

STATEWIDE OIL SPILL PREVENTION AND RESPONSE PROGRAM



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What is the Office of Spill Prevention and Response (OSPR)?

- Prevents, prepares for, and responds to oil spills
- Activities include:
 - oil spill contingency planning
 - financial responsibility
 - drills and exercises
 - inspections and investigations
 - tracking spills
 - directing spill response and cleanup efforts
 - restoration for injured wildlife and lost habitat



History of OSPR/SB 861



- Established in 1991 under the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act, which was enacted in response to the Exxon Valdez and American Trader oil spills
- OSPR initially responded solely to oil spills that impact marine waters
- Recent oil boom in North America spurred concerns about inland oil spills
- In 2014, Senate Bill 861 extended OSPR's authority to all waters of the State, creating a Statewide Oil Spill Prevention and Response Program

SB 861, Chapter 35, Statutes of 2014

- Extended current 6.5 cent fee to all crude oil entering or produced by CA refineries
- Created single, statewide program to cover spills of oil or oil products from all sources in marine and inland waters
- Ensured entities owning pipelines, production facilities, and rail have robust contingency plans, and have the ability to pay for spill response
- Stabilized funding for Oiled Wildlife Care Network (OWCN) and expanded the OWCN to inland areas
- Extended expenditure of OSPR's spill response trust fund to be used to pay for responses to all oil spills, if no "Responsible Party"
- Authorized emergency regulations to implement the new program



SB 861: Emergency Regulations

- Regulations to implement SB 861 are deemed to be an emergency
- Exempt from Office of Administrative Law (OAL) review
- Temporary for 1 year, then a permanent “regular” rulemaking needs to be completed
- Workgroups were formed to get input; draft language was then developed and presented to industry
- Emergency Regulations were finalized, posted on web for comment, and delivered to the OAL for review and approval on September 3, 2015
- Emergency regulations were modeled from OSPR’s successful marine oil spill program

Estimated New Contingency Plans



- 12-14 Pipeline operators
- 10-12 Railroad (Class I's and shortlines)
- 200+ Production Facilities

Statewide Program Implementation Webpage

<https://www.wildlife.ca.gov/OSPR/Preparedness/Inland-Facilities-Contingency-Plan>

The screenshot displays the website for the California Department of Fish and Wildlife, specifically the OSPR Preparedness page for Inland Facilities Contingency Plans. The page features a dark blue header with the CA.GOV logo, the department's name, and a search bar. A navigation menu includes Home, Fishing, Hunting, Licenses & Permits, Conservation, Learning, and Explore. The main content area is titled "Inland Facilities Contingency Plans & Financial Responsibility" and provides information about emergency regulations effective from September 3, 2015. It includes a "Frequently Asked Questions for Inland Facilities" link, a "NEW: Notice of Drills and Exercises Roundtables to be held at various California locations" announcement, and a "Timeline" section with key dates for plan submission and enforcement. A sidebar on the right lists various OSPR topics such as About OSPR, Administration, C-Plans, Drills & Exercises, Enforcement, Financial Responsibility, Legal & Regulations, Local Government, Marine Safety, News & Publications, Spill Response Resources, Restoration (NRDA), and Science and Wildlife.

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Inland Facilities Contingency Plans & Financial Responsibility

The emergency regulations governing the development of oil spill contingency plans and financial responsibility for inland facilities, pipelines, refineries and railroads became effective Sept. 3, 2015. Affected industry members have until January 1, 2016 to submit facility contingency plans and Certificates of Financial Responsibility. All materials provided here are intended to help plan holders prepare their documents, but plan holders are still responsible for ensuring they are in compliance with the [new inland regulations](#). For questions, please refer to the [OSPR contacts](#) list.

[Frequently Asked Questions for Inland Facilities](#)

NEW: [Notice of Drills and Exercises Roundtables to be held at various California locations](#)
Note: Participation in one of these Roundtables will fulfill the 2016 Tabletop credit requirement for **new plans**.

Timeline

- January 1, 2016 – Submit Contingency Plan and application for a Certificate of Financial Responsibility (COFR)
- OSPR will review the plan and COFR application within 30 days of receipt
- 90 days after approval of the plan, the drills and exercises regulations go into effect for the plan holder.

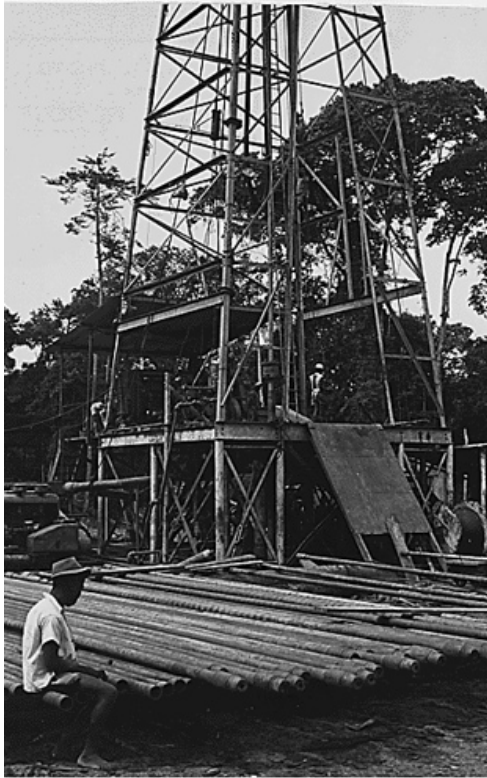
Approved Emergency Regulations

- Definitions and Abbreviations
 - [Approved Definitions and Abbreviations - Final and Complete](#)
 - [Approved Definitions and Abbreviations - Amended Only](#)
- [New Inland Facilities Contingency Plan Regulations](#)

