

CALIFORNIA CODE OF REGULATIONS
TITLE 14. NATURAL RESOURCES
DIVISION 1. FISH AND GAME COMMISSION - DEPARTMENT OF FISH & GAME
SUBDIVISION 4. OFFICE OF SPILL PREVENTION AND RESPONSE
CHAPTER 3. OIL SPILL PREVENTION AND RESPONSE PLANNING
SUBCHAPTER 3.6. DRILLS AND EXERCISES

§ 820.1. Drills and Exercises – Facilities, Vessels, and Mobile Transfer Units.

(a) Applicability and Definitions.

(1) This subchapter provides the requirements for equipment deployment drills and tabletop exercises (as defined in section 790 of chapter 1, and hereinafter referred to as “drills” and “exercises”, respectively) applicable to owners or operators of facilities, vessels, and mobile transfer units requiring an oil spill contingency plan pursuant to subchapter 3 or subchapter 4 of this chapter. Drills and exercises are not required if a facility, vessel, or mobile transfer unit is exempt from oil spill contingency plan requirements pursuant to subchapter 3 or subchapter 4 of this chapter.

(2) Regions. For in-state drill and exercise scheduling and attendance purposes, the Office of Spill Prevention and Response divides California into three regions: North, Central, and South.

(A) The North region includes the counties of Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Francisco, San Joaquin, San Mateo, Santa Clara, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo, and Yuba.

(B) The Central region includes the counties of Fresno, Kern, Kings, Madera, Mariposa, Merced, Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Cruz, Stanislaus, Tulare, Tuolumne, and Ventura.

(C) The South region includes the counties of Imperial, Inyo, Los Angeles, Mono, Orange, Riverside, San Bernardino, and San Diego.

(3) Tiers. Oil spill contingency plans are categorized into one of three tier classifications for exercise purposes. These tiers are as follows:

(A) Tier I plan holders include facilities with a reasonable worst-case spill volume of 1,000 barrels or more that may impact inland waters, or 600 barrels or more that may impact marine waters, and all vessels.

(B) Tier II plan holders include facilities with a reasonable worst-case spill volume of 500 to 999 barrels that may impact inland waters, or 250 to 599 barrels that may impact marine waters.

(C) Tier III plan holders include facilities with a reasonable worst-case spill volume of 499 barrels or less that may impact inland waters, or 249 barrels or less that may impact marine waters, and all mobile transfer units.

(4) The Administrator may determine that a different tier is more appropriate for a particular facility based on, but not limited to, the following: a change in the facility's reasonable worst-case spill volume, spill and response history, threat to sensitive sites, or public safety concerns (e.g., proximity to a residential area).

(5) In addition to the requirements contained in this section, the Administrator may require an additional drill or exercise to validate the oil spill contingency plan. This drill or exercise may be announced or unannounced and may be called due, but not limited, to: one or more unsuccessful mandatory objective(s), new resources, or changed resources.

(6) Definitions. In addition to the definitions in section 790, the following definitions apply to this subchapter.

(A) "CalTriVEX" means "California Triennial Vessel Exercise", a tabletop exercise performed by vessel plan holders and held in-state as described in this subchapter.

(B) "CoreVEX" means "Core Vessel Exercise", a tabletop exercise performed by vessel plan holders and held either in-state or out-of-state as described in this subchapter.

(C) "Drill Coordinator" means a member of the Office of Spill Prevention and Response's drills and exercises unit who serves as the Administrator's designee to fulfill responsibilities as described in this subchapter.

(D) "Drills and Exercises Unit" means the unit within the Office of Spill Prevention and Response that oversees the drills and exercises as described in this subchapter.

(E) "Mandatory Objective" means any objective described in subsections (c) through (f) that must be successfully achieved in a specified calendar year for an oil spill contingency plan to maintain compliance with drill and exercise requirements.

(F) "OSPRI" means "Office of Spill Prevention and Response Initiated Event", referring to an unannounced drill or exercise that may be substituted for drill or exercise credit as described in this subchapter.

(G) "Sensitive Site" means the location of environmental, historic, cultural/tribal, or economic resources that may be at risk from an oil spill as identified in area contingency plans, geographic response plans, or pursuant to the National Historic Preservation Act of 1966 (Title 54 U.S.C. § 300101 et seq.) and regulations implementing that Act (36 CFR Part 800).

(b) Type and Frequency of Drills, Exercises, and Additional Notifications.

Drills, exercises, and additional notifications will be conducted to evaluate the oil spill contingency plan pursuant to this subsection.

(1) Tabletop Exercises. All plan holders must conduct an exercise annually to test and achieve the objectives described in subsection (c), (d), or (e) for their applicable tier as described in subsection (a)(3) of this section.

(A) For facility oil spill contingency plans with assets in or operating in more than one region, the location of the exercise scenario for the annual exercise must alternate between those regions so that each region is tested at least once over any consecutive three-year period.

(B) For vessel oil spill contingency plans, the annual exercise must either be a CalTriVEX or a CoreVEX. Over any consecutive three-year period, there must be one CalTriVEX and two CoreVEX.

(2) Equipment Deployment Drills. When an oil spill contingency plan, excluding vessel and mobile transfer unit plans, lists plan holder-owned on-water containment equipment, a drill must be conducted in the first six months of the calendar year (January 1 through June 30) to test its deployment. If the drill held in the first six months does not achieve all the objectives described in subsection (f), a drill must be scheduled pursuant to subsection (i) and passed in the second six months of the calendar year (July 1 through December 31).

(3) Additional Notifications. In addition to the Notification objective described in subsections (c), (d), (e), and (f), the following additional notifications must be achieved.

(A) Facility Notifications. For all facility and mobile transfer unit oil spill contingency plans, actual telephonic notifications must be conducted by the plan holder each quarter to test and achieve the objective described in subsection (g)(1). For oil spill contingency plans with assets in or operating in more than one region, facility notifications must occur in each region each quarter so that staff in each region will be proficient in making the required notifications. When a drill or exercise is held and the Notifications objective is successfully achieved, this will fulfill the facility notification requirement for the applicable region and quarter.

