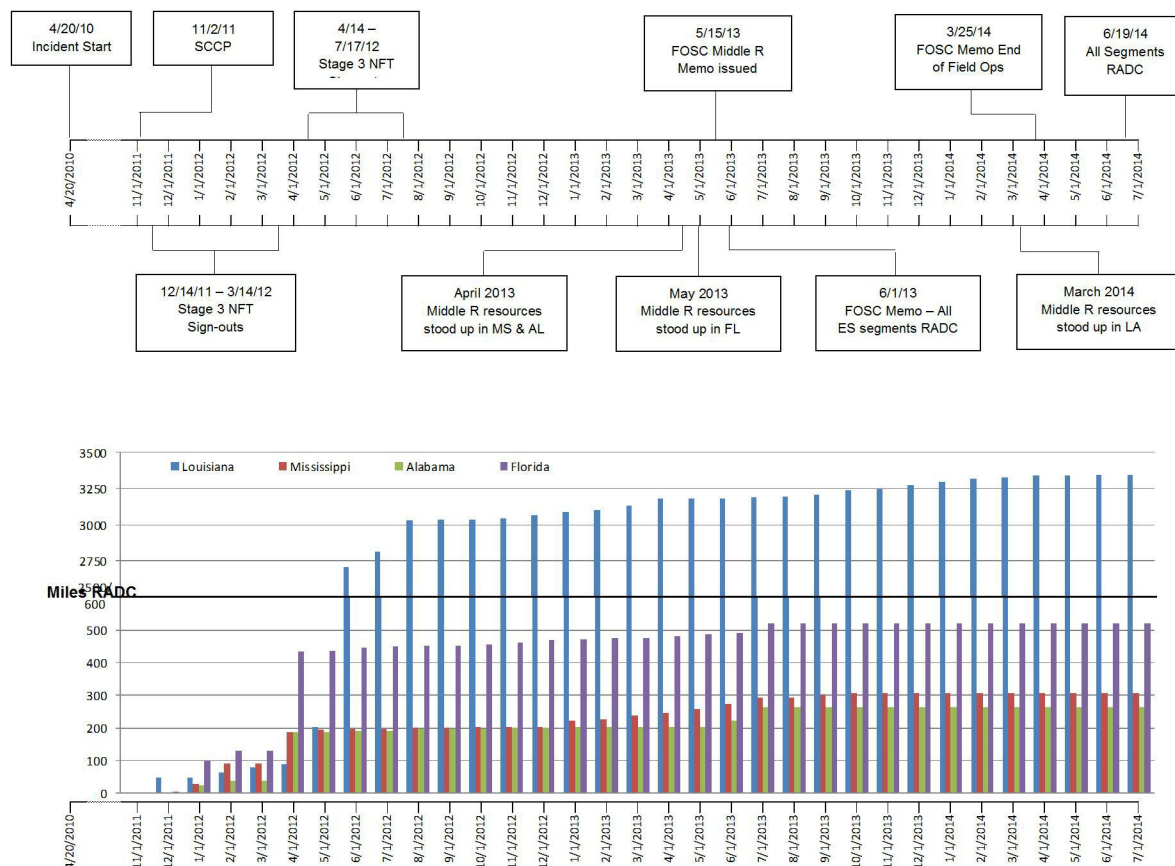


## Brief Description of the NRC Process / Middle R Process

The National Response Center (NRC) is the federal government's single point of contact for reporting all hazardous substance releases and spills. The NRC, which is staffed by the Coast Guard, manages all NRC calls that are placed which may potentially be related to the Deepwater Horizon (DWH) accident. Throughout the DWH response NRC calls have been placed within the AOR which may or may not be potentially related to MC252. However, due to heightened response activities lasting into the earlier part of the SCCP (April 2010 to September 2012), the NRC calls that may be related DWH were not closely tracked. In September 2012, NRC calls that may be related to DWH, known as Potential MC252, began to be tracked more closely; because Hurricane Isaac put several RADC segments at risk of re-oiling.

On May 15, 2013, a directive was issued by the FOSC which detailed the guidelines by which NRC calls of Potential MC252 would be handled. This is known as the Middle R directive. The bulk of NRC calls in which BP was directed to respond, or the USCG responded and determined the material was visually consistent with MC252 was conducted following the Middle R guidelines. However, since segments were deemed RADC prior to this date, actual Middle R responses were conducted sooner than this date.

