

U.S. Department of
Homeland Security

United States
Coast Guard



Commanding Officer
United States Coast Guard
Marine Safety Unit

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February 28, 2007

NOAA Damage Assessment Center
Attn: Dr. Tony Penn
1305 E. West Highway
Building 4, Room 10218
Silver Spring, MD 20910

Dear Dr. Penn:

The purpose of this letter is to transition the T/B DBL 152 incident from the emergency response phase, under my authority, to the injury assessment and restoration phases under the Natural Resource Trustees' (Trustees) purview. In CAPT Richey's letter, dated December 15th, 2005, all but 2,000 acres of a 234-square mile search area had been transitioned to the assessment and restoration phase. After 14 months of continued search and recovery efforts in the 2,000 acres, the Unified Command can no longer locate oil in such quantities that recovery would be both economically feasible and without an unacceptably elevated risk to the safety of responders.

As you know, ceasing emergency response activities does not constitute restoration or full recovery of natural resources. Evaluation and restoration of impacted natural resources are typically addressed by Trustees through Natural Resource Damage Assessment (NRDA) or other processes, which are beyond the scope of the authority entrusted to the Federal On-Scene Coordinator (FOSC). In order to make for an orderly transition, to ensure a continued sense of cooperation and communication with the involved Trustees, and to limit the potential for future frustrations, I ask that you advise me of any issues that might be pertinent to such re-focusing operations.

Presumably, any restoration plan undertaken by the Trustees will not require implementing an emergency response. If, at any point, there are discovered concentrations of oil that constitute an imminent threat to the public health and welfare or appear economically recoverable without an undue safety risk, I will re-engage the appropriate emergency response organization and resources under my authority as FOSC.

I look forward to your cooperation and assistance during this important transition process. Should you have any questions or concerns, please contact Lieutenant Junior Grade Amy McElroy at (409) 719-5043.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Sparks", written over a horizontal line.

T. SPARKS
Captain, U. S. Coast Guard
Federal On-Scene Coordinator