Salvage representatives
- Obtain information from Oil Spill response resources
- Seek information from Port authorities

Incident-Specific Places of Refuge Decision-Making Process—Appendix I (con't)

Step 6: COTP/Unified Command selects potential places of refuge locations

- All information relevant to the Port of Anchorage facility selected will be given due consideration
- Available emergency response capabilities will be considered as well
- Salvage and Repair resources will be considered
- Other Command Management Factors will be considered

Incident-Specific Places of Refuge Decision-Making Process—Appendix I (con't)



Step 7. COTP/Unified Command provides stakeholders with potential places of refuge locations based on operational considerations

Incident-Specific Places of Refuge Decision-Making Process—Appendix I (con't)



Step 8. Stakeholders provide ranking of potential places of refuge locations to COTP/Unified Command

Incident-Specific Places of Refuge Decision-Making Process—Appendix I (con't)

Step 9. COTP/Unified Command selects place of refuge based on input from stakeholders and other technical experts.

- COTP will direct vessel to Place of Refuge
- COTP will notify stakeholders
- COTP will inform vessel of any restraints

Incident-Specific Places of Refuge Decision-Making Process—Appendix I (con't)



Step 10. COTP/Unified Command prepares documentation of the places of refuge decision-making process

U.S. Coast Guard

Coast Guard July 17, 2007 Places of Refuge Policy

General Considerations:

- **Transit Oversight**—Operational Commanders shall impose restrictions on vessel before and in route to the Place of Refuge
- **Risk Informed Decision Making**—Operational Commanders shall exercise responsibility and authority to manage risk in accord with ***The Port and Waterways Safety Act*** (33 U.S.C. § § 1221 et seq.)
- **National Defense Concerns**—All risks to national security shall be considered in the Places of Refuge selection
- **Safety Concerns**—Operational Commanders shall board stricken vessel only in accord with an approved site safety plan for both Coast Guard and non-Coast Guard employees
- **Force Majeure**—Follow Coast Guard policy regarding force majeure, including the Maritime Operational Threat Response process



Coast Guard July 17, 2007 Places of Refuge Policy— (con't)

General Considerations:

- **Notice of Arrival**—Follow the NOA regulations contained in 33 CRF § 160.214. The Coast Guard can waive requirements if they are “unnecessary or impractical for safety, the environment or national security.”
- **Intervention on the High Seas**—Adhere to Coast Guard policy concerning *Intervention on the High Seas Act* (33 U.S.C. § 1471)
- **Financial Responsibility Concerns**—If the Vessel does not have a valid Certificate of Financial Responsibility, contact the National Pollution Funds Center to discuss options.
- **Consult with Justice Department**—Discuss all Letters of Undertaking with DOJ
- **Notifications and International Coordination**—Coordinate with all Stakeholders and adjacent countries
- **Disclaimer**—The COTP has discretionary authority

Requests for Changes:

- All requests for Changes should be directed to:
 - Places of Refuge Project Officer
 - Office of Incident Management and Preparedness (CG-3RPP-A)
 - 2100 Second Street, S.W.
 - Washington, DC 20593-0001

Sample Place of Refuge Checklist



Vessel Information					
Name		Flag	Official Number		
Number of Persons on Board			Location		
Crew	Passengers		Longitude	Latitude	
Number Of Crew/Passengers Already Evacuated:			Description: e.g., 20 miles west of Cape Disappointment		
Gross Tons	Length	Draft	Type/Service: e.g., container ship, product tanker, etc.		
Current O/S WX & Sea State			Projected O/S WX		
Owner/Operator/RP ¹		P&I Club	Class Society	Agent	
POC					
Phone					
Notified by vessel master?					
___ Yes ___ No		___ Yes ___ No		___ Yes ___ No	

¹ Determine which party will be acting as the responsible party and has authority to do so. Under OPA 90 the responsible party is any person owning, operating, or demise chartering the vessel.



Vessel Information (continued)			
Complete Port State Control Safety & ISPS/MTSA targeting matrix			
Complete HIV targeting matrix. <i>(Classified upon completion)</i>			
Ensure vessel has a valid COFR ²			
Cargo		Bunkers	
Type	Amount	Type	Amount
Other HAZMAT: e.g., Ship's stores, etc. (Attach vessel's dangerous cargo manifest if available)			
General description of ship's condition, including any structural damage:			

² If vessel does not hold a COFR, coordinate with NPFC and servicing legal office to arrange COFR or other coverage to the extent deemed necessary for entry.

