

# Deepwater Horizon Oil Spill

## TESTIMONY

For the House Subcommittee on Insular Affairs  
Oceans and Wildlife Hearing

*“State Planning for Offshore Energy Development:  
Standards for Preparedness”*

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### Overview

We have been asked to provide a local government’s perspective on coastal State planning for offshore events. Three plans have been identified that should be in place for Mississippi: (1) An Area Contingency Plan (ACP) which includes coastal Mississippi and is implemented in conjunction with the National Contingency Plan (NCP) under the Oil Pollution Act of 1990; (2) an independent State contingency plan which is implemented in coordination with the relevant ACP and the NCP; and (3) a State plan in its coastal management plan required under the Coastal Zone Management Act of 1972.

Dr. William W. Walker will address the Area Contingency Plan in his report. We can confirm specific action BP has taken at the request of Mississippi. BP has installed boom at critical habitats early on and has recently installed absorbent silt fencing at test sites. BP has further hired contractors to

deploy collections vessels and to collect and dispose of oil material found on the barrier islands. Finally, Mississippi directed BP to address small incidents of oil material which managed to bypass the barrier islands.

Being from a county on the Gulf Coast, we have been the dubious recipient of years of experience in multi-jurisdictional disaster events. Two issues are common in our responses to these events and are relevant to the success of our response to the current Deepwater Horizon event: (1) the ability to adjust plans to meet the changing needs of the event and (2) effective communication. To that end, the planning in place at the time of the event has provided an effective initial response. We find as we move forward that these plans need to evolve to meet the changing needs of our state and that communication needs to be emphasized.

While we offer some observations on the effectiveness of Mississippi's ACP, we center our comments on the coordination of that planning effort through the NIMS framework. We thought our value to this hearing would be in our ability to compare the NIMS management of this event with the NIMS management during our Katrina response and recovery efforts:

### Responses

1. Adequacy of these planning efforts to respond to an oil spill of this complexity and magnitude.

The framework of NIMS management at the Unified Command level appears to be set-up satisfactorily. However, we believe the event has localized enough to warrant the full development and implementation of State Area Commands under the direction of the Unified Command. We discuss that in more detail in Response 2. Also, the lines of communication between the upper level and the lower level of the command structure could be improved. For instance, we are involved in several conference calls throughout the day with several different levels of command and various agencies. Especially early on, the information was inconsistent and, in some cases, inaccurate. For instance, boom deployment location and length differed from conference to conference.

Also, this disconnect is magnified by the fact that the local level coastal facilities are not capable of handling something of the magnitude of the

Deepwater Horizon event. Events like Deepwater Horizon and Katrina involve multiple local, State and federal agencies. It is imperative that each local facility has the necessary amount of personnel on site with the necessary skill sets to address the issues specific to that local area. However, many of the local emergency management agencies operate in outdated facilities which do not have sufficient capacity or infrastructure to house the required personnel (NIMS) during a long-term, large-scale event. Thus, communication is hindered because decisions are made elsewhere and local level responders have to rely on “outside” communications for updates and directives. As a corollary, today’s agencies take advantage of the latest technology. Many of the local facilities were built decades ago and are not equipped with compatible support systems.

2. The sufficiency of the coordination amongst these planning efforts and between different levels of government.

Again, communication -- and coordination -- is enhanced when those with decision-making authority and those who are experts in the relevant fields are onsite at the local level. Many general or broad decisions are made at the Unified Command level which necessitates some discretion at the lower level. As noted above, it would be most beneficial if personnel with training specific to the event (e.g., oil shoreline cleanup) were available to assist with the local planning and recovery efforts. Also, we have experienced an improvement in the transfer of some information. But, room for improvement still exists. First, a good system exists for submitting requests. But, getting clear, timely responses to some of those requests have been difficult. Second, the current unified command does not include a branch for local input and our local facilities do not accommodate a fully functional Emergency Support Functions (ESF) set-up.

Irrespective of the current system, it would be more effective at this point if State Area Commands were fully developed. Our current Unified Command oversees the response and recovery efforts in Florida, Alabama and Mississippi. Today, it is too spread out to effectively manage the overall recovery along those three states’ coastlines. We recommend that each of the three states have fully implemented Area Commands that can coordinate its respective response plan under the direction of the Unified Command. This will better customize the response and recovery efforts to

the particular needs of each state and will improve communications down to the local level.

As to the coordination of funding, the current structure is better than the structure in Katrina. The current decision-making funding process has fewer levels of hierarchy. The FEMA Public Assistance (PA) program necessarily involves the State as the Grantee and the local government as the Sub-Grantee. The PA program also involves reviews by State analysts and the Office of Inspector General. The State plays a significant role in the current event (primarily through MDEQ and MDMR) and other agencies are heavily involved. However, we observe more efficient decision-making and a more efficient funding process in the current event than in the Katrina event.

3. Additional technical or financial resources that might be provided by the Federal Government to assist coastal States for oil spill planning, logistics, response, and recovery.

Two resources discussed above would assist us in the oil spill planning, logistics, response and recovery: (1) personnel on-site at the local level who are trained in oil spill response and recovery; and (2) modern emergency operations centers built to meet FEMA 361 construction standards which can handle today's technology and personnel required to successfully and efficiently manage long-term, large-scale events like hurricanes and oil spills.