### Response / Middle R Timeline



Earliest Recorded Responses to NRC Call in RADC Segments by State			
State	NRC Number	Date	Location

Louisiana	1053987	7/16/2013	Fourchon Beach
Mississippi	1042280	3/28/2013	Pascagoula
Alabama	1043414	4/9/2013	Little Lagoon
Florida	1026522	10/5/2012	Destin

During the response Potential MC252 NRC calls were placed for both RADC and active response segments. Upon receiving a Potential MC252 NRC call, the National Response Center forwards the call information to U.S. Coast Guard pollution responders that are trained to investigate MC252 related calls. Upon receipt of the information, a USCG pollution responder will investigate the scene and determine if the material is consistent with MC252. This determination, known as Visually Consistent, drives the direction of the response. In the cases where material was either not found or was deemed inconsistent with MC252, the response was forwarded back to the appropriate USCG Sector where they would finalize the investigation. BP is not considered the responsible party for these calls.

Since the start of NRC tracking at the GCIMT (Aug 29, 2012 to July 18, 2014), there have been 1,904 Potential MC252 calls investigated by pollution responders. Of those calls, 344 were placed on segments that were undergoing active patrol-and-maintenance and did not require an additional investigation since DWH responders were actively cleaning the area. The remaining 1,560 NRC calls that were made for RADC segments received an investigation.

There were 164 NRC calls placed on RADC segments in which the pollution responders could not locate the reported material, or the observed material was not consistent with MC252. Those calls were forwarded back to the appropriate USCG Sector. The remaining 1,396 visually consistent NRC calls were all responded to by the USCG, BP, or 3<sup>rd</sup> Party individuals. In every case, the incident scene was mitigated until the USCG deemed removal actions complete.

Most visually consistent NRC calls do not result in a significant amount of material, and are mitigated by the USCG, or are mitigated by a 3<sup>rd</sup> party individual with a USCG confirmation of completeness. The NRC calls that result in material that cannot be fully mitigated by the USCG are cleaned by BP. When an NRC investigation determines that the amount of material, or complexity of recovery, is beyond the capabilities of the USCG, a USCG directive is issued to BP to clean the scene. There have been 150 directives to BP to mitigate NRC investigations that were deemed visually consistent with MC252. In every case, BP has responded immediately and followed the guidelines of the USCG. In most cases, BP responds the same day a directive is made and within 4 hours of being contacted by the USCG. BP has never missed a USCG prescribed deadline to respond.

Most visually consistent NRC calls are not sampled. Samples of material are taken for various reasons and vary case-by-case. In many cases, when BP is directed to respond a sample is requested and split by the USCG. The standard procedure for sampling is that the USCG takes the sample and provides the split to the BP representative. USCG samples are processed through the Marine Safety Lab and deemed the official fingerprint interpretation result.

Since the start of GCIMT tracking of NRC calls (~September 2012), there have been 93 samples taken for fingerprint analysis. 76% (71 of 93) were interpreted as not MC252; referred to as non-MC252 or Non-252. Many of these samples (49 out of 93) were taken during USCG directed BP responses. These BP responses mitigated material which was deemed visually consistent by the USCG pollution responder. The sample results from the BP directed responses show that 94.5% (43 non-MC252 out of 46 analyzed with 3 pending results) were interpreted as non-MC252. While that statistic may seem overwhelming, it's important to note that most of these samples were taken in Louisiana and may not represent the eastern states.



Although only 49 of the 150 BP directed responses have been sampled, this does not mean the remaining 101 responses are confirmed as MC252. These were deemed visually consistent just as the sampled non-MC252 responses were deemed visually consistent. The differences being are changes in process. In the beginning of Middle R responses, approximately March 2013, the BP field representatives were instructed agree with the visually consistent assessment given by USCG pollution responders. Therefore, only a few samples were taken early on. As Louisiana moved into Middle R, however, samples were taken initially and they were all returned as non-MC252. This Louisiana sampling cast a shade of doubt about the visually consistent assessments. An instruction was put to the BP field representatives to request a sample every time BP is directed to respond. This way BP could ensure the material recovered was MC252, and if it was not there would be evidence to submit to the National Pollution Funds Center (NPFC). for cost recovery.

