

Ex 11992

Worldwide
Court Reporters, Inc

**Incident Specific Preparedness Review (ISPR)
Initial Planning Conference
June 29 – July 2, 2010**

Opening Remarks

- VADM Roger Rufe (ret.) is serving as the Chairman of the ISPR Team for the BP Deepwater Horizon (DH) Oil Spill Response, and welcomed participants to the conference. In the development of the ISPR report, the team will work on facts alone, and will not be driven by media or politics – every statement has to be backed up by documented facts and/or references. The group will come to consensus on issues that are included in the final report, which may result in some issues being left out of the report if consensus cannot be reached by all members.
- RADM Carlton Moore (ret.) is serving as the Vice Chairman of the ISPR Team, and served on the most recent ISPR for the M/V Cosco Busan incident in November 2007. This ISPR Team will be reviewing plans and documents, and conducting interviews to obtain the data needed for the report, which will focus on the planning and preparedness prior to the DH incident, as well as the response as soon as oil was released.
 - The strategic objectives for this ISPR are detailed in the Charter signed by the USCG Commandant (COMDT). The Charter can be found on the USCG's Homeport system.
 - Although the USCG is sponsoring this ISPR, it is not a USCG product; rather, it is developed by consensus of the multi-organizational team.

Introductions, Background and Logistics Overview

- All members introduced themselves, noting their organization and background. The full team roster will be sent to the group via email and will be placed on Homeport.
- All documents will be stored and exchanged via USCG's Homeport system, in the *Incident Specific Preparedness Review (ISPR) Gulf of Mexico* folder. This is a limited-access system requiring registration and access to be granted to ISPR Team members only. No other entities will be able to see the information in the team's site.
 - Registration and troubleshooting Homeport should be coordinated through LT Shannon Frobel (USCG).
 - Incident Action Plans (IAPs), Situation Reports (SITREPS), reference documentation, interview information, contact information, and applicable plans (e.g., One Gulf Plan, applicable Area Contingency Plans (ACPs), etc.) may all be found on Homeport.
- The team agreed upon the future meeting/interview/report schedule:
 - New Orleans: July 26-30, 2010
 - New Orleans: September 12-16, 2010
 - Washington, DC: October 4-8, 2010
 - Report Phase I due: October 8, 2010
 - Report Phase II due: December 2010
- Confidentiality agreements must be signed by all team members, without exception. Any member agency/organization alternates should be identified now so they can be integrated into the team and sign the appropriate paperwork.

- Meetings and interviews will not be taped, nor a stenographer used. Documentation developed at any meetings will be considered working documents. A list of potential interviewees can be found on Homeport.
- Any legal questions or concerns should be directed to Alex Weller (USCG).
- LT Frobel and LCDR Drew Casey (USCG) are handling logistical considerations for travel as well as travel orders, invitations, interview scheduling, documentation, Homeport usage, conference line arrangements, etc.
 - A draft invitation to interviewees will be provided to LT Frobel from RADM Moore by July 9, 2010.
- Team members should review the following prior to the next meeting (All documents can be found on Homeport):
 - One Gulf Plan
 - Sector Mobile ACP
 - Sector St. Petersburg ACP
 - Sector New Orleans Geographic Response Plan

Media Relations

- LCDR Chris O'Neill (USCG) discussed current media relations and public affairs issues. A draft press release regarding this ISPR is currently being reviewed at USCG Headquarters. He will provide to LCDR Casey for circulation to the team once it has been approved.
- LCDR O'Neill will be supporting the ISPR, and will be coordinating joint information for all agencies. He recommended that the team put out a press release once work has begun, then once Phase I of the report is complete, and once at the end of the full ISPR process.
- LCDR O'Neill is able to provide coaching for media interviews as needed. Questions that members are not comfortable answering may be directed to him.
- LCDR O'Neill recommended establishing a Public Affairs Guidance (PAG) for the group.
- Public Affairs Contact Information:
 - Christopher.T.O'Neill@uscg.mil,
 - Cell: 202-285-5127, Office: 202-372-4635 (o), or can be track down via the National Command Center (202-372-2100)

