



Office of Spill Prevention and Response

Spill Management Team Certification Regulations FAQ 14 CCR § 830.1- 830.11

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Application Process and Staffing Questions

Q: Do plan holders need to have SMTs by June 30, 2022, even though certifications will not be issued until later in the year?

A: The SMT certification regulations establish an onboarding process for complying with the regulations. Plan holders must complete the first step of this process by submitting an application that accounts for the required personnel within the 90-day application period that ends on June 30, 2022. OSPR will process and verify each application within 180 days, issuing interim certification upon successful verification. Interim certifications should be issued by the end of 2022. Then SMTs must earn full certification by the end of the third full calendar year after the interim certification (e.g., December 31, 2025 for interim certifications issued in 2022). The June 30, 2022 deadline is for submission of a complete application, and interim and full certifications will subsequently be achieved within the specified timeframes.

Q: When will existing plan holders start formally adding their certified SMTs to their contingency plans?

A: Plan holders must submit their applications by June 30, 2022, and submission of a complete application will satisfy contingency planning requirements. Evidence of a certified SMT can be formally integrated into existing contingency plans when the plans are due to be renewed. By early 2023, SMTs should have achieved interim certifications, based upon the application deadline and review period. After that time, new plan holders and plans undergoing their 5-year resubmittals relying on external sources of personnel for their SMT will be required to submit evidence of a contract or other agreement with the listed SMT providers along with their contingency plan.

Q: Can plan holders bring in third party personnel to fulfill their SMT requirements? What is the process for bringing in third party personnel?

A: Yes, plan holders can form a certified SMT using their employees, third party personnel, or a combination of both (§ 830.1(a)(3)). Plan holders using personnel from outside sources will list the personnel providers on their application (see section D of the DFW 1005 Application for Certification of Plan Holder Spill Management Team and the Initial and Cascading Personnel screens on the online submission system).

Q: Can plan holders that contract with external SMTs list the name of the organization being contracted, or do they have to list the names of specific individuals?

A: Specific individuals are not listed on an application for certification. Plan holders will list the number of personnel for each required Initial and Cascading Response position along with the providers of those personnel.

Q: If a consultant who represents hundreds of plan holders is applying on behalf of plan holders, what is the process? Do we have to fill out an application for every plan holder?



A: Multiple plan numbers can be included on a single plan holder application if the plan holders are using the same providers of personnel for all of the required ICS positions. The online application system can take up to 20 contingency plan entries. In cases where the consultant is filling out an application on behalf of more than 20 plan holders, the full list of contingency plans can be emailed to OSPRSMT@wildlife.ca.gov with the plan holders' SMT number (assigned when you create the application) in the subject line.

Q: If an external SMT serves as both a contingency plan consultant and an SMT to multiple plan holders, can the external SMT submit a list of represented plan holders as part of their External application? Will this satisfy the plan holders' requirement to submit a Plan Holder application?

A: No, the external SMT would not submit a list of contracted plan holders as part of their application. Each plan holder must have a plan holder application on file, but the consultant can submit a single application on behalf of all plan holders if the plan holders are using the same providers of personnel. The plan holder application would indicate that the plan holders are using contracted personnel, and then the external SMT should be listed as the providers of personnel on the plan holder application (Initial Personnel and Cascading Personnel screens on the Plan Holder SMT online application or section D of the DFW 1005 Application for Certification of Plan Holder Spill Management Team). If more than 20 plan holders are included on an application, the consultant can email the full list of contingency plans can to OSPRSMT@wildlife.ca.gov with the plan holders' SMT number (assigned when an application is created) in the subject line. The external SMT would then fill out its own External SMT Application, which OSPR staff will cross-reference when reviewing the plan holders' application.

Q: If a plan holder is using a corporate cascading team as part of their certified SMT, how should the corporate team be listed on the application?

