

CALIFORNIA CODE OF REGULATIONS  
TITLE 14, DIVISION 1  
SUBDIVISION 4, OFFICE OF SPILL PREVENTION AND RESPONSE  
CHAPTER 3. OIL SPILL PREVENTION AND RESPONSE PLANNING  
SUBCHAPTER 3. OIL SPILL CONTINGENCY PLANS  
SECTION 820.01  
Effective April 1, 2014

820.01 Drills and Exercises

(k) Substitution

(3) Independent Drill Monitors

(A) IDM Application Content

1. The IDM applicant's name, mailing address, facsimile and telephone number(s).
2. A copy of at least one drill evaluation in which the applicant has participated.
3. A minimum of three (3) written letters of recommendation by individuals familiar with the applicant's performance at drills.
4. The following attestation language signed and dated by the applicant:  
"The information provided regarding my experience, qualifications, and dates of employment is factual and correct to the best of my knowledge and belief. Upon request of the Administrator, I agree to participate in announced drills as set forth in Section 820 of this subchapter to verify any or all of the information contained in this application, prior and/or subsequent to receiving approval."

(B) Qualifications for Application

An individual or entity may apply for consideration as an Independent Drill Monitor (IDM) for oil spill exercise evaluation outside of the State of California. OSPR will approve IDMs based on experience, training, and knowledge of California's regulatory requirements.

An application for an IDM must document the following minimum qualifications:

1. At least five (5) years of job experience in spill response and drills, with experience specific to California.
2. Documentation of training in the Incident Command System (ICS) (ICS-100, 200, 300, 400 and IS 700 and 800, Federal Emergency Management Agency) and Enhanced Exercise Design and Evaluation (California Specialized Training Institute, California Emergency Management Agency), the Homeland Security Exercise Evaluation Program training session or equivalent.
3. An IDM cannot currently be employed by the Plan Holder or the Spill Management Team of the drill being evaluated.

(C) Application Filing Requirements and Fee

1. Applications must be filed with the Administrator of the Office of Spill

Prevention and Response. Applications shall either be delivered in person or sent by registered mail with return receipt requested, or other means as approved by the Administrator, to the Drills and Exercises Program of OSPR.

## 2. Application Fee

Each IDM applicant shall submit a nonrefundable USD \$1,000 fee to cover OSPR's costs to implement this program.

### (D) Application Confidentiality

1. An applicant may request that proprietary information be kept confidential. Such a request must include justification for designating the information as confidential. The Administrator will make a determination regarding that information which may be considered confidential and removed from any copy of the application that is made available for public review.
2. Any information designated as confidential must be clearly identified as proprietary.
3. If an applicant designates information as confidential, two different copies of the application must be submitted as follows:
  - a. one copy must contain the confidential information. This application will be utilized in the review process;
  - b. one copy must be submitted with the confidential information removed. This copy will be available for public review. This application must contain sufficient information in place of the confidential information so that any individual reviewing the application will understand all the elements of the application.

### (E) Application Review

An application will be reviewed within 90 calendar days of receipt by OSPR. If the application requirements are not met, applicant will be contacted regarding any missing documentation or qualifications. Deficiencies noted in the application review may result in denial of the application.

### (F) Interview

If the application requirements are determined to have been met, the applicant will be contacted for an interview. During the interview, the applicant must demonstrate the following:

1. the ability to communicate effectively;
2. related experience in drill evaluation; and,
3. knowledge and understanding of California Drills and Exercises regulations.

Deficiencies noted during the interview may result in denial of the application.

### (G) Participation in California Drills

Upon request of the Administrator, the applicant may be required, at their own expense, to participate in a California drill under observation by an OSPR Drills and Exercises Program Drill Coordinator.

(H) IDM Approval and Renewal Procedure

1. Approval of an IDM Application

a. Upon satisfactorily meeting the requirements of this subchapter the applicant will receive a Letter of Approval. The Letter may not be assigned, transferred, or assumed. The Letter will remain valid unless suspended or revoked, and shall be deemed to meet the requirements of this section for three years from the date of the Letter's issuance.

b. OSPR's Drills and Exercises Program will maintain a list of all approved IDMs for use by out-of-state drill conductors.

2. Renewal

a. Approval will be granted for a period of three years unless suspended or revoked by the Administrator. An IDM shall file an application for renewal at least 90 calendar days prior to the expiration of the Letter of Approval.

b. The Administrator may require an earlier renewal. The IDM will be notified in writing if an earlier renewal is required. The notice will include an explanation of the reason(s) for the earlier approval renewal. The circumstances that would warrant an earlier renewal include, but are not limited to, a change in regulations or statute.

(I) Denial of IDM Application.

The Administrator may deny the application if the applicant has failed to provide the information required in the application as set forth in Section 820.01(k)(3) or has failed to satisfy the application review or interview criteria. If the Administrator decides to deny an IDM application, the Administrator shall issue a written statement of the basis for the denial. After receiving the written statement of denial from the Administrator, the applicant shall wait 90 calendar days before submitting a new application. The written statement shall identify the reason(s) for the denial, and inform the IDM of the right to request reconsideration of the denial.

(J) Procedure for Revocation of an IDM Application.

When the Administrator believes there are valid grounds for revoking an existing Letter of Approval, the IDM shall be notified in writing of the revocation by certified or registered mail. A proposed revocation notice shall be issued after a period of 60 days. The notice shall identify the reason(s) for the revocation, and inform the IDM of the right to request reconsideration of the revocation. The Administrator may amend any notice of revocation at any time.

(K) IDM Exercise Participation Process

1. An approved IDM will utilize OSPR's standard evaluation forms, or forms that contain the same information, to document those drills (see CCR Section 820.01(h)).

2. Within 14 days of the out-of-state exercises specified in subsection (k)(2), the IDM

shall submit a preliminary evaluation and supporting documentation of the tested objectives to OSPR; finalized information is to be submitted within 60 days of the completion of the exercise.

3. The exercise evaluation shall include a description of how all tested objectives were met, including supporting documentation such as the site safety plan, incident action plan, disposal plan, communications plan, etc.