When BP is directed to respond to an NRC call and the sampling results are interpreted as non-MC252, a cost recovery package is assembled and submitted to the NPFC. Of the 10 packages submitted to date, 2 have been approved and 8 are pending approval.

## BP Establishes Middle R 'Firehouses'

In Middle R BP is required to respond to NRC calls within a set amount of time based on criteria described in the aforementioned directive. In order to meet these requirements BP had to establish stations where resources stand by to respond as directed by the USCG. Initially each State had its each firehouse and over time that was reduced such that there is one station located in Grand Isle, LA that services all of Louisiana and one station located in Gulf Shores, AL which services Mississippi, Alabama and Florida.

The table below provides a summary of the resources employed by BP and staged at these sites by month since implementation. This also includes the dates when sites were established in some cases the date where they were consolidated with other firehouses.

Location - Resource		2Q 2013	3Q 2013	4Q 2013	1Q 2014	2Q 2014	3Q 2014
Louisiana	FOB Sites	0	0	0	0	1	1
	FOB Personnel	0	0	0	0	1	1
	Field Personnel	0	0	0	4	21	16
	Equipment	0	0	0	3	17	14
	Vessels	0	0	0	0	12	8
Eastern States	FOB Sites	2	3	3	1	1	1
	FOB Personnel	6	10	5	3	2	2
	Field Personnel	46	61	40	24	15	12
	Equipment	38	51	35	25	19	13
	Vessels	4	4	4	2	2	2

## Summary Statistics of the NRC Process

The table below provides summary statistics of the NRC process. These stats are based on NRC calls investigate only on RADC segments. These do not include NRC calls made on segments that were still in active response at the time of the call. The date range of the stats table is August 29, 2012 to July 18, 2014. August 29, 2012 was when we began collecting data on NRC call responses in a way that is consistent with how we collect the data now. Prior to this date the data we have is incomplete and cannot be verified for correctness.

Location	Potential MC252	Visually Consistent	3rd Party Mitigation (lbs)	BP Mitigation (lbs)	USCG Mitigation (lbs)	BP Directed Response	Samples	Non-252	MC252	Pending	Inconclusive
<b>Total</b>	<b>1560</b>	<b>1396</b>	<b>2561.38</b>	<b>4041.37</b>	<b>1588.72</b>	<b>150</b>	<b>93</b>	<b>71</b>	<b>12</b>	<b>9</b>	<b>1</b>
Louisiana	120	102	5.03	878.82	510.29	53	75	63	8	4	0
Mississippi	72	62	26.5	742.15	336.03	8	7	5	1	0	1
Alabama	623	591	683.6	528.92	545.18	46	4	2	0	2	0
Florida	745	641	1846.25	1891.48	197.22	43	7	1	3	3	0

Note: The increased call activity in Florida and Alabama is driven primarily by initiatives by Florida DEP and Alabama DEM on select beaches and is not representative of public observation. Most often these are for miniscule amounts of material.

#### Definitions:

- **Material:** A mixture of sand with oil, materials (e.g. sand and shells) with a coating of oil, and incidental material picked up in the cleaning process. The greatest proportion of the material collected is material other than oil. Louisiana material collection includes water-saturated mats, dry SRBs, organics, and other material.
- **Potential MC252:** NRC calls that are located in the SCCP DWH AOR which have a caller description that may be SRBs, SRPs, buried oil deposits, or sheen that could be sourced from MC252. This number is a subset of the total number of NRC calls received throughout the AOR. Due to the NRC website being down for maintenance, a FOIA request would need to be submitted to arrive at the total number of NRC calls throughout the AOR.
- **Visually Consistent:** NRC calls that have been deemed visually consistent by a USCG pollution responder. NRC calls that are deemed visually consistent and are on RADC shoreline will initiate the Middle R processes to provide mitigation either by USCG DWH responders, or BP/OSRO responders. Note that in many cases of visually consistent our representative does not concur, but that information is not yet gathered in a manner that can be reported. Also of note, material will remain to be reported as visually consistent even after lab analytics have determined that the product is non-MC252 in origin.
- **3<sup>rd</sup> Party Mitigation:** Quite often NRC calls are placed by 3<sup>rd</sup> Party individuals who mitigate the observed material and deliver it to the USCG. In most cases, these persons are affiliated with LDEQ, MDEQ, ADEM, or FDEP. However, there have been instances of private citizens and other state or county agencies performing this action. When material is mitigated by a 3<sup>rd</sup> Party individual, a USCG pollution responder will make an assessment that the material is visually consistent with MC252 and turn it over to BP for disposal. In this case, BP is not required to concur with the USCG visually consistent assessment, but is asked to dispose of the material. Throughout all of Middle R, BP has never denied the Coast Guard's request to dispose of mitigated material. Lastly, these 3<sup>rd</sup> Party mitigations are not sampled. This is because the material has been removed from the scene and could have been contaminated in some way by the non-USCG person (aka 3<sup>rd</sup> Party) who handled it.
- **USCG Mitigation:** This is the total amount of material recovered by the USCG during NRC calls in which they mitigated. These may include calls where BP was called and also calls where a 3<sup>rd</sup> Party was present and recovered material. The mitigation amounts are independent of one another.
- **BP mitigation:** This is the total amount of material recovered by BP when directed to respond.
- **BP Directed Response:** This is the number of times BP was directed by the USCG
- **Samples:** This is the number of samples taken by the USCG and then split with BP. Sample results reflected in this table are per the USCG and Marine Safety Laboratory (MSL)
- **Non-MC252:** This is the number of samples that resulted in an interpretation of non-MC252
- **MC252:** This is the number of samples that resulted in an interpretation of MC252