(B) Vessel Notifications. For all vessel oil spill contingency plans, an actual telephonic notification must be made by the plan holder each quarter, or at least 72 hours prior to entering waters of the state if that is less often, to test and achieve the objective described in subsection (g)(2).

(4) Drills for Oil Spill Response Organization Ratings. Response services are verified through equipment deployment drills pursuant to subsection 819.03(d) of this chapter. These drills are not managed by the drills and exercises unit.

(5) Shoreline Protection. Plan holders may be required to drill shoreline protection response strategies for the sensitive sites identified in the oil spill contingency plan or as described in the Shoreline Protection Tables in section 790. These drills are not managed by the drills and exercises unit.

(6) Spill Management Team Certification. Plan holders may be required to exercise the spill management team applying for certification pursuant to section 830.6 of this chapter. These exercises are not managed by the drills and exercises unit.

(c) Tier I Tabletop Exercises.

Exercises must be conducted so the scenario, scope, and plan holder staffing are sufficient to test and successfully achieve the objectives described in this subsection. For facilities, objectives described in (1) and (2) in this subsection must be successfully achieved at every exercise; any number of objectives described in (3) through (10) in this subsection may be tested during an exercise, but over any consecutive three-year period all objectives in (3) through (10) must be tested and successfully achieved. For vessels, a CalTriVEX requires all objectives described in (1) through (11) in this subsection to be tested and successfully achieved in a single exercise, and a CoreVEX requires all objectives described in (12)(A) in this subsection to be tested and successfully achieved in a single exercise.

(1) Notifications: Make actual telephonic notifications about the spill scenario to the following contacts identified in the oil spill contingency plan: qualified individual, rated oil spill response organization, California Office of Emergency Services State Warning Center, and National Response Center; all phone calls are to be initiated within 30 minutes of the scenario being briefed and witnessed by a drill coordinator upon the drill coordinator's request. At the start of the exercise, these notifications, time stamps, and associated control numbers must be documented on page two of the ICS Form 201 – Incident Briefing (U.S. Coast Guard rev. 06/13; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein and hereinafter referred to as ICS 201. This objective must be successfully achieved at every exercise.

(2) Staff Mobilization: Assemble the initial response personnel identified in the oil spill contingency plan. Make an actual telephonic notification to the spill management team identified in the oil spill contingency plan that is certified pursuant to sections 830.1 to 830.11 of this chapter and document it on page two of the ICS 201. The most current approved version of the oil spill contingency plan must be available and used during the exercise. This objective must be successfully achieved at every exercise.

(3) Incident Command System: Organize the initial response personnel to establish the incident command system as described in the U.S. Coast Guard or U.S. Environmental Protection Agency *Incident Management Handbook*, as defined in section 790 of chapter 1, and accurately document all participating contractors and agencies on the organization chart, either page three of the ICS 201 or an ICS Form 207 – Incident Organization Chart (U.S. Coast Guard rev. 01/07), incorporated by reference herein and hereinafter referred to as ICS 207. This will include the implementation of the operational planning cycle as described in the *Incident Management Handbook*.

(3.1) Unified Command: Form a Unified Command consisting of federal, state, and plan holder representation, to include local representation where applicable, and assess the need to engage with other agencies and address emerging concerns. The Unified Command will develop the incident objectives, response priorities, and critical

information requirements which must be documented on an ICS Form 202 – Incident Objectives (U.S. Coast Guard rev. 04/04; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, and disseminated. The Unified Command will determine and assign open actions using an ICS Form 233 – Incident Open Action Tracker (U.S. Coast Guard rev. 07/12), incorporated by reference herein.

(4) Safety Officer: Designate a Safety Officer to conduct a safety briefing to responders at the incident command post and monitor their health and safety. Identify hazards associated with field operations and generate a site safety plan, to include the applicable safety data sheet and an ICS Form 208 – Hazardous Materials Site Safety and Control Plan (U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, which must be approved by Unified Command. Analyze hazards and controls associated with field work assignments to determine their operational risk by generating an ICS Form 215a – Incident Action Plan Safety Analysis (U.S. Coast Guard rev. 02/15; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein.

(4.1) Safety of the Public: Make an actual telephonic notification to the local Certified Unified Program Agency and document it on page two of the ICS 201. Consider threats to public health and provide support for community air monitoring where applicable. Identify and document other relevant public health agencies, including regional air quality management districts and regional water quality control boards.

(5) Public Information Officer: Designate a Public Information Officer to interface between Unified Command, the media, and the public. Develop a holding statement or initial press release and at least two additional written media products for Unified Command approval. Eligible additional written media products are: updated press release, press conference talking points for all Unified Command members, fact sheet including updates from initial press release.

(6) Liaison Officer: Designate staff to work with the natural resource trustee agency Liaison Officer and use relevant area contingency plans, geographic response plans, and the oil spill contingency plan to identify, document, and initiate contact with stakeholders, including, but not limited to: first responders, local government officials, natural resource trustees, and tribal representatives. For these stakeholders, assess their needs and available resources, keep them informed of the incident status, and monitor their arrival at the incident command post. Identify and document additional stakeholders (e.g., elected officials, communities, neighbors, businesses, and other potentially impacted public).

(7) Operations Section: Coordinate and manage field operations with all tactical resources and a rated oil spill response organization in accordance with Unified Command objectives by utilizing an ICS Form 234 – Work Analysis Matrix (U.S. Coast Guard rev. 11/12; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, and an ICS Form 215 – Operational Planning Worksheet (U.S. Coast Guard rev. 12/02; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein. Field operations include both on-water and land-based spill

containment and recovery. Provide a list of available tactical resources, their location, deployment time frames, and operational actions. This information must remain updated on the ICS 201. Location of tactical resources must be displayed on a map and remain updated.

(7.1) Source Control: Locate the source of the spill and initiate emergency shutdown procedures as described in the oil spill contingency plan. Source control and associated actions must be documented on page two of the ICS 201.