A: The corporate team will function similarly to a contracted SMT. The plan holder will indicate that they are using personnel from a parent company or affiliated entity on their application (see section C of the DFW 1005 Application for Certification of Plan Holder Spill Management Team and the Applicant Information screen on the online submission system). Then the plan holder will list the corporate team as the providers of personnel in the applicable sections (e.g., Initial Personnel, Cascading Personnel, or both). Then the corporate team will submit their own application for certification using the External SMT online application or the DFW 1006 Application for Certification of External Spill Management Team.

Q: If a company with multiple facilities has a corporate cascading team that services all of the plans, does the corporate team need to be certified for each facility, or only once, if the same cascading team is used across California?

A: The corporate team only needs to submit one application accounting for their Cascading Personnel. If the facilities are using a common pool of Initial Response



Personnel to fulfill their 8-hour on-scene requirements, the facility plan holders can apply using one application and hold a single certification exercise. If the facilities are using different groups of Initial Response Personnel, they will submit separate applications for certification and conduct separate certification exercises.

Q: For a Tier I team, the requirements for Cascading Personnel add up to 18 positions, including alternates. But the application says I need to have a minimum of 12 personnel. Do I need to list 18 or 12?

A: Tier I SMTs are required to have one trained alternate for six ICS positions (Safety Officer, Assistant Liaison Officer, Assistant Public Information Officer, Operations Section Chief, Logistics Section Chief, Finance Section Chief), and two trained alternates for two ICS positions (Incident Commander, Planning Section Chief), which adds up to 18 positions. The regulations specify that these positions must be filled by a minimum of 12 individuals. This minimum allows SMTs to cross-train personnel in more than one position, while ensuring that teams are not comprised of just a few highly trained individuals. So, Tier I teams should account for 18 trained personnel, and this may include some individuals who are counted twice, provided there are at least 12 individuals included.

Q: Can a plan holder's oil spill response organization (OSRO) serve as their SMT?

A: Yes, if the OSRO submits an application for certification and meets the appropriate training/experience requirements. Note that plan holders must ensure their certified SMT meets the personnel requirements associated with their Tier (see § 830.4), so if the OSRO does not provide all of the required positions, the plan holder must account for the additional positions using another provider of personnel.

Q: How long can an interim certification be held?

A: An interim certification is valid until the end of the third full calendar year after issuance (§ 830.7(c)(2)). In the initial program rollout, interim certifications will be issued in 2022 and will be valid until December 31, 2025. For new plan holders or external SMTs that receive interim certification in 2023, an interim certification is valid until December 31, 2026, one issued in 2024 would be valid until December 31, 2027, and so on.

Q: What are Cascading Response Personnel in terms of these regulations?

A: Cascading Response Personnel are people who have specified training to fill ICS positions, and who can arrive within 24 hours of being activated. See § 830.4 and 830.5 for further details on the requirements for Cascading Response Personnel.

Q: If someone comes in to rotate into an ICS position during a long event, are they considered Cascading Personnel, even if they work at facility where the event occurred?



A: Cascading Personnel may include personnel who work at the facility. The SMT certification regulations establish the minimum number of qualified response personnel who are available to respond to a spill, and personnel can be located anywhere, provided they can respond within the required timeframes (8 and 24 hours for Initial and Cascading, respectively).

Q: The regulations exempt Tier III inland plan holders from providing Cascading Response Personnel if they only pose impacts to ephemeral and/or intermittent waterways. How can this be determined?

A: The waterway types can be viewed on the National Oceanic and Atmospheric Administration's Environmental Response Management Application. These waterway types determine other response resource requirements for inland contingency plan holders (see § 817.04(m)), and OSPR has previously created a [Waters of the State Job Aid](#) to assist inland plan holders in making this determination.

Q: Can plan holders rely on the same people to fill the requirements for Initial and Cascading Response Personnel?

A: Yes, plan holders and SMTs may rely on the same personnel to meet the requirements, provided the personnel meet the appropriate on-scene arrival and training/experience requirements (§ 830.4 and 830.5).