OSPR

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- [Spill Response Resources](#)
- [Restoration \(NRDA\)](#)
- [Science and Wildlife](#)

Inland Facility Contingency plans



- Submittal required by January 1, 2016.
- Applicability criteria based on average daily production volume of 10 barrels or less (production facilities only), or proximity to Waters of the State greater than $\frac{1}{4}$ mile
- Exemptions may be granted if a spill will not impact Waters of the State due to natural and/or man-made barriers, type of oil produced, etc.

Inland Facility Contingency Plans, cont.

Reasonable Worst Case Spill Volumes (RWCS):

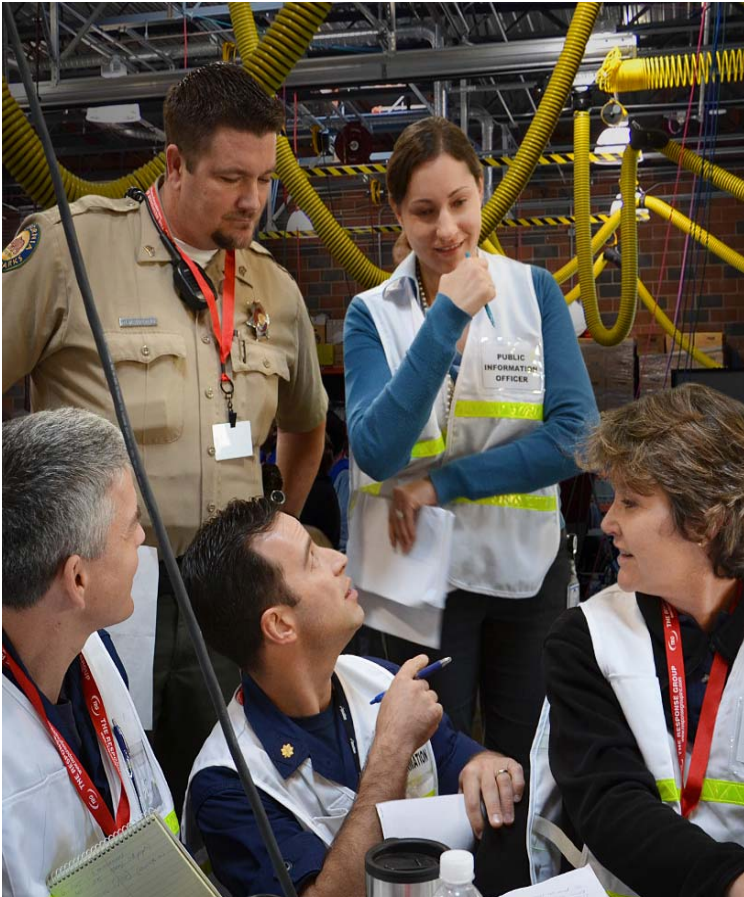
- *Production Facilities*: Ten percent (10%) of the daily average of the largest producing well.
- *Distribution Pipelines*: Same formula as used for marine pipelines
- *Railroads*: Twenty percent (20%) of the maximum volume of oil cargo that a railroad may transport by a single train within the state.
- *Others* (portable storage tanks, etc.): Same as marine facilities

Certificates of Financial Responsibility



- Went into effect at the same time as the emergency contingency plan regulations for Inland Facilities, including railroads
- Financial Responsibility amount = RWCS volume in barrels (as determined in the applicant's oil spill contingency plan) multiplied by \$10,000

Drills and Exercises



- The Drills and Exercises (D&E) Unit promotes response readiness by engaging in the design and conduct of individual exercises
- Plan holder tiers= small (tier III), medium (tier II) and large (tier I)
- Tiers will initially be used for the new entities under SB 861, and will be phased in for existing marine plan holders
- Objectives for each tier developed to be reflective of expectations based on the size and scope of the plan holder
- The Drills and Exercises requirements for the new SB 861 entities go into effect 90 days after approval of a Plan Holder's contingency plan
- Effective date of the new tier system for current marine plan holders is TBD

Roundtable Exercises



- Starting April 6, 2016, OSPR will be hosting eight Roundtable Exercises to educate new plan holders on Drills and Exercises regulation requirements
- Note: Attending one of these Roundtable Exercises will fulfill your 2016 Tabletop credit requirement
- Information on the Roundtables and RSVP deadlines can be found at the following link on OSPR's Statewide Implementation Webpage:
 - “Notice of Drills and Exercise Roundtables to be held at various California locations”

Inland Oil Spill Response Organization Ratings

- Also done as Emergency Regulations
- Workshops with industry in July 2015
- Final Emergency OSRO Regulations approved on October 12, 2015
- Inland OSROs being rated now
- Currently 8 Inland OSROs Rated; 5 more pending inspections as of January 27, 2016



Next Steps



- Currently getting input on potential changes to emergency regulations
- In-house workgroups in February 2016 to consider amendments and draft final, permanent regulations
- Workshops with industry in March 2016 to present draft of ‘permanent’ regulations

Contact Information

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- Please notify me if you would like to be added to OSPR's regulations e-mail contact list