- Pending: This is the number of samples that are pending results. This could be due to the same being lost, not yet sent for analysis, or analysis not yet complete
- Inconclusive: This is the number of samples that could not be determined to be MC252 or not

## Notable NRC Calls:

### Fort Pickens:

There have been 2 NRC calls made at GUIS Fort Pickens segment FLES2-005 for an observed buried oil deposit in the sub tidal zone in the near shore. The first was made on February 27, 2014 and the second on June 20, 2014. Both NRC calls resulted in BP activation and BP immediately responded. This is an area that BP was not allowed to deep clean during the response because an STR to allow mechanical treatment was not approved. Mechanical operations was prohibited the NPS in all but a few cases, and in those cases they would only allow operations down to a depth of 18 inches. During the February response, 1,409 lbs of material was recovered, and during the June response over 1,650 as of July 18, 2014 (the response is ongoing at the time of writing this on 7/24). Together, these 2 calls account for more than 75% of the total amount of material mitigated by BP across all Potential MC252 NRC responses.

Due to the reoccurrence of material in this area, BP requested again that the area be mechanically treated. On June 27, 2014, the BP Incident Commander sent a request to the FOSC Captain John Nolan and to the Mobile Sector FOSC-r Captain Walker requesting light augering of the area to expand the delineation efforts and ensure the area was fully cleaned (See Appendixes A & B for further detail). As of July 24, 2014 the USCG has not discussed the proposal with the Park Service.

### Elmer's Island:

Elmer's Island is an excellent example of an area with a large number of NRC investigations finding "visually consistent" MC252 that when sampled turned out to be non-MC252 material. As the area began to move to RADC in December of 2013, numerous NRC calls were placed reporting tarballs on the beach in eastern portion of Elmer's Island (zones E-1 – E3). In December of 2013 alone, the USCG investigated 12 NRC calls in this area and found all to be visually consistent with MC252 oiling. BP was directed to mitigate on 11 of these NRC calls. Samples were collected for all 12 NRC calls and analyses by the MISLE lab. All 12 samples came back as non-MC252 in origin.

From December 4, 2013 through July 22, 2014, the USCG has investigated 62 NRC calls on Elmer's Island and classified the material found as visually consistent with MC252 oiling in every case. Of the 62 NRC calls 39 were sampled, of which 37 resulted in the determination that the material was non-MC252 in origin. Even with 95% of the sampled NRC calls being determined to be non-MC252, the USCG continues to classify the material found as visually consistent.

Mitigating party	USCG Pollution Responder Assessment		USCG MILSE Lab Assessment		
	Visually Consistent	Not Visually Consistent	Confirmed MC252	Confirmed non-MC252	Not Sampled
USCG Only	21	0	0	6	15
BP OSRO	41	0	2	31	8

## Grand Butture Islands: [Appendix C]

Although there is overwhelming evidence in many areas that visual identification of MC252 is no longer a viable method to assess whether observed oiling is BP's or not, BP has never denied a USCG directive to respond. In this example, you will see that even though there is overwhelming evidence to suggest that a NRC call is not Potential MC252, the simple fact that it occurred in BP's previous SCCP AOR makes them the prime suspect. This is despite the fact that other spills have occurred in this area.