Q: If a plan holder cannot fulfill the requirement to have an Assistant Public Information Officer (APIO), where does that requirement fall?

A: Each plan holder is responsible for making sure that their SMT includes all of the required positions, based on the plan holder's Tier and waters impacted. If a plan holder does not have a trained APIO, they will need to contract with an alternate provider of that position.

Q: What is the process for adding or replacing individuals within a certified SMT?

A: The certification process focuses on SMTs' programs rather than on individuals, and names are not listed on the application. OSPR will verify that SMTs are staffed by qualified personnel by requesting documentation of training/experience and conducting an unannounced exercise, and this verification will involve the names of individuals. However, OSPR will not be tracking the individuals' names and is only concerned with whether the SMT has a program to maintain the minimum numbers of qualified personnel. SMTs are not required to notify OSPR of changes in staffing; notification is only required for significant changes that impact an SMT's ability to respond consistent with their certification (see § 830.9(c) for a description of significant changes).

Q: If a new plan holder is using a contracted SMT with an existing application on file, does the plan holder have to prove they meet the SMT requirements?

A: New plan holders must account for the requirements associated with their Tier, and they should submit their evidence of agreement with the contracted SMT when the new



plan is submitted. The new plan holder must also submit an application (DFW 1005 Application for Certification of Plan Holder Spill Management Team). This form may be submitted on behalf of plan holders by a consultant, and consultants can bundle multiple plan numbers together if the plan holders are using a common SMT. The new plan numbers can be added to a previously filed DFW 1005 when the plan numbers are issued.

Training and Experience Requirements Questions

Q: Which training courses are required for certification?

A: The training requirements are tiered, based on the reasonable worst-case spill volumes listed in contingency plans for which spill management services are provided (see § 830.3(c) for descriptions of the tiers). Training requirements for initial response personnel are team-based, and requirements for cascading response personnel are position-based.

Initial Response Personnel

Initial Response Personnel are team members who can arrive on-scene within 8 hours of notification to fill the incident command system (ICS) positions of Incident Commander, Safety Officer, and Operations Section Chief (see § 830.4(a)).

Training requirements for Initial Response Personnel are team-based. Depending on tier, between one and four team members are required to have each training. The trainings include IS-100, IS-200, IS-700, IS-800, and ICS-300. Additionally, Initial Response Personnel receive eight hours of ICS refresher training each year (see § 830.5(e)-(h)). A summary table is also posted on OSPR's [SMT website](#).

Cascading Response Personnel

Cascading Response Personnel can arrive on-scene within 24 hours to fill additional command and general staff positions (Incident Commander, Safety Officer, Public Information Officer, Liaison Officer, Operations Section Chief, Planning Section Chief, Logistics Section Chief, and Planning Section Chief; see § 830.4(a)).

The training requirements for Cascading Response Personnel include ICS-300 and its prerequisites, as well as experience filling their positions at an exercise or equivalent experience in a response. Cascading Response Personnel on Tier I and II teams are required to have position-specific training, and all Cascading Response Personnel receive eight hours of ICS refresher training each year (see § 830.5(i)-(l)). A summary table is also posted on OSPR's [SMT website](#).

Q: Which types of courses will be accepted to fulfill the training requirements?

A: The training course standards are based on the National Incident Management System (NIMS) training program. The regulations reference the United States Coast Guard (USCG) and the Federal Emergency Management Agency (FEMA) curricula, but



they allow for spill management teams to take equivalent courses through non-agency training vendors. The regulations define equivalent courses as meeting the same learning objectives over the same number of hours specified in the NIMS curriculum (§ 830.5(a)(1)). Equivalent courses for the position-specific courses required of Tier I and II cascading response personnel must be led by an instructor, whether conducted virtually or in person (§ 830.5(a)(2)).

