

WAC 173-182-317 Covered vessel planning standards for vessels of opportunity (VOO). (1) This section applies to owners and operators of covered vessels and covered vessel plan holders who are required to have a plan for the use of VOO. In order to enhance the ability to respond to spills using nondedicated resources, Washington state approved PRCs cannot be identified in the plan as VOO. The VOO may be used in the following ways:

(a) Protecting of sensitive habitats through the placement of oil spill booms;

(b) On-water oil recovery in the nearshore environment;

(c) Providing logistical spill response support; or

(d) Supporting other tactical actions.

(2) In order for a commercial vessel to be considered for the VOO program, the owner or operator will self-register through the online process developed by ecology, or through use of a form provided by ecology. VOO operators must renew their information annually, and will supply the following information as applicable to the vessel:

(a) Name of vessel;

(b) Length of vessel;

(c) Year, make, and model of the vessel;

(d) Vessel engine type(s) and horsepower;

(e) Number of passengers certified to carry;

(f) Number of cabins/berths;

(g) The vessel's Lloyds Registry and/or International Maritime Organization (LR/IMO) number or official number;

(h) Vessel operator contact information;

(i) Vessel crew training records relevant to oil spill response;

(j) Date of the most recent marine survey;

(k) Date of the most recent USCG compliance inspection or boarding;

(l) Date of expiration of USCG Certificate of Compliance or Certificate of Inspection, or Fishing Vessel Safety Examination Decal.

(m) Vessel P&I club affiliation;

(n) Vessel homeport and vessel hailing port;

(o) Residence(s) of vessel owner and crew;

(p) Tactics vessel would like to support;

(q) Seasonal operations of the vessel;

(r) Drug testing program for captain and crew; and

(s) Plan holder or PRC with which the vessel is contracted. VOO operators may contract with multiple plan holders or primary response contractors.

(3) In order for a recreational vessel to be considered for the VOO program the owner or operator will self-register through the online process developed by ecology, or through use of a form provided by ecology. VOO operators must renew their information annually, and will supply at a minimum the following information to the extent applicable to the vessel:

(a) Name of vessel;

(b) Length of vessel;

(c) Year, make, and model of the vessel;

(d) Vessel engine type(s) and horsepower;

(e) Number of cabins/berths;

(f) The state registration number and/or USCG documentation number or other official number;

(g) Vessel owner contact information;

(h) Vessel owner/crew training relevant to oil spill response;

(i) Date of the most recent marine survey;

(j) Date of the most recent USCG Auxiliary Dockside Courtesy Inspection;

(k) Vessel insurance information and coverage plan;

(l) Vessel homeport and vessel hailing port;

(m) Tactics vessel would like to support;

(n) Residence of vessel owner; and

(o) Plan holder or PRC with which the vessel is contracted. VOO operators may contract with multiple plan holders or primary response contractors.

(4) For planning purposes VOO will be organized by regions, see map of VOO regions below. The regions are designed to ensure adequate numbers of VOO for contracting. Covered vessel plan holders shall have contracted access to VOO in the regions they transit or operate. VOO from all regions may be cascaded into the spill area if the VOO capability is appropriate for the operating environment. The regional areas include:

(a) Region 1: Cape Flattery/Strait of Juan de Fuca.

(b) Region 2: San Juan Islands/North Puget Sound.

(c) Region 3: South Puget Sound/Central Puget Sound.

(d) Region 4: Lower Columbia River.

(e) Region 5: Admiralty Inlet/Hood Canal and North Central Puget Sound.

(f) Region 6: Grays Harbor.

Vessel of Opportunity Regions



NOTE: In the event of a spill VOOs from any region may be called to the site to assist with the response.