Vessel Information (continued)	
Are there any deaths, injuries, or persons in need of medical assistance?	
If so, treat as SAR incident and prosecute accordingly!	
What is the nature of the problem leading to a need for a Place of Refuge?	
What is the vessel master/rep specifically requesting?	
When did the problems begin?	How long has the crew been up? (fatigue concerns)
Status of the Following Systems:	
Lifesaving (lifeboats, rafts, EPIRB, etc)	
Fire Fighting for Cargo and Accommodation/Machinery Spaces	
Bilge Pumps	
Propulsion	
Steering	
Ship's Service Generator	
Emergency Generator	
Measures Already Taken by the Crew – The attached "Rapid Salvage Survey" may assist in collecting information.	
Repairs	
Ballasting	
Cargo Shifts	

Require the Vessel to take the following actions, as appropriate. Use an Administrative Order for vessels outside of the territorial seas and a COTP Order for vessels inside the territorial seas. The Oil Spill Liability Trust Fund (OSLTF) is available to remove an actual discharge of oil or to prevent or mitigate a substantial threat of an oil discharge.



Action	Notes
Arrange for tugs of sufficient horsepower to render necessary assistance.	
Submit a salvage plan to the Captain of the Port.	
Hire/activate an appropriate Oil Spill Response Organization.	The responsible party must notify the Qualified Individual per the Vessel Response Plan (VRP).
Hire a salvage company capable of addressing the situation.	See the International Salvage Union http://www.marine-salvage.com or the American Salvage Association http://www.americansalvage.org for information about professional salvage standards, including compensation issues.
Hire a marine fire fighting company capable of addressing the situation.	See the National Fire Protection Association for information on professional standards for marine fire fighting. http://www.nfpa.org
Other	
The vessel's representative/responsible party must describe exactly what it is requesting with respect to a Place of Refuge, and what it intends to do there (i.e. repairs). This will require, at a minimum, a salvage plan and a transit plan, both of which will require COTP approval.	

Notifications by the COTP/FOSC

In addition to notifications required by local policy, the COTP/FOSC shall make the following notifications:

Notification	Number	Notes/Completed
District Command Center		Notify District Command Center, ensure District prevention, response, and legal offices are notified.
Area Command Center		Will normally be notified by the District Command Center
Marine Safety Center (Salvage Engineering Response Team)	(202) 475-3400 or (202) 327-3985	Search for "Salvage Engineering" at http://homeport.uscg.mil .
National Pollution Funds Center	(202) 493-6700	http://www.uscg.mil/hq/npfc/index.htm
Appropriate Strike Team	AST (609) 724 0008 PST (415) 883 3311 GST (251) 441 6601	
Area Committee Members		
Natural Resource Trustees		
Other		

Actions by the COTP/FOSC and Unified Command
(Items most relevant to making a decision regarding a Place of Refuge request)

Action	Notes/Completed
Facilitate the placement of an inspection team on the vessel if safe to do so.	Entry should be made <u>only</u> in accordance with a site safety plan.
Plot the trajectory of the vessel if it is drifting or at risk of losing power or steerage.	
Plot the trajectory of the expected spill from the current location.	
Plot the trajectory of the expected spill from each Place of Refuge under consideration.	
Identify and evaluate resources at risk for each Place of Refuge under consideration.	
Review and approve a salvage plan.	
Review and approve a transit plan.	

Oil Spill Task Force



[ABOUT US](#) [OUR WORK](#) [DOCUMENTS](#) [EDUCATION](#) [EVENTS](#) [RESOURCES](#) [CONTACT](#)



Rail Cars, Tacoma WA 2014 (photo: Don Clotfelter). [Click on photo to visit our oil by rail page.](#)

Our Goal: No spilled oil

The Oil Spill Task Force is an organization comprised of representatives from state and provincial environmental agencies in the Pacific coastal area. We collect and share data on oil spills, coordinate oil spill prevention projects, and promote regulatory safeguards. Our mission is to improve prevention, preparation, and response to oil spills on a state and provincial level.