Q: *If an SMT is cross-training multiple individuals to fill positions that require position-specific ICS training, can the personnel obtain credit for completing a week-long training that covers multiple position-specific courses?*

A: The regulations define equivalent courses as meeting the same learning objectives over the same number of hours as the NIMS courses (§ 830.5(a)(1)). The durations of the position-specific courses in the SMT Certification regulations range from 13 to 30 hours (see the table below). Therefore, most combinations of courses are not achievable over a period of one work week. Combining two of the shortest courses (Liaison Officer and Finance Section Chief) is feasible, but nearly every other position-specific course combination does not work within one week. Equivalent courses of shorter duration than the minimum lengths are not eligible for credit toward qualification under the SMT Certification regulations (*Note: Courses that that were taken in the past that were contemporaneously compliant with NIMS standards are accepted; see the following question in this FAQ*). SMTs should be prepared to provide supporting information demonstrating that training courses meet the course equivalency criteria upon OSPR's request.

ICS Position	Minimum hours
Incident Commander	30
Safety Officer	29
Public Information Officer	31
Liaison Officer	13
Operations Section Chief	22
Planning Section Chief	25
Logistics Section Chief	30
Finance Section Chief	18

Q: *The regulations specify that equivalent trainings meet the minimum timeframes as the National Incident Management System (NIMS) courses like ICS-300, but the requirements have changed over time. If personnel took ICS-300 in the past when it was shorter than the current standard, do they have to re-take the course?*

A: OSPR recognizes that NIMS standards have changed over time, but personnel are only required to take ICS courses once. The requirement that courses meet current NIMS timeframes apply to courses taken moving forward, so if an individual took ICS-300 at a time when the minimum duration was shorter, that course would still be



accepted, provided it met the NIMS standards in effect at the time the course was taken.

Q: Will instructors of incident command system (ICS) training courses be required to have formal train-the-trainer certification or be otherwise approved by OSPR?

A: OSPR does not plan to formally screen or pre-approve trainers; it is up to applicants to verify that trainers they hire are qualified. The regulations specify that trainers must have training and instructional experience necessary to demonstrate competent instructional skills and a good command of the subject matter they teach (§ 830.5(b)(1)), and OSPR expects that trainers will have experience appropriate to the services they offer.

Q: What documentation is required for ICS courses?

A: OSPR expects to see documentation such as course certificates or similar documentation demonstrating that the individuals participated in the course. SMTs should also be prepared to provide details about the conduct of training courses (e.g., location, instructor) upon OSPR's request.

Q: Can SMT personnel use on-the-job experience to substitute for the required training courses?

A: Experience performing ICS positions in emergency responses may be substituted for the required training courses. The regulations allow both for experience that may substitute for all of the required training courses, and for a lesser amount of experience that can substitute for the required exercise participation only. For each cascading response position and tier, equivalent experience is quantified as the number of hours spent performing the lead or deputy/assistant position in emergency responses of various complexities, as outlined in the incident typing scale in the USCG's Incident Management Handbook. Incidents are not required to have been formally typed by an agency to be referenced; teams can apply types to incidents using the characteristics included in the typing scale. Experience in responses to emergencies other than oil spills may be cited as qualifying experience, and responses outside of California may be included (see § 830.5(j)-(l)). A summary table is also posted on OSPR's [SMT website](#).

Q: What documentation is required for experience cited in lieu of formal ICS training?

A: The regulations specify that documentation of experience should include the name, type, location, and brief description of the incident, positions held, dates, and a person who can verify the experience for each incident (§ 830.5(n)). OSPR recognizes that it is difficult to keep track of individuals who can verify the experience, so documents such as an ICS-203 or an ICS-207 will suffice for verification of experience.

Q: What is ICS refresher training?