(7.2) Assessment: Provide an initial estimate of the volume spilled, extent of the spill, and develop an initial trajectory. Calculate the actual spill volume, make a telephonic update to the California Office of Emergency Services State Warning Center, and document both on page two of the ICS 201.

(7.3) Firefighting: Make an actual telephonic notification to the firefighting resource identified in the oil spill contingency plan. If 911 is the firefighting resource identified, then identify and make an actual telephonic notification to the non-emergency number of the appropriate local fire department. Document these actions on page two of the ICS 201.

(7.4) Wildlife Care: The plan holder must initiate wildlife care by making an actual telephonic notification to the Oiled Wildlife Care Network or other wildlife care and treatment organization listed in the oil spill contingency plan; this action must be documented on page two of the ICS 201. Contact information must be accurate in the oil spill contingency plan.

(7.5) Protective Strategies: Implement the protective strategies from relevant area contingency plans, geographic response plans, and the oil spill contingency plan for sensitive sites identified by the Environmental Unit. Coordinate with a rated oil spill response organization to identify and provide sufficient resources to effectively implement the applicable protective strategies. Display the identified sensitive sites and protective strategies relative to the spill location on a map. Update the map along with a resources list to accurately reflect the most up to date tactical information.

(8) Planning Section: Designate a Planning Section Chief to oversee plan development based on Unified Command objectives and track plan status. Plans must be submitted for Unified Command approval to develop the Incident Action Plan. The Planning Section Chief must implement the operational planning cycle and facilitate meetings following the agendas described in the U.S. Coast Guard or U.S. Environmental Protection Agency *Incident Management Handbook*.

(8.1) Situation Unit: Designate a Situation Unit Leader to collect, organize, regularly update, disseminate, and display information about the current status of the spill on a situation status display located in a common area of the incident command post. The situation status display must include: the name of the incident; actual notifications; a map of the incident; an organization chart (page three of the ICS 201 or an ICS 207); current and forecasted weather, tides, and currents (where tides and currents are applicable); relevant trajectories; safety data sheet; approved site safety plan; the ICS

201 or the approved Incident Action Plan; an ICS Form 230 – Daily Meeting Schedule (U.S. Coast Guard rev. 07/04; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein; and an incident status summary. The incident status summary must include, at a minimum: the date and time the summary applied to; whether the source is secured or unsecured; estimated volumes with consistent units of measure for amount spilled, remaining potential, recovered, and left to recover; mileage estimates of shoreline affected, cleaned, and to be cleaned; numbers of oiled birds, mammals, reptiles, and fish impacted; number of injuries to responders and public; number of equipment resources that are ordered, available, assigned, and out of service; and number of personnel from participating agencies, plan holder staff, contract personnel, and volunteers assigned to the incident command post and field operations.

(8.2) Resource Unit: Establish a process for resource ordering and tracking in coordination with the Logistics and Finance Sections. Ensure all response personnel sign in to the incident command post using a sign-in sheet, which must include: name, company or agency affiliation, incident command system position, contact phone number, and email address. Document and regularly update the status and location of all tactical resources using page four of the ICS 201 and the organization of all response staff on an ICS 207.

(8.3) Environmental Unit: Designate staff to work with the natural resource trustee agency Environmental Unit Leader, analyze environmental data including current and forecasted weather, tides, and currents (where tides and currents are applicable), and develop four trajectories using time frames appropriate for the scenario. Generate an ICS Form 232 – Resources at Risk Summary (U.S. Coast Guard rev. 07/04; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, based on trajectories and sensitive sites identified in relevant area contingency plans, geographic response plans, and the oil spill contingency plan. Sensitive sites are defined in subsection (a)(6)(G).

(8.3.1) Waste Management: The plan holder along with their rated oil spill response organization must develop a waste management plan for Unified Command approval. The plan must include appropriate procedures for: waste segregation, storage, obtaining permits and/or waivers, quantification, characterization, transportation, and disposal.

(8.4) Documentation Unit: Designate a Documentation Unit Leader to collect, review, organize, update, and disseminate all physical and electronic documents generated during the exercise. Establish a filing system for all documentation which can be accessed by all response personnel, including federal and state agency staff. The Documentation Unit Leader must brief all response personnel on documentation procedures and transition to a federal or state agency Documentation Unit Leader upon their arrival. during the exercise, all documentation must be provided to the drill coordinator upon request.

(8.5) Volunteer Unit: Designate staff to engage with the Volunteer Coordinator from the Office of Spill Prevention and Response and establish a Volunteer Unit. Obtain the

approved Non-Wildlife Volunteer Plan from the relevant area contingency plans or geographic response plans. Develop messaging to be incorporated with written media products, when applicable. Keep Unified Command briefed on Volunteer Unit actions.

(9) Logistics Section: Designate a Logistics Section Chief to coordinate with the Resource Unit and Finance Section to establish and disseminate a resource request and ordering process. Identify and provide necessary personnel, facilities, services, and materials to support the response activities and generate at least four ICS Form 213RR – Resource Request Messages (U.S. Coast Guard rev. 02/07; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein.

(9.1) Communications Unit: Establish and disseminate communication systems to support the response, including posting to the situation status display, and document using an ICS Form 205a – Incident Communications Plan (U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, for all response personnel and an ICS Form 205 – Incident Radio Communications Plan (U.S. Coast Guard rev. 09/12; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, for field units.

(9.2) Personnel Support: Identify and provide for the support of all response personnel including operational space, administrative space, security, an ICS Form 206 – Medical Plan (U.S. Coast Guard rev. 07/04; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, lodging, food services, and transportation. Ensure that the aforementioned support covers the current and subsequent operational periods.

(9.3) Response Infrastructure: Establish a location for the incident command post capable of supporting the response needed for the size and location of the exercise scenario. Provide and maintain equipment necessary to support the incident command post including wireless internet service, telecommunication service, printers, copiers, scanners, and office supplies. Ensure that wireless internet is accessible by all response personnel and can support all response activities at the incident command post.

