

## **NCP Title 33 USC 1321**

### **(c) Federal removal authority**

#### **(1) General removal requirement**

**(A) The President shall, in accordance with the National Contingency Plan and any appropriate Area Contingency Plan, ensure effective and immediate removal of a discharge, and mitigation or prevention of a substantial threat of a discharge, of oil or a hazardous substance—**

**(i) into or on the navigable waters;**

**(ii) on the adjoining shorelines to the navigable waters;**

**(iii) into or on the waters of the exclusive economic zone; or**

**(iv) that may affect natural resources belonging to, appertaining to, or under the exclusive management authority of the United States.**

### **(d) National Contingency Plan**

#### **(1) Preparation by President**

The President shall prepare and publish a National Contingency Plan for removal of oil and hazardous substances pursuant to this section.

#### **(2) Contents**

**The National Contingency Plan shall provide for efficient, coordinated, and effective action to minimize damage from oil and hazardous substance discharges, including containment, dispersal, and removal of oil and hazardous substances,** and shall include, but not be limited to, the following:

**(A) Assignment of duties and responsibilities among Federal departments and agencies in coordination with State and local agencies and port authorities including, but not limited to, water pollution control and conservation and trusteeship of natural resources (including conservation of fish and wildlife).**

**(B) Identification, procurement, maintenance, and storage of equipment and supplies.**

**(C) Establishment or designation of Coast Guard strike teams, consisting of—**

**(i) personnel who shall be trained, prepared, and available to provide necessary services to carry out the National Contingency Plan;**

**(ii) adequate oil and hazardous substance pollution control equipment and material; and**

**(iii) a detailed oil and hazardous substance pollution and prevention plan, including measures to protect fisheries and wildlife.**

**(j) National Response System**

**(1) In general**

Consistent with the National Contingency Plan required by subsection (c)(2) of this section, as soon as practicable after October 18, 1972, and from time to time thereafter, the President shall issue regulations consistent with maritime safety and with marine and navigation laws

**(A) establishing methods and procedures for removal of discharged oil and hazardous substances,**

**(B) establishing criteria for the development and implementation of local and regional oil and hazardous substance removal contingency plans,**

**(C) establishing procedures, methods, and equipment and other requirements for equipment to prevent discharges of oil and hazardous substances from vessels and from onshore facilities and offshore facilities, and to contain such discharges, and**

**(D) governing the inspection of vessels carrying cargoes of oil and hazardous substances and the inspection of such cargoes in order to reduce the likelihood of discharges of oil from vessels in violation of this section.**

**(2) National Response Unit**

The Secretary of the department in which the Coast Guard is operating shall establish a National Response Unit at Elizabeth City, North Carolina. The Secretary, acting through the National Response Unit—

(A) shall compile and maintain a comprehensive computer list of spill removal resources, personnel, and equipment that is available worldwide and within the areas designated by the President pursuant to paragraph (4), and of information regarding previous spills, including data from universities, research institutions, State governments, and other nations, as appropriate, which shall be disseminated as appropriate to response groups and area committees, and which shall be available to Federal and State agencies and the public;

(B) shall provide technical assistance, equipment, and other resources requested by a Federal On-Scene Coordinator;

**(C) shall coordinate use of private and public personnel and equipment to remove a worst case discharge, and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility** operating in or near an area designated by the President pursuant to paragraph (4);

(D) may provide technical assistance in the preparation of Area Contingency Plans required under paragraph (4);

(E) shall administer Coast Guard strike teams established under the National Contingency Plan;

(F) shall maintain on file all Area Contingency Plans approved by the President under this subsection; and

(G) shall review each of those plans that affects its responsibilities under this subsection.

**(s) Oil Spill Liability Trust Fund**

**The Oil Spill Liability Trust Fund established under section 9509 of title 26 shall be available to carry out subsections (b), (c), (d), (j), and (l) of this section as those subsections apply to discharges, and substantial threats of discharges, of oil.** Any amounts received by the United States under this section shall be deposited in the Oil Spill Liability Trust Fund.