Legend	
Region	
	1- Strait of Juan de Fuca
	2- San Juan Islands/ North Puget Sound
	3- South Puget Sound and Central Puget Sound
	4- Lower Columbia River
	5- Admiralty Inlet/Hood Canal and North Central Puget Sound
	6- Grays Harbor

Region	Minimum Number of Tier 1 Vessels
1	18
2	12
3	12
4	12
5	12
6	6

Map Created by WA Department of Ecology, Spill Preparedness Section, 12/3/2012

(5) For each region a vessel plan holder transits or operates the plan holder must have a contract with the prescribed number of Tier I VOO below. VOO are nondedicated resources; the minimum number of VOO required assumes that one out of every two contracted vessels may be available at any time. In each region a percentage of the VOO must be pre-trained and capable of the following tactics: On-water recovery in the nearshore environment, protection of sensitive areas, and logisti-

cal support with no more than fifty percent to be pretrained exclusively for logistical support.

(a) Region 1: Plan holders must have contracts with a minimum of eighteen VOO at the Tier I level.

(b) Region 2: Plan holders must have contracts with a minimum of twelve VOO at the Tier I level.

(c) Region 3: Plan holders must have contracts with a minimum of twelve VOO at the Tier I level.

(d) Region 4: Plan holders must have contracts with a minimum of twelve VOO at the Tier I level.

(e) Region 5: Plan holders must have contracts with a minimum of twelve VOO at the Tier I level.

(f) Region 6: Plan holders must have contracts with a minimum of six VOO at the Tier I level.

(6) Plan holder obligations, as identified within this section, are subject to an adequate number of suitable and capable vessels enrolling with ecology. Plan holders may propose for review and approval an alternative planning standard for a VOO region if, after a good faith effort to contract with the minimum numbers of VOO, the plan holder is not successful. The alternative proposal must provide an equivalent or higher level of protection in terms of spill preparedness and response when compared with the planning standard. This proposal will be subject to a thirty-day public review and comment period, which includes, but is not limited to, interested local and tribal governments and other stakeholders. The alternative proposal must include:

(a) Documentation that there are insufficient numbers of VOO registered.

(b) Documentation describing the selection criteria and a description of how the Tier II enrolled vessels do not meet the criteria.

(c) A detailed description of the alternative being proposed.

(7) Vessels of opportunity will be designated in one of the following two tiers:

(a) Requirements for Tier I designated vessels include:

(i) Under contract with the plan holder.

(ii) Pretrained crew through a combination of classroom training, computer based education, equipment familiarization, and field training exercises appropriate to the tactics the vessel may be assigned, including:

(A) HAZWOPER training must be appropriate to the tactics the vessel may be assigned as set forth in Title 29 of Code of Federal Regulations (C.F.R.) 1910.120;

(B) Basic incident command system training;

(C) Participation annually in at least one on-water training for the tactics for which the VOO is contracted;

(D) Participate in at least one on-water deployment drill every three years.

(iii) The department shall be invited to attend all VOO training events.

(iv) Training records must be maintained for a period of five years. Training records shall be made available to the department upon request.

(v) The vessel should agree under contract to make best efforts, if available, to mobilize within twelve hours of call out with crew as trained per this section.

(b) Tier II designated vessels include: Commercial and recreational vessels that self-identify their interest in participation in the VOO program but are not under contract to a plan holder. Vessel plan holders shall describe in their contingency plan the process for rapidly training and contracting the Tier II vessels for at least logistical support tactics.

(8) VOO drill requirements:

(a) Plan holders shall incorporate Tier I VOO into deployment drills and tabletop drills.

(b) Tabletop drills may incorporate simulated call out of vessels of opportunity by identifying the vessel and crew available to respond on the day of the drill. Data collected during the simulated call out shall include vessel name, crew names, estimated time of arrival on scene, availability on the day of the spill and the ability to support the response over days or weeks, and the task force or staging assignment of the vessel of opportunity.

[Statutory Authority: Chapters 88.46, 90.48, 90.56 RCW, and 2011 c 122. WSR 13-01-054 (Order 11-06), § 173-182-317, filed 12/14/12, effective 1/14/13.]