(10) Finance Section: Designate a Finance Section Chief to establish third-party claims procedures, to include a claims phone number, which must be disseminated to the Situation Unit, Public Information Officer, and Liaison Officer, when present. Document and track daily expenditures and calculate total costs and expenses associated with the incident and incurred by all responding organizations and agencies, including third-party claims, commonly known as “burn rate”, for the current and subsequent operational periods. Coordinate with the Resource Unit and Logistics Section to ensure all resources ordered are included in the burn rate.

(11) Vessel Lightering and Salvage: This objective applies to vessel plan holders only. Make actual telephonic notifications to the vessel emergency service and lightering service providers identified in the oil spill contingency plan and document these actions on page two of the ICS 201. Develop lightering and salvage plans for Unified Command approval.

(12) CoreVEX. The following apply only to vessel plan holders.

(A) Objectives.

1. Notifications: Make actual telephonic notifications to the following to verify contact information is correct in the oil spill contingency plan: rated oil spill response organization, California Office of Emergency Services State Warning Center, and National Response Center. Time and contact name for each notification must be documented.

2. Staff Mobilization: Assemble responders at an incident command post and maintain an exercise participants list. An exercise participants list must encompass all responders and include the following information: name, company or agency affiliation, incident command system position, contact phone number, and email address.

(B) Independent Drill Monitor. Plan holders, pursuant to section 8670.10 of the Government Code, may need to provide for an independent drill monitor to evaluate an out-of-state CoreVEX where a qualified public agency is unable to attend. Independent drill monitor application approvals are only valid for a single CoreVEX.

1. Qualifications. Applicants must meet the following minimum requirements:

a. Have a scheduled exercise date on the CoreVEX calendar pursuant to subsection (i) of this section.

b. Possess knowledge and understanding of the Drills and Exercises requirements, as described in this section.

c. Have a minimum of five years of job experience evaluating drills and exercises in California.

d. Complete training in the incident command system, to include, at a minimum: IS-700, 800, ICS-100, 200, 300, and 400.

e. Not currently an employee of the plan holder or the spill management team participating in the exercise being evaluated.

2. Application Procedures. Applicants must provide documentation for all the above requirements and submit to the Administrator via email to osprdrills@wildlife.ca.gov. The applicant may request information be kept confidential following the process described in section 790.3 of chapter 1.

3. Interview. If the Administrator can verify all requirements have been met and documented, an interview will be scheduled to evaluate the applicant's communication skills, evaluation experience, and knowledge of the provisions in this section.

4. Decision. The Administrator will consider the applicant's qualifications and interview to determine if the applicant is eligible to act on behalf of a qualified public agency. The Administrator will issue a written decision to the applicant within 15 calendar days of the interview date. The applicant may request a reconsideration pursuant to section 790.5.

5. Responsibilities. The independent drill monitor must attend the exercise specified in subsection (c)(12)(B)1.a. of this section and submit their evaluation report, to include a description of how the objectives were successfully met, to the Administrator via email to osprdrills@wildlife.ca.gov within 15 calendar days of the exercise date.

(d) Tier II Tabletop Exercises.

Exercises must be conducted so the scenario, scope, and plan holder staffing are sufficient to test and successfully achieve the objectives described in this subsection. Objectives described in (1) and (2) in this subsection must be successfully achieved at every exercise. Any number of objectives described in (3) through (10) in this subsection may be tested during an exercise, but over any consecutive three-year period all objectives in (3) through (10) must be tested and successfully achieved.

(1) Notifications: Make actual telephonic notifications about the spill scenario to the following contacts identified in the oil spill contingency plan: qualified individual, rated oil spill response organization, California Office of Emergency Services State Warning Center, and National Response Center; all phone calls are to be initiated within 30 minutes of the scenario being briefed and witnessed by a drill coordinator upon the drill coordinator's request. At the start of the exercise, these notifications, time stamps, and associated control numbers must be documented on page two of the ICS Form 201 – Incident Briefing (U.S. Coast Guard rev. 06/13; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein and hereinafter referred to as ICS 201. This objective must be successfully achieved at every exercise.

(2) Staff Mobilization: Assemble the initial response personnel identified in the oil spill contingency plan. Make an actual telephonic notification to the spill management team identified in the oil spill contingency plan that is certified pursuant to sections 830.1 to 830.11 of this chapter and document it on page two of the ICS 201. The most current approved version of the oil spill contingency plan must be available and used during the exercise. This objective must be successfully achieved at every exercise.

(3) Incident Command System: Organize the initial response personnel to establish the incident command system as described in the U.S. Coast Guard or U.S. Environmental Protection Agency *Incident Management Handbook*, as defined in section 790 of chapter 1, and accurately document all participating contractors and agencies on the organization chart, either page three of the ICS 201 or an ICS Form 207 – Incident Organization Chart (U.S. Coast Guard rev. 01/07), incorporated by reference herein and hereinafter referred to as ICS 207. This will include the implementation of the operational planning cycle as described in the *Incident Management Handbook*.

(3.1) Unified Command: Form a Unified Command consisting of federal, state, and plan holder representation, to include local representation where applicable, and assess the need to engage with other agencies and address emerging concerns. The Unified Command will develop the incident objectives, response priorities, and critical information requirements which must be documented on an ICS Form 202 – Incident Objectives (U.S. Coast Guard rev. 04/04; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, and disseminated.

(4) Safety Officer: Designate a Safety Officer to conduct a safety briefing to responders at the incident command post and monitor their health and safety. Identify hazards associated with field operations and generate a site safety plan, to include the applicable safety data sheet and an ICS Form 208 – Hazardous Materials Site Safety and Control Plan (U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, and submit for Unified Command approval.

(4.1) Safety of the Public: Make an actual telephonic notification to the local Certified Unified Program Agency and document it on page two of the ICS 201. Consider threats to public health and provide support for community air monitoring where applicable. Identify and document other relevant public health agencies, including regional air quality management districts and regional water quality control boards.

(5) Public Information Officer: Designate a Public Information Officer to interface between Unified Command, the media, and the public. Develop a holding statement or initial press release and at least one additional written media product for Unified Command approval. Eligible additional written media products are: updated press release, press conference talking points for all Unified Command members, fact sheet including updates from initial press release.