On July 22, 2014 BP received a request from the USCG to provide vessel support to investigate a Potential MC252 call on the Grand Butture Islands in Mississippi.

Background on the area:

- There has never been a Potential MC252 NRC call here
- Area was observed typically as NOO by SCAT during the response
- Only 3 out of 19 SCAT surveys found very light or light oiling with the remaining 16 as NOO
- The USCG verbally representative referenced other significant spills from other responsible parties in this area
- The last operations mission was on June 7, 2011 and was deemed RADC in March 2012 with a final survey of NOO

After communicating these points to the USCG, the Coast Guard still wanted to utilize DWH resources to investigate. BP obliged the request and provided 2 vessels plus standby OSRO technicians in the event the material is visually consistent with MC252 and in an amount that the USCG cannot mitigate. Upon locating the material and after a brief discussion, which included a comment by one of the USCG guessing it was from the "Chevron 6 spill about three years ago", everyone agreed that the material was NOT visually consistent. Samples were taken and split.





## Appendix A

### Garcia, Michael (Contractor)

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**From:** Sanders, Floyd  
**Sent:** Friday, June 27, 2014 11:51 AM  
**To:** Folse, Laura; Block, Nathan; Garcia, Michael (Contractor); Coe, Michael (Fleishman Hillard)  
**Subject:** FYI: Fort Pickens Buried Oil Deposit  
**Attachments:** Fort Pickens FLES2-005.pdf

FYI

Respectfully,

**Floyd Sanders**

BP Incident Commander  
Office: 281-366-5138  
Mobile: 281-904-2653  
[floyd.sanders@bp.com](mailto:floyd.sanders@bp.com)

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**From:** Sanders, Floyd  
**Sent:** Friday, June 27, 2014 11:14 AM  
**To:** 'samuel.walker@uscg.mil'  
**Cc:** [John.p.nolan@uscg.mil](mailto:John.p.nolan@uscg.mil); Maki, Kyle E CDR ([Kyle.E.Maki@uscg.mil](mailto:Kyle.E.Maki@uscg.mil)); Debosier, Toni (Contractor); Thompson, Timothy A; Rodriguez, Jake H (BP MC252)  
**Subject:** Fort Pickens Buried Oil Deposit

Captain Walker,

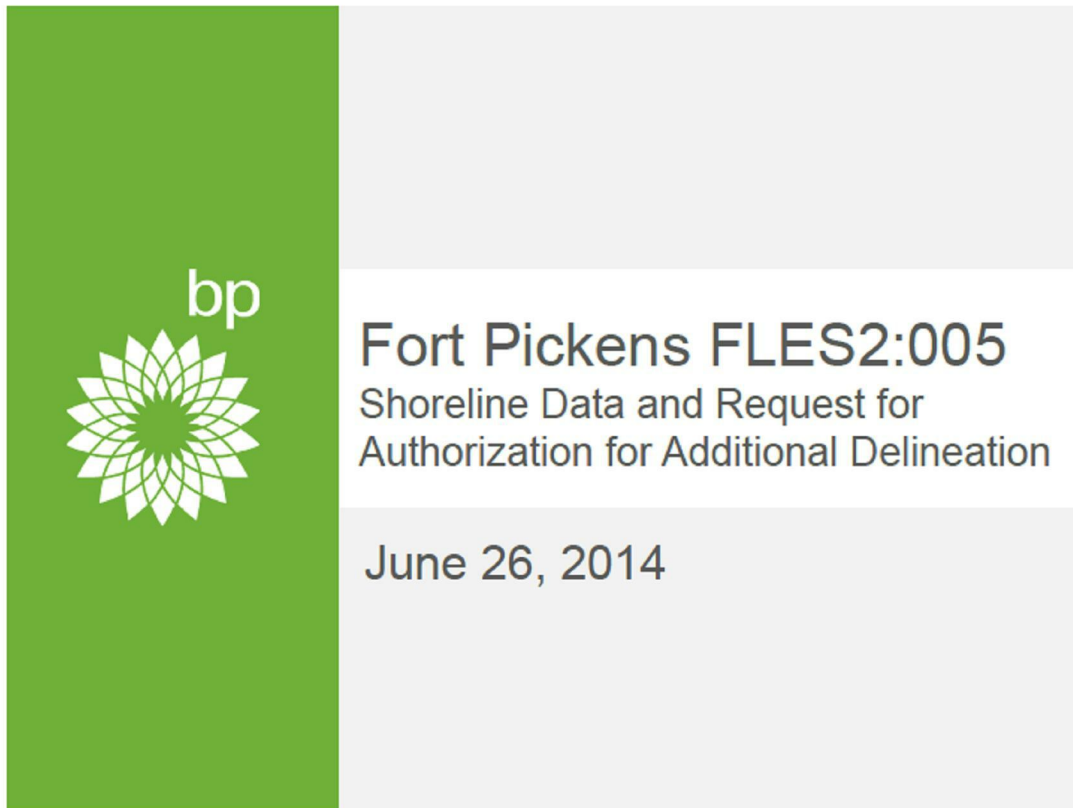
Thank you for returning my call earlier to discuss the open NRC matter at Fort Pickens. During our conversation I expressed BP's strong desire to perform further delineation work at this location. This latest buried oil deposit was found in an area where the NPS preferred not to do additional work based on their view of the net environmental benefit and preferring instead to let material be removed if / when uncovered. Despite that, based on the current and historical shoreline profile information illustrated in the attached slides, BP believes additional delineation is appropriate. Utilizing the findings of this proposed additional delineation an informed decision could then be made as to any other removal actions deemed necessary. I am happy to discuss once your team has had time to evaluate the situation, and we can work on a path forward.