Oil Spill Task Force

HOME

ABOUT US

OUR WORK

DOCUMENTS

EDUCATION

EVENTS

RESOURCES

CONTACT

SEARCH

[Oil Spill Task Force](#) » About Us

About Us

WHY WE WERE ESTABLISHED

Two spills formed a critical juncture: The first was in December 1988 and involved the tank barge *Nestucca*, a spill which impacted the coasts of Washington and British Columbia. The second, in March 1989, was the catastrophic spill of the tanker *Exxon Valdez* in Alaska's Prince William Sound. These two events highlighted in a dramatic way the vulnerability of the West Coast states and British Columbia to spill risks from coastal marine traffic. Awareness arose of the importance of cross-border coordination and cooperation, and the need for firm commitments to protect the unique marine resources of the region.

Thus the Pacific States/B.C. Oil Spill Task Force (Task Force) was created, the result of a memorandum signed by the governors of Alaska, Washington, Oregon, and California, and the premier of British Columbia in 1989. In 2001, Hawaii joined the Task Force, further broadening our regional scope.

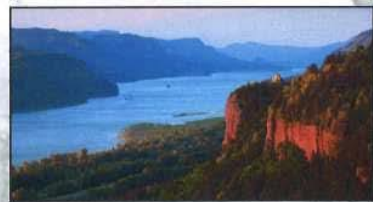
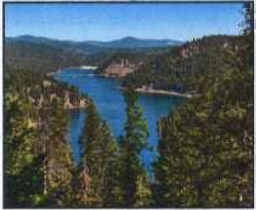
Pacific States/British Columbia Oil Spill Task Force— www.oilspilltaskforce.org



- This is a regional cooperation scheme for the oil spill regulators in Alaska, British Columbia, Washington, Oregon, California, and Hawaii
- The collective goal is prevention of oil spills
- The standards and guidelines for the Potential Places of Refuge (PPOR) were initially developed by this task force along with the Alaska Regional Response Team Places of Refuge Subcommittee
- The Coast Guard should consult members of this task force

Region Ten

Northwest Area Contingency Plan



2016

Also serving as the
Region Ten Regional Contingency Plan

NORTHWEST AREA CONTINGENCY PLAN— REGION TEN

- The N.W. Area Contingency Plan (“NW Plan”) contains a section on Places of Refuge in § 9410
- The 18th Amendment of the NW Plan was effective on January 1, 2017
- The NW Plan also serves as the Region Ten Regional Contingency Plan and is a collaborative effort between Washington, Oregon and Idaho.
- The EPA, U.S. Coast Guard Thirteenth District, U.S. Coast Guard Sector Puget Sound, U.S. Coast Guard Columbia River, Washington Department of Ecology (“WDOE”), Oregon Department of Environmental Quality (“DEQ”) and the Idaho Bureau of Homeland Security are participants and stakeholders

NW PLAN—REGION TEN (cont.)

- The NW Plan is consistent with and tracks the IMO Guidelines, the NRT Guidelines and the Coast Guard Guidelines
- “Selection of a place of refuge by the United States Coast Guard (“USCG”), Captain of the Port (“COTP”) in consultation with other federal agencies, states, tribal and local governments will always be made on a case-by-case basis.”
- All Stakeholders are listed in Attachment A to the NW Plan
- “If time allows, the COTP will activate a Unified Command under the Incident Command System (“ICS”) to address a request for a place of refuge.”

NW PLAN—REGION TEN (cont.)

- Any request for a Place of Refuge that involves or may involve an International Board, will be activated as per the ***Joint Canada/United States Pacific Response Plan***.
- If more than one Area Contingency Plan will be involved, existing cross-jurisdictional protocols will be activated.
- In cases of National Security, the COTP, acting as the ***Federal Maritime Security Coordinator*** may have access to Sensitive Security Information that must be considered on a case by case basis.

STATE AND LOCAL JURISDICTION UNDER THE PLAN

- Washington, Oregon and Idaho have authority to protect state interests in State waters. Each State has jurisdiction over state owned shoreline and in nearshore (inland waters) waters to 3 miles.
- WA WDOE and OR DEQ have predesignated **State On-Scene Coordinators (SOSCs)**
- Port Authorities and Local Governments have authority over inland near shore waters, including ports and harbors. A local government or Port Representative may serve as a Local On-Scene Coordinator per the NW Plan.