(6) Liaison Officer: Designate staff to work with the natural resource trustee agency Liaison Officer and use relevant area contingency plans, geographic response plans, and the oil spill contingency plan to identify, document, and initiate contact with stakeholders, including, but not limited to: first responders, local government officials, natural resource trustees, and tribal representatives. For these stakeholders, assess their needs and available resources, keep them informed of the incident status, and monitor their arrival at the incident command post. Identify and document additional stakeholders (e.g., elected officials, communities, neighbors, businesses, and other potentially impacted public).

(7) Operations Section: Coordinate and manage field operations with all tactical resources and a rated oil spill response organization in accordance with Unified Command objectives by utilizing an ICS Form 234 – Work Analysis Matrix (U.S. Coast Guard rev. 11/12; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein. Field operations include both on-water and land-based spill containment and recovery. Provide a list of available tactical resources, their location, deployment time frames, and operational actions. This information must remain updated on the ICS 201. Location of tactical resources must be displayed on a map and remain updated.

(7.1) Source Control: Locate the source of the spill and initiate emergency shutdown procedures as described in the oil spill contingency plan. Source control and associated actions must be documented on page two of the ICS 201.

(7.2) Assessment: Provide an initial estimate of the volume spilled, extent of the spill, and develop an initial trajectory. Calculate the actual spill volume, make a telephonic update to the California Office of Emergency Services State Warning Center, and document both on page two of the ICS 201.

(7.3) Firefighting: Make an actual telephonic notification to the firefighting resource identified in the oil spill contingency plan. If 911 is the firefighting resource identified, then identify and make an actual telephonic notification to the non-emergency number of the appropriate local fire department. Document these actions on page two of the ICS 201.

(7.4) Wildlife Care: The plan holder must initiate wildlife care by making an actual telephonic notification to the Oiled Wildlife Care Network or other wildlife care and treatment organization listed in the oil spill contingency plan; this action must be documented on page two of the ICS 201. Contact information must be accurate in the oil spill contingency plan.

(7.5) Protective Strategies: Implement the protective strategies from relevant area contingency plans, geographic response plans, and the oil spill contingency plan for sensitive sites identified by the Environmental Unit. Coordinate with a rated oil spill response organization to identify and provide sufficient resources to effectively implement the applicable protective strategies. Display the identified sensitive sites and protective strategies relative to the spill location on a map. Update the map along with a resources list to accurately reflect the most up to date tactical information.

(8) Planning Section: Designate a Planning Section Chief to oversee plan development based on Unified Command objectives and track plan status. Plans must be submitted for Unified Command approval to develop the Incident Action Plan. The Planning Section Chief must implement the operational planning cycle and facilitate meetings following the agendas described in the U.S. Coast Guard or U.S. Environmental Protection Agency *Incident Management Handbook*.

(8.1) Situation Unit: Designate a Situation Unit Leader to collect, organize, regularly update, disseminate, and display information about the current status of the spill on a situation status display located in a common area of the incident command post. The situation status display must include: the name of the incident; actual notifications; a map of the incident; an organization chart (page three of the ICS 201 or an ICS 207); current and forecasted weather, tides, and currents (where tides and currents are applicable); relevant trajectories; safety data sheet; site safety plan; the ICS 201 or the approved Incident Action Plan; and an ICS Form 230 – Daily Meeting Schedule (U.S. Coast Guard rev. 07/04; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein.

(8.2) Resource Unit: Establish a process for resource ordering and tracking in coordination with the Logistics and Finance Sections. Ensure all response personnel sign in to the incident command post using a sign-in sheet, which must include: name, company or agency affiliation, incident command system position, contact phone number, and email address. Document and regularly update the status and location of all tactical resources using page four of the ICS 201 and the organization of all response staff on page three of the ICS 201 or an ICS 207.

(8.3) Environmental Unit: Designate staff to work with the natural resource trustee agency Environmental Unit Leader, analyze environmental data including current and

forecasted weather, tides, and currents (where tides and currents are applicable), and develop two trajectories using time frames appropriate for the scenario. Generate an ICS Form 232 – Resources at Risk Summary (U.S. Coast Guard rev. 07/04; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, based on trajectories and sensitive sites identified in relevant area contingency plans, geographic response plans, and the oil spill contingency plan. Sensitive sites are defined in subsection (a)(6)(G).

(8.3.1) Waste Management: The plan holder along with their rated oil spill response organization must develop a waste management plan for Unified Command approval. The plan must include appropriate procedures for: waste segregation, storage, obtaining permits and/or waivers, quantification, characterization, transportation, and disposal.

(8.4) Documentation Unit: Designate staff to work in the Documentation Unit to collect, review, organize, update, and disseminate all physical and electronic documents generated during the exercise. Establish a filing system for all documentation which can be accessed by all response personnel, including federal and state agency staff. Documentation Unit staff must brief all response personnel on documentation procedures and transition to a federal or state agency Documentation Unit Leader upon their arrival. During the exercise, all documentation must be provided to the drill coordinator upon request.

(8.5) Volunteer Unit: The plan holder must engage with the Volunteer Coordinator from the Office of Spill Prevention and Response and establish a Volunteer Unit. Discuss elements of the Non-Wildlife Volunteer Plan and messaging to incorporate with written media products. Brief the Unified Command on Volunteer Unit discussions.

(9) Logistics Section: Designate staff to work in the Logistics Section to coordinate with the Resource Unit and Finance Section to establish and disseminate a resource request and ordering process. Identify and provide necessary personnel, facilities, services, and materials to support the response activities and generate at least two ICS Form 213RR – Resource Request Messages (U.S. Coast Guard rev. 02/07; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein.

(9.1) Communications Unit: Establish and disseminate communications for all response personnel, including posting to the situation status display, and document using an ICS Form 205a – Incident Communications Plan (U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein.

(9.2) Personnel Support: Identify and provide for the support of all response personnel including operational space, administrative space, security, an ICS Form 206 – Medical Plan (U.S. Coast Guard rev. 07/04; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein, lodging, food services, and transportation. Ensure that the aforementioned support covers the current and subsequent operational periods.

