

Table 3. Oil Spill Response Plans under Federal Regulations

Description of Plan	Selected Plan Elements	Key Terms for Employers
USCG Facility Response Plan (FRP)		
<p>Under USCG regulations, owners or operators of certain oil-handling facilities must prepare and submit a Facility Response Plan (FRP) to the USCG, based on USCG FRP regulations at 33 CFR 154 subparts F, H, and I.</p> <p>33 CFR 154 subpart F applies to all marine transportation-related facilities that because of their location could reasonably be expected to cause at least substantial harm to the environment by discharging oil into or on the navigable waters or adjoining shorelines (33 CFR 154.1015).</p>	<p>FRPs must be consistent with the NCP* and applicable ACPs (33 CFR 154.1030(f)).</p> <p>Plan holders are responsible for responding to oil spills from USCG-regulated facilities using owned or contracted equipment, while the USCG directs response operations.</p> <p>OSROs provide oil spill response equipment and services, individually or in combination with subcontractors or associated contractors, under contract or other approved means, directly to an owner/operator of a facility required to have FRP.</p>	<p>OSRO means an entity that provides oil spill response resources (33 CFR 154.1020).</p> <p>More specifically, OSRO means any person or persons who own or otherwise control oil spill removal resources that are designed for, or are capable of, removing oil from the water or shoreline. OSROs must be able to mobilize and deploy equipment or trained workers and remove, store, and transfer recovered oil.**</p> <p>Owner and operator are defined in USCG FRP regulations (33 CFR 154.105).</p>
USCG Vessel Response Plan (VRP)		
<p>Under USCG regulations, owners or operators for all vessels defined as “tank vessels” and “non-tank vessels” must prepare and submit a Vessel Response Plan (VRP) to the USCG, based on USCG VRP regulations at 33 CFR 155 subparts D, F, G, I, and J.</p> <p>33 CFR 155 subpart D applies to tank vessels, as outlined in 33 CFR 155.1015, which includes vessels of opportunity when conducting response operations in a response area.</p> <p>33 CFR 155 subpart J applies to non-tank vessels, as outlined in 33 CFR 155.5015.</p>	<p>VRPs must be consistent with the NCP* and applicable ACPs (33 CFR 155.1030(h)).</p> <p>Plan holders are responsible for responding to oil spills from USCG-regulated vessels using owned or contracted equipment, while the USCG directs response operations. The USCG regulations for VRPs are highly detailed and prescriptive, and include performance requirements for oil recovery capacity based on the marine environment (e.g., wave height).</p> <p>OSROs provide oil spill response equipment and services, individually or in combination with subcontractors or associated contractors, under contract or other approved means, directly to an owner/operator of a vessel required to have VRP.</p>	<p>OSRO means an entity that provides oil spill response resources (33 CFR 155.1020).</p> <p>More specifically, OSRO means any person or persons who own or otherwise control oil spill removal resources that are designed for, or are capable of, removing oil from the water or shoreline. OSROs must be able to mobilize and deploy equipment or trained personnel and remove, store, and transfer recovered oil.**</p> <p>Owner and operator are defined in USCG VRP regulations (33 CFR 155.1020).</p>
EPA Facility Response Plan (FRP)		
<p>Under EPA regulations, certain facilities that store and use oil, and could potentially harm the environment by discharging oil into or on navigable waters, must prepare and submit a Facility Response Plan (FRP) to EPA.</p>	<p>FRPs must be consistent with the NCP* and appropriate ACPs (40 CFR 112.20(g)(1)).</p> <p>FRPs must identify and ensure availability of resources to remove a Worst Case Discharge (WCD), to the maximum extent practicable (see Appendix E of 40 CFR 112).</p> <p>Appendix F of 40 CFR 112 includes a model FRP, and requires that FRPs must include a description and records of facility self-inspections, facility drills and exercises, and response training for workers.</p>	<p>OSRO means an entity that provides oil spill response resources, and includes any for-profit or not-for-profit contractor, cooperative, or in-house response resources that have been established in a geographic area to provide required response resources (40 CFR 112.2).</p> <p>Owner or operator means any person owning or operating an onshore facility or an offshore facility, and in the case of any abandoned offshore facility, the person who owned or operated or maintained the facility immediately prior to such abandonment (40 CFR 112.2).</p>
PHMSA Oil Spill Facility Response Plan		
<p>PHMSA regulations for response plans for onshore oil pipelines (49 CFR 194) require onshore pipeline operators to submit an Oil Spill Facility Response Plan. Operators use Appendix A of 49 CFR 194, “Guidelines for the Preparation of Response Plans,” to prepare and update plans.</p> <p>PHMSA posts these plans on the PHMSA website to help federal, state, and local officials strengthen and coordinate planning and prevention activities.</p>	<p>Operators must certify that plans are consistent with the NCP* and each applicable ACP (49 CFR 194.107(b)), including establishing safety provisions at the response site (49 CFR 194.107(b)(1)(ii)).</p> <p>Plans developed for PHMSA are used by pipeline operators to prepare for and respond to a WCD from onshore pipelines. Plans must include procedures for safely and quickly responding to spills and how pipeline operators and emergency responders will coordinate and execute the plan’s response procedures.</p>	<p>OSRO means an entity that provides response resources (49 CFR 194.5).</p> <p>Operator means a person who owns or operates onshore oil pipeline facilities (49 CFR 194.5).</p>
BSEE Oil Spill Response Plan (OSRP)		
<p>BSEE regulations require that owners or operators of offshore facilities and associated pipelines prepare and submit an Oil Spill Response Plan (OSRP) to BSEE. Owners/operators must maintain a current OSRP for an abandoned facility until it is physically removed or dismantled, or BSEE provides written notification that an OSRP is no longer required. All OSRP regulatory requirements are outlined in 30 CFR 254.</p>	<p>An OSRP must be consistent with the NCP* and the appropriate ACPs (30 CFR 254.5(b)).</p> <p>An OSRP must include an “Emergency Response Action Plan” section (30 CFR 254.23), which includes designating a trained spill management team and the number and types of workers available for a spill response operating team.</p>	<p>OSRO means an entity contracted by an owner or operator to provide spill response equipment and/or workers in the event of an oil spill (30 CFR 254.6).</p> <p>Owner or operator means, in the case of an offshore facility, any person owning or operating such offshore facility. In the case of any abandoned offshore facility, it means the person who owned such facility immediately prior to such abandonment (30 CFR 254.6).</p>

*Under 40 CFR 300.150, response actions conducted under the NCP (40 CFR 300) must comply with the provisions of OSHA’s HAZWOPER standard.

** *Guidelines for the U.S. Coast Guard Oil Spill Removal Organization Classification Program*, USCG, U.S. Department of Homeland Security, March 2016, p. 74.