9410C.2 Places of Refuge Decision Tool

9410C.2.1 Step 2 – Logistical Suitability of Potential POR/Actions

Identify the logistical suitability for each of the place of refuge options being considered based on the application of the following scale:

Score	Description						
1	Ideally suited to addressing situation; equipment readily staged and deployed						
2	Acceptable under prevailing and expected conditions						
3	Marginally suited, additional measures or procedures will be needed						
4	Poorly suited to addressing situation even w/additional measures; equipment staged/deployed only with great difficulty						
5	Completely unsuitable or unavailable to address situation						
Physical Attributes and Port Services	Continue Voyage	Sea POR A	POR B	Current Location	Ground	Scuttle	
Transit Difficulty							
Holding Ground							
Bar Conditions							
Expected Winds							
Expected Sea State							
Tides and Currents							
Cargo Offload							
Cargo Storage							
Docking Facilities/ Availability							
Salvage Equipment							
Spill Equipment							
Security Concerns							
TOTAL							

9410C.2.1.1 Step 2.1 – Probability Determination for Potential POR/Actions

Considering the various factors that may affect the likelihood of a further worsening of the vessel's situation, assign a probability score for each potential POR/action using the criteria below:

<i>Likelihood of an Incident Occurring</i>	<i>Description/Definition</i>	<i>Probability Score</i>
<i>Highly Probable</i>	<i>Almost certain an incident will occur</i>	<i>0.9</i>
<i>Probable</i>	<i>More than 50% likelihood that an incident will occur</i>	<i>0.75</i>
<i>Equal probability</i>	<i>Approximately 50% likely that an incident will occur</i>	<i>0.5</i>
<i>Unlikely</i>	<i>Less than 50% likelihood than an incident will occur</i>	<i>0.25</i>
<i>Improbable</i>	<i>Incident not expected to occur under prevailing and expected conditions</i>	<i>0.05</i>
Potential POR/Action		Probability Score
Vessel is taken to POR A		
Vessel is taken to POR B		
Vessel continues its voyage (deny entry)		
Repairs made in current location		
Vessel is scuttled at a given location		
Vessel is grounded at a given location		

**9410C.3 Step 3 – Consequence Evaluations for Potential POR/Actions:
Health and Human Safety**

While few credible place of refuge scenarios will include significant health and safety consequences to the general public, the National Contingency Plans properly lists the safety of human life as the top priority during every response action (40 Code of Federal Regulations 300.317). For the consequence component of risk, appropriate stakeholders will determine the level (scale) of consequences that can reasonably be expected if the vessel's condition significantly worsens.

- A. Evaluate the potential consequences to human health and safety using the following criteria:

Score	Description
2	No credible threat to human health and safety
4	Minor injuries to a few individuals. exposure to hazardous material below PEL/STEL
16	Serious but non-life-threatening injuries, hazardous material exposure beyond
30	Some deaths and/or significant injuries/hazardous material exposure beyond immediately dangerous to life and health (IDLH) to small groups or lesser
32	Many deaths, serious injuries, or life threatening health concerns

RAW CONSEQUENCE SCORES							
	Continue Voyage	Sea	POR A	POR B	Current Location	Ground	Scuttle
General Population							
Response Personnel							
Vessel Crew/ Passenger							

- B. Calculate a weighted consequence score for each POR/action for each category using the following equation: Weighted Consequence Score = Raw Score * Weight

WEIGHTED CONSEQUENCE SCORES								
	Weight	Continue Voyage	Sea	POR A	POR B	Current Location	Ground	Scuttle
General Population	10							
Response Personnel	10							
Vessel Crew/ Passenger	10							
TOTALS								



9410C.3.1 Step 3.1 – Consequence Evaluations for Potential POR/Actions

9410C.3.1.1 Natural Resources

For the consequence component of risk, appropriate stakeholders will determine the level (scale) of consequences that can reasonably be expected if the vessel's condition significantly worsens.