Ground Rule Development

- The following were established as ground rules for the ISPR Team:
 1. No whining!
 2. Limit outside communication during meetings; save cell phone calls and emails until breaks or after the day's business.
 3. Primary or Alternates, but not both, are expected to in attendance to all meetings.
 4. If your only source of information is newspaper/media, it does not meet the standards of this review.
 5. Homeport will be the official medium for posting and communication documents/information.
 6. Every conclusion/recommendation needs to be substantiated with documentation (Document everything!).
 7. Put forth "best faith" effort to participate (in person/teleconference).
 8. If your report does not make ISPR Team deadlines, it will not be included in the report.
 9. Limit use of acronyms (use plain language).

10. Exercise is the preferred word (not drilling).

Introduction to the ISPR Process

- The goal of the ISPR is to provide objective factual observations, hear diverse opinions, and come to consensus on the issues to be contained in the final report. LCDR Casey presented an overview of the ISPR purpose and process. The ISPR presentation may be found on Homeport.
- The purpose of the ISPR, according to the USCG Marine Safety Manual, Volume IX, Section 4.c is to:
 - Perform a thorough assessment of Coast Guard preparedness processes;
 - Perform an objective review of response actions undertaken in effect when the incident occurred;
 - Not grade performance or critically evaluate the actual response efforts, but rather study the implementation and effectiveness of contingency plans; and
 - Identify strengths and weakness in the planning methodology to produce positive, effective preparedness improvements.
- There is an urgent need for the ISPR process to begin now, prior to the end of the incident, because of:
 - A Presidential Commission is being convened to investigate the cause of the DH incident, and the report is due out in approximately 6 months (which may result in legislative changes, thus the ISPR will match the same timetable);
 - Congressional inquiries are frequent and increasing pressure for this review; and
 - Interviews of officials need to occur before the knowledge is lost and/or too much turnover occurs.
- This ISPR will focus on preparedness and response, not prevention activities, and will cover the full range of tactical to strategic decision-making. Plans will be reviewed to see how well they covered (or did not cover) the issues that have arisen during this incident.
 - The definition of preparedness must be reviewed as it relates to this report. The team will undertake this in future discussions. While the current definition presented includes components of planning, organization, readiness, risk communication, there may be additional focus areas to include within the components, or additional components added (e.g., site-specific issues particular to this incident).
 - Phase One of the report will focus exclusively on covering the first 30 days of the response efforts. A significant issue for future discussion is when to “start the clock” so that the exact 30 days to be assessed can be agreed upon. The team will discuss whether the 30-day clock starts when the platform sank, when the oil was discovered to be spilled, or another significant event.
- The Support Team (SRA and USCG) will document the interviews and provide a copy of the notes to the ISPR team to review and make comments on. This will be a source of information for the team to use to analyze and process their observations.

Timeline of Significant Events

- CDR Sean O’Brien (USCG) provided a briefing on the timeline of events, current status, and significant statistics for the DH response up to June 27, 2010. The presentation and additional information can be found on Homeport.