(9.3) Response Infrastructure: Establish a location for the incident command post capable of supporting the response needed for the size and location of the exercise

scenario. Provide and maintain equipment necessary to support the incident command post including wireless internet service, telecommunication service, printers, copiers, scanners, and office supplies. Ensure that wireless internet is accessible by all response personnel and can support all response activities at the incident command post.

(10) Finance Section: Designate a Finance Section Chief to establish third-party claims procedures, to include a claims phone number, which must be disseminated to the Situation Unit, Public Information Officer, and Liaison Officer, when present. Document and track daily expenditures and calculate total costs and expenses associated with the incident and incurred by all responding organizations and agencies, including third-party claims, commonly known as “burn rate”, for the current and subsequent operational periods. Coordinate with the Resource Unit and Logistics Section to ensure all resources ordered are included in the burn rate.

(e) Tier III Tabletop Exercises.

Exercises must be conducted so the scenario, scope, and plan holder staffing are sufficient to test and successfully achieve the objectives described in this subsection. Objectives described in (1) and (2) in this subsection must be successfully achieved at every exercise. Any number of objectives described in (3) through (9) in this subsection may be tested during an exercise, but over any consecutive three-year period, all objectives in (3) through (9) must be tested and successfully achieved.

(1) Notifications: Make actual telephonic notifications about the spill scenario to the following contacts identified in the oil spill contingency plan: qualified individual, rated oil spill response organization, California Office of Emergency Services State Warning Center, and National Response Center; all phone calls are to be initiated within 30 minutes of the scenario being briefed and witnessed by a drill coordinator upon the drill coordinator’s request. At the start of the exercise, these notifications, time stamps, and associated control numbers must be documented on page two of the ICS Form 201 – Incident Briefing (U.S. Coast Guard rev. 06/13; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein and hereinafter referred to as ICS 201. This objective must be successfully achieved at every exercise.

(2) Staff Mobilization: Assemble the initial response personnel identified in the oil spill contingency plan. Make an actual telephonic notification to the spill management team identified in the oil spill contingency plan that is certified pursuant to sections 830.1 to 830.11 of this chapter and document it on page two of the ICS 201. The most current approved version of the oil spill contingency plan must be available and used during the exercise. This objective must be successfully achieved at every exercise.

(3) Incident Command System: Organize the initial response personnel to establish the incident command system as described in the U.S. Coast Guard or U.S. Environmental Protection Agency *Incident Management Handbook*, as defined in section 790 of chapter 1, and accurately document all participating contractors and agencies on page three of the ICS 201. This will include the implementation of the operational planning cycle as described in the *Incident Management Handbook*.

(3.1) Unified Command: The plan holder incident commander must develop initial incident objectives and response priorities and review them with the Federal or State On-Scene Coordinator. Discuss the need to engage with other agencies and address emerging concerns during an initial Unified Command meeting. The objectives and response priorities must be documented on page two of the ICS 201.

(4) Safety Officer: Identify a Safety Officer to conduct a safety briefing to responders at the incident command post and monitor their health and safety. Identify hazards associated with field operations and generate an initial site safety plan, to include the applicable safety data sheet.

(4.1) Safety of the Public: Consider threats to public health. Identify and document the local Certified Unified Program Agency and other relevant public health agencies, including regional air quality management districts and regional water quality control boards.

(5) Public Information Officer: Identify a Public Information Officer to develop an initial press release for plan holder incident commander approval, or for Unified Command approval when present.

(6) Liaison Officer: Use relevant area contingency plans, geographic response plans, and the oil spill contingency plan to identify, document, and initiate contact with stakeholders, including, but not limited to: first responders, local government officials, natural resource trustees, and tribal representatives.

(7) Operations Section: Coordinate and manage field operations with all tactical resources and a rated oil spill response organization in accordance with incident objectives. Field operations include both on-water and land-based spill containment and recovery. Provide a list of available tactical resources, their location, deployment time frames, and operational actions. This information must remain updated on the ICS 201. Location of tactical resources must be displayed on a map and remain updated.

(7.1) Source Control: Locate the source of the spill and initiate emergency shutdown procedures as described in the oil spill contingency plan. Source control and associated actions must be documented on page two of the ICS 201.

(7.2) Assessment: Provide an initial estimate of the volume spilled, extent of the spill, and develop an initial trajectory. Calculate the actual spill volume and document it on page two of the ICS 201.

(7.3) Wildlife Care: The plan holder must initiate wildlife care by making an actual telephonic notification to the Oiled Wildlife Care Network or other wildlife care and treatment organization listed in the oil spill contingency plan; this action must be documented on page two of the ICS 201. Contact information must be accurate in the oil spill contingency plan.

(7.4) Protective Strategies: Implement the protective strategies from relevant area contingency plans, geographic response plans, and the oil spill contingency plan for the sensitive sites identified by the Environmental Unit. Coordinate with a rated oil spill

response organization to identify and provide sufficient resources to effectively implement the applicable protective strategies. Display the identified sensitive sites and protective strategies relative to the spill location on a map.

(8) Planning Section: Oversee plan development based on incident objectives and track plan status. Plans must be submitted for Unified Command approval. Plan holder staff must implement the operational planning cycle and facilitate meetings following the agendas described in the U.S. Coast Guard or U.S. Environmental Protection Agency *Incident Management Handbook*.

(8.1) Situation Unit: Collect, organize, regularly update, disseminate, and display information about the current status of the spill on a situation status display located in a common area of the incident command post. The situation status display must include: the name of the incident; actual notifications; a map of the incident; current and forecasted weather, tides, and currents (where tides and currents are applicable); relevant trajectory; safety data sheet; pages one through four of the ICS 201; and an ICS Form 230 – Daily Meeting Schedule (U.S. Coast Guard rev. 07/04; U.S. Environmental Protection Agency rev. 05/18), incorporated by reference herein.