- A. Evaluate the potential consequences to each category of natural resources using the following criteria:

Score	Description						
2	<i>No expected exposure of the natural resource in question</i>						
4	<i>Minimal exposure, impact expected to be local and short term</i>						
8	<i>Moderate exposure, measurable impact over a larger area or longer time</i>						
16	<i>Significant exposure, regional impact and/or multi-year recovery period</i>						
RAW CONSEQUENCE SCORES							
	Continue Voyage	Sea	POR A	POR B	Current Location	Ground	Scuttle
Threatened and endangered species (T&ES)							
Critical habitat for T&ES							
Sensitive species (not protected)							
Critical habitat for sensitive species (not protected)							
Historic or cultural resources							
Subsistence use species							
Subsistence use critical habitat							
Commercial species							
Essential fish habitat							
Recreational use/activities							
Other natural resources							



Step 3.1 – Consequence Evaluations for Potential - *Continued*

B. Calculate a weighted consequence score for each POR/action for each category using the following equation: Weighted Consequence Score = Raw Score * Weight

WEIGHTED CONSEQUENCE SCORES								
	Weight	Continue Voyage	Sea	POR A	POR B	Current Location	Ground	Scuttle
Threatened and endangered species (T&ES)	8							
Critical habitat for T&ES	10							
Sensitive species (not protected)	6							
Critical habitat for sensitive species	5							
Historic or cultural resources	10							
Subsistence use species	8							
Subsistence use critical	10							
Commercial species	6							
Essential fish habitat	3							
Recreational use/activities	3							
Other natural resources	3							
TOTALS								



9410C.3.2 Step 3.2 – Consequence Evaluations for Potential POR/Actions

9410C.3.2.1 Economic Activities

For the consequence component of risk, appropriate stakeholders will determine the level (scale) of consequences that can reasonably be expected if the vessel's condition significantly worsens.

- A. Evaluate¹ the potential consequences to each category of economic activities using the following criteria:

Score	Description
2	No expected impact on the economic activity in question
4	Minor – local area, few businesses, and/or short term
8	Moderate – regional area, many business, and/or longer term
16	Major – significant impacts on region/economic sector for several weeks

RAW CONSEQUENCE SCORES							
	Continue Voyage	Sea	POR A	POR B	Current Location	Ground	Scuttle
Maritime commerce and shipping							
Commercial fishing and aquaculture							
Recreational fishing, marine tourism							
Non-maritime activities and commerce							

¹ Consider direct impacts to critical infrastructure, but avoid undue speculation concerning cascading economic disruption.



Step 3.2 – Consequence Evaluations for Potential POR/Actions
Economic Activities - Continued

B. Calculate a weighted consequence score for each POR/action for each category using the following equation: Weighted Consequence Score = Raw Score * Weight

WEIGHTED CONSEQUENCE SCORES								
	Weight	Continue Voyage	Sea	POR A	POR B	Current Location	Ground	Scuttle
Maritime commerce and shipping	4							
Commercial fishing and aquaculture	4							
Recreational fishing, marine tourism	4							
Non-maritime activities and commerce	4							
TOTALS								

9410C.4 Step 4 – Combined Risk Scores

A. Compile the weighted consequence scores health and human safety, natural resources, and economic activity.

COMPILED WEIGHTED CONSEQUENCE SCORES							
	Continue Voyage	Sea	POR A	POR B	Current Location	Ground	Scuttle
Human Health and Safety (Step 4.1 B)							
Natural Resources (Step 4.2 B)							
Economic Activity (Step 4.3 B)							

B. Record the probability scores for each of the potential POR/actions on the top line. Calculate the risk for each option using the equation: Risk = Probability Score * Weighted Consequence Score. Add the probability and risk scores to determine the total risk associated with each potential POR/action.

RISK SCORES							
	Continue Voyage	Sea	POR A	POR B	Current Location	Ground	Scuttle
<i>Probability Score</i> (Step 3)							
Human Health and Safety							
Natural Resources							
Economic Activity							
TOTAL RISK							

It is important to note that decision makers must consider each category individually, not just the lowest total risk score. For example, a POR option with the lowest total risk might still have an unacceptably high Human Health and Safety risk relative to other options. Security and national defense risks must also be considered in making a final decision.

