

Differences Between Federal and State C-plans

FEDERAL C-PLANS	STATE C-PLANS
National Contingency Plan: Federal law requires a National Contingency Plan (NCP) for removal of oil. The NCP represents a coordinated approach to effective removal of a discharge by directing Federal, State, and private actions.	Industry Oil Spill Prevention and Contingency Plan: State law requires owners of tankers and oil facilities to prepare a contingency plan to contain, control, and clean-up a volume of oil equal to the capacity of their tanker or facility. The industry plan is the only state plan designed to remove an oil discharge.
Area Contingency Plan: Area committees are established by the federal government. Each committee develops an Area Plan capable of removing a worst case discharge. The Area Plan identifies sensitive areas that will be protected and describes in detail Federal, State, and industry responsibilities when responding to a discharge.	State Master Plan: The Alaska Department of Environmental Conservation (ADEC) is required to write a State Master Plan which clarifies agency responsibilities and provides for a state incident command system.
Industry Response Plan: Owners of tank vessels and facilities must submit a response plan capable of removing their worst case discharge. The response plan must be consistent with the requirements of the National and Area Contingency Plans.	Regional Master Plan: ADEC is required to prepare a plan for each region which clarifies agency responsibilities and describes an incident command system. State regional plans have been combined with federal Area Plans in Alaska to form a unified state and federal plan.
Federal law requires the federal government plan for responding to a spill if the responsible party cannot be found or does not respond.	Regional Master Plan: ADEC is required to prepare a plan for each region which clarifies agency responsibilities and describes an incident command system. State regional plans have been combined with federal Area Plans in Alaska to form a unified state and federal plan.
Federal law requires the federal government plan for responding to a spill if the responsible party cannot be found or does not respond.	State law does not require the state government plan to respond to a spill if the responsible party cannot be found. ADEC participates in the preparation of the federal Area Plans for Alaska.
Federal law requires that the federal government direct all federal, state, and private actions if a spill poses a substantial threat to public welfare.	State law requires the responsible party to direct response actions. ADEC may issue directions to the responsible party if the State declares an emergency which poses a threat to public welfare.
Review of industry C-plans under the federal process is not open to the public.	Review of industry C-plans is a public process under state law.
Federal C-plan regulations generally require less mechanical response equipment and response personnel available for immediate deployment than do state regulations.	State C-plan regulations generally require more mechanical response equipment and response personnel available for immediate deployment than do federal regulations.
Under Federal law, C-plans must be tested with periodic drills.	Under state law, ADEC may require drills to test C-plans.
Federal law requires that response equipment be inspected.	Under state law, ADEC may inspect response equipment.
Federal law does not give prevention credits against response planning standards.	State law gives prevention credits against response planning standards for prevention actions that go beyond normal requirements.
Federal law requires the Area Committee to identify sensitive areas and define how these areas will be protected in the Area Plan. Industry C-plans must ensure that there are resources necessary to implement the Area Plan.	State regulations require industry C-plan holders to identify sensitive areas and determine how they will be protected.

Some of the information on this page is modified from a document created by Cook Inlet RCAC to explain their involvement in the C-plan review process. We appreciate the opportunity to make use of their work.