(8.2) Environmental Unit: Use relevant area contingency plans, geographic response plans, and the oil spill contingency plan to identify sensitive sites. Sensitive sites are defined in subsection (a)(6)(G).

(8.3) Documentation Unit: Collect, review, organize, update, and disseminate all physical and electronic documents generated during the exercise. Establish a filing system for all documentation which can be accessed by all response personnel, including federal and state agency staff. All response personnel must be briefed on documentation procedures. During the exercise, all documentation must be provided to the drill coordinator upon request.

(9) Communications Unit: Establish and disseminate communications for all response personnel, including posting to the situation status display, and document using a sign-in sheet, which must include: name, company or agency affiliation, incident command system position, contact phone number, and email address.

(f) Equipment Deployment Drills.

These drills are evaluated on a pass/fail basis and all objectives described below must be successfully achieved at every drill, regardless of tier.

(1) Notifications: Make actual telephonic notifications about the spill scenario to the following contacts identified in the oil spill contingency plan: qualified individual, rated oil spill response organization, California Office of Emergency Services State Warning Center, and National Response Center; all phone calls are to be initiated within 30 minutes of the scenario being briefed and witnessed by a drill coordinator upon the drill coordinator's request. These notifications, time stamps, and associated control numbers must be documented and provided to the drill coordinator upon request. Successfully achieving this objective will not apply to nor be combined with the exercise notifications requirement.

(2) Staff Mobilization: Assemble sufficient plan holder staff and oil spill response organization staff, when applicable, to safely and effectively deploy the boom.

(3) Safety: Conduct a safety briefing prior to the deployment, which must be witnessed by the drill coordinator.

(4) Communications: Establish communications to direct the boom deployment, including between on-water and land-based resources.

(5) Equipment Deployment: Plan holder staff must deploy up to 600 feet of boom utilizing the equipment listed in the oil spill contingency plan to achieve containment within 30 minutes of the boom entering the water, including both ends of the boom being secured. For more than 600 feet, additional time will be given proportional to additional boom being deployed.

(g) Additional Notifications.

All facility and mobile transfer unit oil spill contingency plans must test and successfully achieve the objective described in (1) in this subsection during facility notifications. All vessel oil spill contingency plans must test and successfully achieve the objective described in (2) in this subsection during vessel notifications.

(1) Facility Notifications: Make actual telephonic notifications about the spill scenario to the qualified individual and rated oil spill response organization identified in the oil spill contingency plan. These notifications are to be initiated within 30 minutes of spill discovery and must be documented along with time stamps and associated control numbers. Once the qualified individual and rated oil spill response organization have been notified, the facility is not prohibited from making actual telephonic notifications to the California Office of Emergency Services State Warning Center and National Response Center.

(2) Vessel Notifications: Make an actual telephonic notification to the qualified individual identified in the oil spill contingency plan. The notification, time stamp, and name of the qualified individual contacted must be documented in the vessel's log. Once notified, the qualified individual is not prohibited from making actual telephonic notifications to the rated oil spill response organization, California Office of Emergency Services State Warning Center, and National Response Center identified in the oil spill contingency plan and document these notifications, time stamps, and contact names.

(h) Commencement.

For all new plan holders, regardless of tier, the year in which the first drill, exercise, and additional notification must occur, or OSPRIE or actual spill is eligible for substitution, depends upon when the oil spill contingency plan is approved. If the oil spill contingency plan is approved between January 1 and September 30, the cycle is considered to have begun January 1 of the current calendar year. If the oil spill contingency plan is approved between October 1 and December 31, then the cycle begins on January 1 of the following calendar year. Regardless of when the oil spill contingency plan is approved, the first consecutive three-year cycle ends on December 31 of the third full calendar year after approval.

(i) Scheduling.

Drills and exercises must be scheduled pursuant to this subsection to be eligible for credit.

(1) Plan holders must invite drill coordinators to attend and evaluate all drills and exercises in advance by submitting a Drills and Exercises Notification, form DFW 1954 (03/24/21), incorporated by reference herein and hereinafter referred to as DFW 1954, to the drills and exercises unit via email to osprdrills@wildlife.ca.gov. Advance notice must occur as follows: 30 calendar days for drills, 60 calendar days for exercises and CoreVEX, and 120 calendar days for CalTriVEX. An incomplete DFW 1954 will be returned for resubmittal and must comply with the scheduling requirements described in this subsection.

(2) Prior to requesting a date for a drill or exercise, plan holders must consult the Drill Calendar or CoreVEX Calendar to check for date availability. These calendars are located at: <https://wildlife.ca.gov/OSPR/Drills-Exercises>. Only drill and exercise dates that are approved and scheduled on these calendars are eligible to receive credit.

(A) Drills and exercises will not be scheduled on dates that conflict with previously scheduled drills, exercises, or other events (e.g., holidays, area committee meetings, or trainings). A DFW 1954 requesting a date with a conflicting event will be returned to the plan holder for resubmittal and must comply with the notification requirements described in this subsection.

(B) A maximum of two drills and two exercises will be scheduled per week per region. The Administrator may allow additional drills and exercises to be scheduled where no alternative scheduling option exists, provided plan holders comply with the notification requirements as described in this subsection.

(C) CoreVEX do not have any scheduling limitations.

(3) If a plan holder needs to reschedule a drill or exercise that has already been placed on either online calendar, the plan holder must notify the drills and exercises unit as soon as possible. Rescheduling must comply with the notification requirements described in this subsection. The drill coordinator may allow drills or exercises to be rescheduled within the minimum advanced notice for exigent circumstances such as environmental conditions or emergency operations.

(j) Design.

Excluding CoreVEX, all drills and exercises must be designed pursuant to this subsection to be eligible for credit.

(1) Plan holders must provide drill coordinators an opportunity to assist in the design of all drills and exercises being held for in-state credit. Drills and exercises must have at least one planning meeting with a drill coordinator. For CalTriVEX, a drill coordinator must be invited to a minimum of three planning meetings to assist in exercise design.

(2) All other federal, state, and local laws, regulations and permitting requirements must be complied with as part of planning and conducting a drill or exercise.