A: Refresher training can be any meaningful engagement with ICS principles, processes, forms, or position duties, and it is included as a requirement to ensure that



team members maintain a baseline level of familiarity with ICS. Participation in exercises and training courses can count toward the required hours, and refresher training also be tied to other plan holder requirements, such as quarterly notification drills or equipment deployments. The regulations are flexible regarding how refresher training may be achieved, and teams are encouraged to be creative.

Q: Is the first person who sees a spill considered the first responder? What training does he have to have?

A: The SMT certification program does not regulate or place training requirements on first responders. If the first person on site has training in accordance with the requirements for Initial Response Personnel, they could be counted toward meeting Initial Personnel requirements, but that is at the discretion of the plan holder. The Initial Response Personnel must be able to arrive within eight hours and should have basic to intermediate ICS training. See § 830.4 and 830.5 for further details on the requirements for Initial Response Personnel.

Mobilization Questions

Q: The Initial and Cascading personnel need to be able to arrive within 8 and 24 hours, respectively. How will that be determined?

A: The mobilization plan should list the home locations of the Initial and primary Cascading Personnel and their methods of travel to the regions where services are provided. For example, if an SMT is providing services in ACP 6 (San Diego County), the mobilization plan should state where personnel are normally located and how they will travel to San Diego (e.g., commercial flight, personal vehicle, etc.). The travel methods listed should account for the required time frames based on typical flight and/or drive times between locations during regular travel hours.

Q: How does the mobilization plan work for plan holders like railroads, whose operations are dispersed across the state rather than being centralized at fixed facilities?

A: Plan holders whose operations span multiple regions should indicate the regional planning areas (RPA) that correspond to the counties where plan holder operations occur. If the plan holder also has operations falling under OSPR's marine jurisdictions, the appropriate area contingency plan (ACP) areas should also be listed. The plan holder would then list how their personnel would arrive to each geographic region from their home locations.

Q: How will the unannounced mobilization exercise be conducted?

A: OSPR will conduct an unannounced exercise to verify an SMT's ability to arrive on-scene as described in their mobilization plan. We will commence the exercise by contacting the SMT contact and delivering a scenario. If you need OSPR to initiate the unannounced exercise by contacting a different point of contact than the primary



contact listed on your application, please reach out to OSPRSMT@wildlife.ca.gov and we will assist you. After the exercise is initiated, the SMT will exercise their call-out procedures and report back to OSPR with a description of how each of the required Initial and Cascading response positions would arrive on-scene on that given day. For example, the Cascading Incident Commander is in Denver, and he will fly commercial flight #1234 and rent a car to arrive on-scene within the 24-hour time frame. Note that no mobilization is required; the SMT will simply give travel details for how personnel would arrive on the day of the unannounced exercise.

Q: Does the unannounced exercise only test the mobilization requirement?

A: Yes, the unannounced exercise will only test mobilization capabilities. There will be no additional elements to the exercise.

Q: If a tanker vessel is transiting 50 miles offshore, does the plan holder need to account for their SMT mobilizing to the adjacent coastline?

A: No, mobilization details would not be required for this scenario. Vessel plan holders only need to account for mobilization to the regions in which their vessels enter marine waters of the state (mean high tide to 3 nautical miles from shore).

Certification Exercise Questions

Q: Can recently conducted exercises count toward certification credit? What about exercises held in 2022?

A: Only exercises held after April 1, 2022 will be considered for certification. Exercises conducted after April 1 may be eligible for certification credit, provided they meet the criteria described in the regulations (spill scenario volume and 60 days' notification; see § 830.6(a)).

Q: In our early pre-rulemaking meetings, we discussed the timeline for certification being tied to a plan holder's three-year cycle for exercising their worst-case spill volume. Did that go away?

A: No, it did not go away. Vessel plan holders exercise in California once every three years, and facility plan holders tend to exercise their worst-case spill volumes on a three-year cycle. The interim certification can be valid for 3+ years; this duration was selected to fully encompass the 3-year exercise cycle. The renewal period of three years is set by the statute, and it is based on when the full certification is provided.