Respectfully,

**Floyd Sanders**

BP Incident Commander  
Office: 281-366-5138  
Mobile: 281-904-2653  
[floyd.sanders@bp.com](mailto:floyd.sanders@bp.com)





## Appendix C

### NRC 1089819

### USCG Investigation

1045/22Jul14 BP received a request from USCG for one vessel and a 2- or 3-man OSRO team to investigate an NRC call near the AL/MS border on the Mississippi side. The caller works for a division of MDEQ called the Department of Marine Resources (DMR) and was in the area conducting a turtle nest survey when she discovered, what appeared to her, to be an oil product. The reported GPS coordinates were (30.346667, -88.4025).

After mapping the coordinates, which led us to DOI land in Jackson County, MS (MSJK4-089, 090), and reviewing historical data, it was determined that just 3 of 19 surveys resulted in "very light" to "light" oil and the remaining 16 surveys were NOO. There are no operational records of material collection in either of these segments. The last Ops mission on June 7<sup>th</sup> 2011 resulted in 0 pounds and the final SCAT survey on June 26<sup>th</sup> 2011 was NOO. Both segments went to RADC in March 2012 with no subsequent NRC calls.

This was not an area identified by OSAT III for potential buried oil and there are no other factors which lead us to believe this material would be MC252.

1300/22Jul14 Based on discussion of these issues, USCG was contacted with confirmation of two vessels (per Danos safety protocol in Mississippi) and advised of BP's desire to follow the Middle R process document by facilitating the USCG investigation with use of the vessels. If material is located and confirmed to be visually consistent and more than USCG personnel can readily remove, we would then honor a request for an OSRO team. In addition, a BP representative would accompany USCG personnel and based on the history of the segment(s) involved, a split sample was requested in the event material was located.

This conversation was followed by an email reiterating all of these details.

0912/23Jul14 Departed the marina en route to Grand Batture Islands

0945/23Jul14 Arrived at offload point, and walked approximately 150 meters to the reported GPS coordinates





**NRC 1089819** **USCG Investigation**  
View from reported material to vessel.



View to north from  
edge of shoreline to  
reported material.



Reported material  
(GPS coordinates -  
30.34667, -88.402450)





0948/23Jul14 Upon locating the material and after a brief discussion, which included a comment by one of the USCG guessing it was from the "Chevron 6 spill about three years ago", we all agreed that the material was NOT visually consistent. Samples were taken and split between two jars.



Tearing off sample



Receiving split sample

NRC 1089819

USCG Investigation



Adjusting to fit into bag for  
ease of removal

TREX-243913.0014





1000/23Jul14    Departed Grand Batture Islands en route to the marina  
1030/23Jul14    Arrived back at marina and departed the vessel safely