(k) Documentation.

Documentation must be completed and maintained pursuant to this subsection to be eligible for credit.

(1) All documentation generated during the drill, exercise, additional notification, OSPRIE, or actual spill must be made available to the Administrator upon request, to include all documentation described in this subsection.

(2) Where incident command system forms are referenced in this section, all forms must be completed in their entirety (all fields must be populated) during the drill or exercise to be eligible for credit. Links to the U.S. Coast Guard and U.S. Environmental Protection Agency incident command system forms can be found on the Office of Spill Prevention and Response website at: <https://wildlife.ca.gov/OSPR/Drills-Exercises>.

(3) The plan holder must identify and document areas for improvement at every drill and exercise. The plan holder is expected to incorporate these improvements into future drills and exercises.

(4) The plan holder must maintain all documentation generated during all drills, exercises, additional notifications, and substitutions described in this section for a minimum of three years from the date of each event. Documentation is subject to verification by the Administrator.

(l) Credit.

Credit must be requested pursuant to this subsection for a drill or exercise to be eligible for approval.

(1) Plan holders must complete and submit a Drills and Exercises Credit Request form DFW 1955 (11/08/21), incorporated by reference herein and hereinafter referred to as DFW 1955, to the drills and exercises unit via email to osprdrills@wildlife.ca.gov no more than 60 calendar days after completion of the drill or exercise. All supporting documentation pursuant to subsection (k) of this section must be legible and included with the credit request; objectives with insufficient supporting documentation will not be eligible for credit. Incomplete or incorrect credit request forms will be returned for resubmittal and must comply with the credit requirements described in this subsection.

(A) Companies that facilitate an exercise for multiple vessel plans on or before October 31 of any given calendar year must submit an updated list of vessel plans eligible to receive exercise credit by December 31. For exercises occurring on or after November 1, an up-to-date list must be provided with the credit request. This list will be used to ensure all represented plan holders receive credit for the applicable exercise.

(B) If the documentation submitted is insufficient to support one or more mandatory objectives, the plan holder will be notified via email and will have 15 calendar days to submit the required documentation or credit will be withheld.

(C) For additional notifications as described in subsection (g), a DFW 1955 is not required. Upon the Administrator's request, all documentation described in subsection (k)(4) of this section for all specified additional notifications must be made available to

the Administrator within 15 calendar days of the request. A drill coordinator will audit all documentation and inform the plan holder of the results via email within 15 calendar days of the submission.

(2) If advance notice was provided pursuant to subsection (i) and credit was requested pursuant to subsection (l), then a drill coordinator will process the credit request and audit all documentation within 180 calendar days of its receipt to determine whether all mandatory objectives were successfully achieved. If all mandatory objectives were successfully achieved, a credit approval letter will be issued to the plan holder. If documentation is insufficient to support one or more mandatory objectives, the requirements described in subsection (l)(1)(B) of this section will apply. If one or more mandatory objectives were not successfully achieved, the requirements described in subsection (l)(3) of this section will apply.

(3) If one or more mandatory objectives were not successfully achieved, a partial credit approval letter and after action report detailing exercise deficiencies will be issued to the plan holder. The plan holder may have a single makeup exercise within 180 calendar days as long as a makeup exercise has not occurred within the previous two calendar years. Notification requirements pursuant to subsection (i) apply, the exercise must be designed to adequately test the unsuccessful objective(s), and credit must be requested pursuant to subsection (l). Objectives successfully achieved during a makeup exercise will only be applied to the calendar year of the original exercise.

(4) Any oil spill contingency plan deficiencies noted by a drill coordinator are expected to be addressed by the plan holder pursuant to subchapter 3 or subchapter 4 of this chapter prior to the subsequent exercise, as described in subsection (b)(1) of this section.

(m) Substitution.

A drill or exercise may be substituted for credit by other events listed in (1) through (2) in this subsection if all mandatory objectives were successfully achieved. Receiving credit for any substitution only applies to the calendar year in which the event occurred.

(1) Unannounced Drills and Exercises. Only OSPRIEs will be considered for credit.

(A) Tabletop Exercise. Plan holders must meet the applicable requirements described in subsections (c) through (e) of this section and submit a credit request pursuant to subsection (l) of this section. If both the Notifications objective and the Staff Mobilization objective are not successfully achieved, then no other objectives described in (c) through (e) will be considered for credit.

(B) Equipment Deployment Drill. Plan holders must successfully achieve all requirements described in subsection (f) of this section and submit a credit request pursuant to subsection (l) of this section.

(2) Actual spill. An actual spill may be eligible for credit if the response was carried out in accordance with an oil spill contingency plan approved by the Administrator, the applicable area contingency plans or geographic response plans, and in accordance with the directions of the Administrator or Federal On-Scene Coordinator. Credit for an

actual spill will not be granted to an oil spill contingency plan more than once in a three-year period. A CalTriVEX is not eligible for substitution by an actual spill. A CoreVEX is eligible for substitution by an actual spill only when a spill threatens or impacts waters of the state.

(A) Tabletop Exercise.

1. Representative(s) from the Office of Spill Prevention and Response must respond to the spill, including observing and evaluating the response.

2. Plan holders must meet the applicable requirements described in subsections (c) through (e) of this section and submit a credit request pursuant to subsection (l) of this section. If both the Notifications objective and the Staff Mobilization objective are not successfully achieved, then no other objectives described in (c) through (e) will be considered for credit.

(B) Equipment Deployment.

1. Representative(s) from the Office of Spill Prevention and Response must respond to the spill, including observing and evaluating the response.

2. Plan holders must successfully achieve all requirements described in subsection (f) of this section and submit a credit request pursuant to subsection (l) of this section.

(n) Reconsideration.

A plan holder may request reconsideration of a decision by the Office of Spill Prevention and Response by following the process described in section 790.5 of chapter 1.

Note: Authority cited: Sections 8670.5, 8670.7.5, 8670.10 and 8670.29, Government Code. Reference: Sections 8670.7, 8670.10, 8670.28, 8670.29 and 8670.31, Government Code.