Timely Information Dissemination to the Public Is Essential During Oil-Spill Response

Overview and Recommendation

An enormous amount of general information is flowing through the media and other channels regarding the efforts to stop the release of oil into the Gulf of Mexico from the BP Deepwater Horizon well and to clean up the spilled oil. However, the public does not have access to a critical source of information on the response to this spill: the Incident Action Plans (IAPs) prepared and signed for each response period by the representatives from state and federal governments and from the oil industry who make up the Unified Command that manages the response. The IAPs provide a level of detail that allows affected communities or individuals to identify and evaluate for themselves what is being accomplished, or failing to be accomplished, in response to spill impacts that affect them directly. Release of IAPs and other key Unified Command response information is best practice in most jurisdictions during oil spill response, and was the practice followed in BP's response to its pipeline spill on Alaska's North Slope in 2006.

For the past 21 years, the Prince William Sound Regional Citizens' Advisory Council (PWSRCAC) has lived with and dealt with the *Exxon Valdez* oil spill (EVOS) and its aftermath, as well as other lesser incidents since then. This advisory council was authorized by Congress in OPA 90 (the Oil Pollution Act of 1990) to help provide critical citizen oversight and monitoring of the transport of oil through Prince William Sound. The council has seen again and again that timely information dissemination regarding spill response is essential to maintain public trust and to maximize the use of local knowledge to make the response as effective as possible.

Recommendation: Considering the lessons learned from the EVOS, the Prince William Sound Regional Citizens' Advisory Council recommends that all Unified Command Incident Action Plans be posted immediately upon issuance to a publicly accessible website, and that all past Unified Command IAPs from the Deepwater Horizon response be posted on the same website.

Background

In most states where a Unified Command of state and federal governments and the party responsible for the spill has been established to address an oil spill or other man-made disaster, prompt public release of detailed Incident Command System (ICS) documents, including Incident Action Plans, via the Internet, is standard best practice.

The most important ICS document is the Incident Action Plan, which covers the incident objectives, organization, and task assignments for the next operational period, including what resources and equipment are being used. The public interest would be best served if IAPs for the BP Deepwater Horizon spill were published immediately upon issuance via the Internet. Providing such information is standard best practice in most jurisdictions. BP itself provided such information to the public during its response to its pipeline spill on the North Slope of Alaska in 2006.

The Alaska information sharing process is the policy of state and federal responders. The State of Alaska takes a lead role in providing the website capability. It is the main information source for the spill responders and the public.

The value of this approach and examples of the information contained in IAPs are documented for two of the most recent significant spills in Alaska: The 2005 *Selendang Ayu* spill and the 2006 BP pipeline spill. See "The *Selendang Ayu* Oil Spill: Lessons Learned," Editor Reid Brewer – What went well? The number one "went well" item was "The Unified Command web site was always up to date and easy to browse for responders and community members

alike." (See Internet links below.) There are several other similar key lessons learned in this book relating to information flow. All the IAPs for the 2005 Selendang Ayu spill are posted on the State of Alaska website (see below). BP also used this IAP web posting process for its 2006 GC-2 oil transit line spill of 200,000 plus gallons of crude oil on Alaska's North Slope and the IAPs remain posted as well for review. These are two examples of transparent information sharing in oil-spill response.

Also, the National Response Plan (NRP) and the National Contingency Plan (NCP) set forth the rules that agencies and industry are to follow in responding to a major incident such as the Deepwater Horizon oil spill. The NRP is an all-hazards plan above the NCP in guidance level, while the NCP is specific to hazardous materials response (including oil spills).

The NRP contains specific language regarding information sharing. It states in Homeland Security Presidential Directive 5: Management of Domestic Incidents, Paragraph 12, "The Secretary shall ensure that, as appropriate, information related to domestic incidents is gathered and ***provided to the public***, the private sector, State and local authorities, Federal departments and agencies, and, generally through the Assistant to the President for Homeland Security, to the President. The Secretary shall provide standardized, quantitative reports to the Assistant to the President for Homeland Security on the readiness and preparedness of the Nation -- at all levels of government -- to prevent, prepare for, respond to, and recover from domestic incidents."

Further, the NRP states in Homeland Security Presidential Directive 8: Management of Domestic Incidents, Paragraph 23, Public Communication, "The Secretary, in consultation with other Federal departments and agencies, State and local governments, and non-governmental organizations, shall develop a comprehensive plan ***to provide accurate and timely preparedness information to public citizens, first responders, units of government, the private sector, and other interested parties and mechanisms for coordination at all levels of government***."

Although BP is maintaining a website for the BP Deepwater Horizon spill for general information, none of the key ICS documents mentioned above are available on this site currently.

In order to keep the American public informed on this major environmental disaster, the BP Deepwater Horizon spill response information process would be better served if it follows the open and transparent model used in the *Selendang Ayu* and BP GC-2 oil transit release responses by posting the key Unified Command response information on a public website, including particularly the IAP. Any confidential contact information on these ICS forms, of course, can and should be redacted before posting.

The benefits of timely posting of information for government and industry and, in this case, for the natural resources at stake in the Gulf and beyond, and most importantly, for the people whose lives are inextricably linked to the Gulf resources that have been or may eventually be affected, far outweigh, experience has shown, the parochial interests of the parties to a response.

Conclusion

Tragically, there is no way to "put the genie back in the bottle" in connection with oil spills and similar catastrophes. However, based on the hard lessons learned in Alaska over time in connection with such spills, one important and effective key action that can and should be taken is to ensure the prompt release of Incident Action Plans so the public is informed and can better understand and thereby better assist in dealing with an oil spill and its aftermath.

Relevant Reference Information: Lessons learned from the Selendang Ayu spill are available here: http://seagrant.uaf.edu/bookstore/pubs/ak-sg-06-02/ak-sg-06-02-lessons.pdf. IAPs and other key ICS documents for the 2005 Selendang Ayu spill are still available on the State of Alaska website at: http://www.dec.state.ak.us/spar/perp/response/sum_fy05/041207201/041207201_index.htm. IAPs and other key ICS documents for the 2006 BP GC-2 spill: http://www.dec.state.ak.us/spar/perp/response/sum_fy06/060302301/060302301_index.htm. For examples of the ICS reports/forms produced daily by the Unified Command during events like the BP spill in the Gulf, visit our web page at: http://pwsrcac.info/incident-command-systemunified-command.