

Summary of changes to proposed spill management team certification regulations (14 CCR § 830.1- 830.11) made after the 15-day comment period

This document summarizes amendments made to the proposed regulatory package in response to comments received during the 15-day comment period from January 16 to February 1, 2021. This document is not a comprehensive list of each change to the regulatory text. Please see the Second Addendum to the Initial Statement of Reasons on OSPR's Proposed Regulations [web site](#) for a full listing of amendments.

Planning Standards

Comments indicated that confusion regarding the fact that these regulations institute planning standards has persisted. We made two additional adjustments to clarify that these are planning standards:

- **Planning standard provision.** We modified the wording at subsection 830.1(a)(4) to clarify that the regulations establish minimum planning standards.
- **Mobilization upon activation.** We adjusted the language describing on-scene arrival capability to state that spill management personnel must be able to arrive within the required time frames beginning from when they are activated, rather than from when they are notified of a spill (subsections 830.4(a)(1)(A)1., (a)(1)(B)1., (a)(2)(A)1., (a)(2)(B)1., (a)(3)(A)1., (a)(3)(B)1.). This adjustment more precisely conveys that personnel are expected to mobilize only when activated, which reinforces that these are planning standards.

Training

- **HAZWOPER Incident Commander/On-scene manager.** We removed the provision specifying that one member of each spill management team's initial response personnel to have Hazardous Waste and Emergency Response (HAZWOPER) Incident Commander/On-scene manager (subsections 830.5(f)(3), (g)(3), (h)(3)). Note, however, that subsection 830.5(d) requires spill management personnel to have all health and safety training required by law. CalOSHA's HAZWOPER regulation (Title 8 CCR, section 5192) requires incident commanders assuming control of an incident beyond the first responder awareness level to have 24 hours of Incident Commander/On-scene manager training. This requirement applies to incident commanders overseeing activities taken to stop a spill and contain spilled oil, as described in OSHA's [Training Marine Oil Spill Response Workers under OSHA's Hazardous Waste Operations and Emergency Response Standard](#) booklet.
- **Initial Response Personnel participation in California.** We adjusted the provision requiring initial response personnel to perform their incident command system positions in California once every three years to state that it applies only to the minimum number of personnel required (subsection 830.5(e)(3)). This matches the analogous provision for cascading response personnel (subsection 830.5(i)(5)).