National Response System Background Presentation

- Scott Lundgren (USCG) presented background on the National Response System (NRS), including an overview of the various plans involved in the NRS: National Contingency Plan (NCP), Area Contingency Plans (ACPs), One Gulf Plan, and Vessel Response Plans. Mr. Lundgren's presentation and additional information can be found on Homeport.
- Mr. Lundgren discussed the role of the National Response Team (NRT), which serves as an advisory group, not an actual response organization. In this incident, CAPT Anthony Lloyd (USCG) serves as the Chair of the NRT. The NRT brings together 16 agencies to provide significant interagency coordination and consensus on policy guidance. Regional Response Teams (RRTs) provide technical expertise and resources to the On-Scene Coordinator (OSC) during a response.
- There was discussion on revising the NCP to incorporate changes that have occurred over time based on organization and other considerations. The NRT would most likely assist with the changes and the review cycle of changing the regulation.
- There was also a discussion on what "Federalizing the spill" would entail. The term "Federalization" is often used during oil spill response and recovery operations. While this is a term of art, it should be clearly defined because "Federalizing" a spill has significant implications for Protection and Indemnity (P&I) clubs, shippers, States and oil companies. The response organization must be sensitive to the use of this term.
 - The Government is not inclined to "Federalize" the response because it does not have the resources or technical knowledge to address all aspects of the spill, and keeping the Responsible Party (RP) in charge ensures they pay for the cleanup, not the Government.
 - Although the RP may be managing response assets, the Federal On-Scene Coordinator (FOSC) coordinates actions with the RP, and if the RP does not act accordingly, the FOSC has the authority to order the resources and then bill the RP later.
- There was a significant failure to identify who was in charge; more public information is needed up front to explain not only the incident but the command and control organization to reduce confusion for the public.
- One significant area of confusion was with the coordination of the Principal Federal Official (PFO) designated by DHS, and the National Incident Commander (NIC) designated by the USCG COMDT. Per the NCP, the USCG is 'in charge' via the FOSC; however, the political pressures of this situation have "warped" the role and collaboration of the PFO, NIC, and FOSC.
- The magnitude and type of response has revealed a significant number of issues relating not only to coordinating overall responsibility for response, but concerning natural resources.

National Incident Command Background

- CAPT Paul Wiedenhoeft and LT Kelly Dietrich (USCG) presented an overview presentation on the role of the NIC and the declaration of a Spill of National Significance (SONS).
- A SONS is declared when extraordinary coordination is needed, and a NIC is designated to direct that coordination effort. In the DH incident, a SONS was declared on the 9th day after the sinking of the platform, and from the beginning it was unclear who was in charge of the response, even though the NCP was the plan used to guide the response.

- The NIC, as outlined in the NCP, should serve as a conduit of information to the media, political inquiries, and other external forces. The NIC is designated to handle coordination and communication at the highest strategic level, and not to become intertwined in tactical decision-making. The role of the NIC was unclear at times as the incident progressed. The NIC did not get out in front of (and stay in front of) the media and congressional inquiries as well as was needed.
- The NIC's authority/role relative to Unified Area Command's (UAC's) authority/role and the FOSC's authority/role needs to be further defined, deconflicted and communicated so that there is consistent doctrine on the command structure and it is clear to all parties, including the general public/media, who is "really in charge." As well, the original setup of the NIC was ineffective and changed within a week. The role of the NIC Assist Team was flexible but needed a more robust organization from the beginning. Organizational structure and processes for communication adapted to the situation after the first week to compensate for the issues being faced.

Focus Areas and Interview Questions

- The group brainstormed on various questions and focus areas related to Preparedness and Response to address in the report, which they reviewed and refined over the course of the planning conference. The refined list can be found on Homeport.
- The questions and focus areas are intended to focus on the top issues which are considered key to the report, and serve as a starting point for creating and tailoring interview questions.

Initial Team Interview

- On Friday, July 2, the team interviewed CAPT Lloyd. The interview lasted approximately 1.5 hours. A summary of the interview will be posted to Homeport.

Post-Interview Hot Wash

- Following the interview with CAPT Lloyd (documentation of the interview is found on Homeport), the team held an informal hot wash to identify ways to improve future interviews:
 - Ask questions, do not provide interjections.
 - Remind interviewees that the ISPR Team members have all signed confidentiality agreements.
 - Ask interviewees: "who is/was in charge?" and "what would you do differently?"
 - Spread out the list of questions to be asked among the entire group.
 - Interviewees may be invited back to have another interview if follow-up is needed.