9410D Attachment D: Vessel Information

Name		Flag	Official Number
Number of Persons on Board		Location	
Crew	Passengers	Longitude	Latitude
Number Of Crew/Passengers Already Evacuated:		Description: e.g., 20 miles west of Cape Disappointment	
Gross Tons	Length	Draft	Type/Service: e.g., container ship, product tanker, etc.
Current O/S WX & Sea State			Projected O/S WX
Owner/Operator/RP ¹	P&I Club	Class Society	Agent
POC			
Phone			
Notified by vessel master?			
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

¹ Determine which party will be acting as the responsible party and has authority to do so.
Under OPA 90 the responsible party is any person owning, operating, or demise chartering the vessel.



Vessel Information - Continued

Complete Port State Control Safety & ISPS/MTSA targeting matrix Complete HIV targeting matrix. <i>(Classified upon completion)</i> Ensure vessel has a valid COFR ²			
Cargo		Bunkers	
Type	Amount	Type	Amount
Other HAZMAT: e.g., Ship's stores, etc. (Attach vessel's dangerous cargo manifest if available)			
General description of ship's condition, including any structural damage:			

² If vessel does not hold a COFR, coordinate with NPFC and servicing legal office to arrange COFR or other coverage to the extent deemed necessary for entry.



Vessel Information - Continued

Are there any deaths, injuries, or persons in need of medical assistance? If so, treat as SAR incident and prosecute accordingly!	
What is the nature of the problem leading to a need for a Place of Refuge?	
What is the vessel master/rep specifically requesting?	
When did the problems begin?	How long has the crew been up? (fatigue concerns)
Status of the following systems:	
Lifesaving (lifeboats, rafts, EPIRB, etc.)	
Fire Fighting for Cargo and Accommodation/Machinery Spaces	
Bilge Pumps	
Propulsion	
Steering	
Ship's Service Generator	
Emergency Generator	
Measures Already Taken by the Crew – The attached "Rapid Salvage Survey" may assist in collecting information.	
Repairs	
Ballasting	
Cargo Shifts	

9410E Attachment E: Template for Place of Refuge Quick Decision Guide

Place of Refuge (POR) Quick Decision Guide

In the event that the Captain of the Port (COTP) does not have the time to consult with the appropriate federal, state, tribal, and local stakeholders via the Regional Response Team or other appropriate mechanisms, this checklist may be used to assist in the decision process. A POR decision may include: denying entry, remaining in the current location, scuttling, grounding, anchorage, or directing to a port.

VESSEL INFORMATION:

Name: _____ Vessel Location: _____
 IMO/Lloyd's No: _____ (Official number if no IMO/Lloyd's) Latitude/Longitude: _____
 Type of Event/Casualty: _____ Date/Time of Event: _____

INITIAL STATUS:

Master/Owner/Operator desires Place of Refuge YES NO
 Status of crew and passengers _____

STATUS OF VESSEL:**Equipment Malfunction** Steering Gear

Crew

 Navigational Equipment Condition Propulsion of Oil (from any source) Safety System (from any source) Other (describe below)**Damage** Breach in Hull or Tank Fire Damage Explosion Damage Other (describe below) Other (describe below)**Miscellaneous** Incomplete Miscellaneous Potential Leak Leak of Oil**WEATHER CONDITIONS:****Weather** Clear Partly Cloudy Cloudy Fog Rain Snow Storm

Wind Speed _____ kts

 Other: _____**Visibility** 0 - 1/2 mile 1/2 - 1 mile 1 - 5 miles 5+ miles**Wind** N NE W SE S Variable**TIDAL CONDITIONS:****Tide** Extreme High Extreme Low High Low**Current** Max Ebb Ebb Min Ebb Slack Stand Min Flood Max Flood Flood River Current Speed _____ kts



OIL/FUEL INFORMATION:
Type of Oil: Gasoline Diesel Estimated Amount Onboard:
_____(SPECIFY UNITS: GALLONS, LITERS)
 Hydraulic Bunker
 Crude Lube
 Asphalt/Creosote Other Oil Product:
 Kerosene Other cargo:

PLACE OF REFUGE SITE DETERMINATION FACTORS:
 Port or anchorage is adequate to receive the vessel
 Availability and/or access to security assets, and response, firefighting and salvage
 Health and safety of the vessel crew, passengers and the local communities
 Potential environmental and cultural impacts
 Potential economic impacts

NARRATIVE & DISCUSSION

Questions?