

# Local Government Experiences with Responsible Party Disasters: Lessons Learned From Oil Spills and Toxic Fires

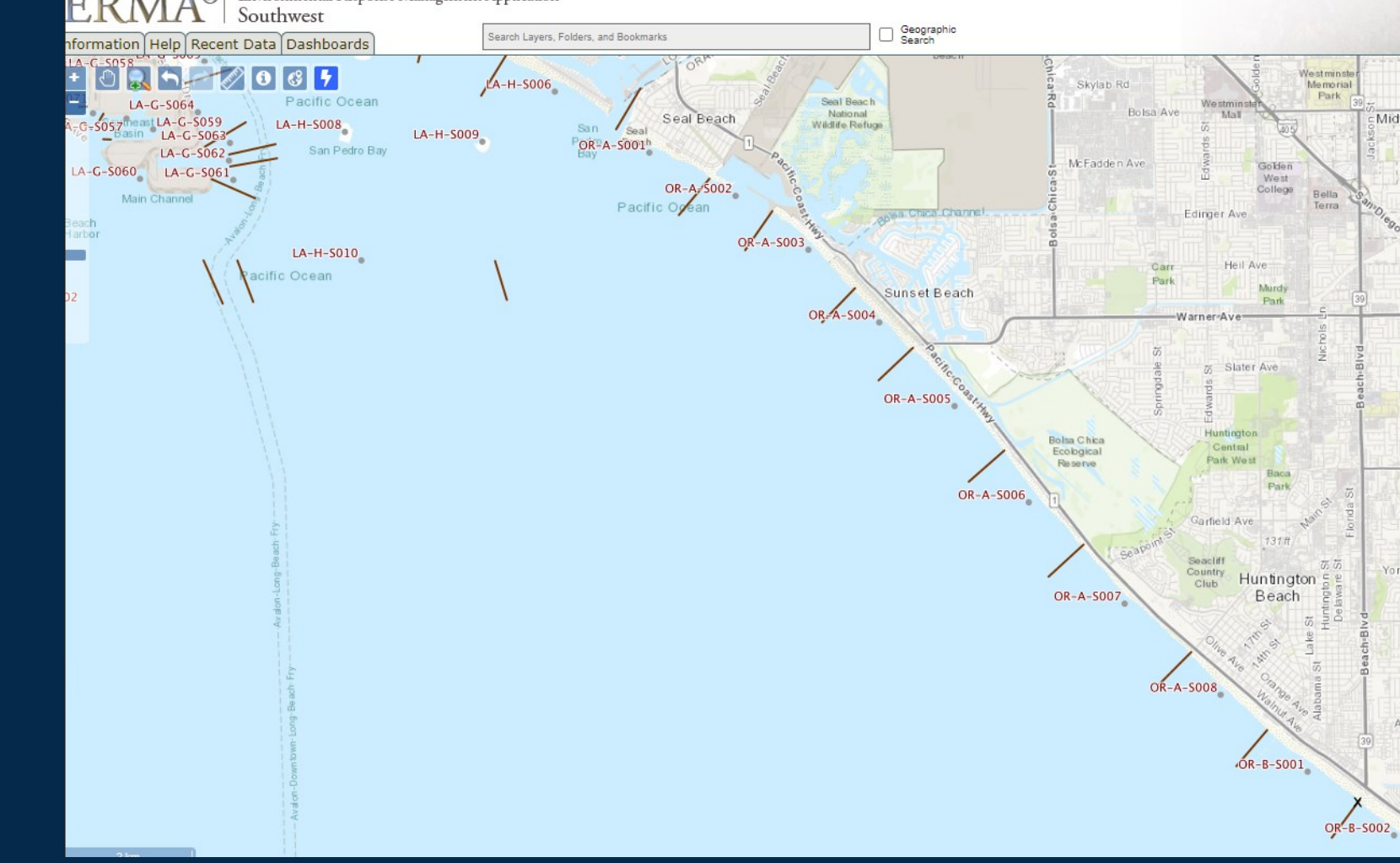
With 23 federally declared emergencies/disasters in the last 20 years, Orange County, California has significant experience in planning for, responding to, and recovering from disasters. While natural hazards are historically more frequent, recent years have seen more large-scale incidents where a “Responsible Party” (RP) has been identified. Rather than focusing on FEMA standards and processes, the County has had to adjust its processes and procedures incorporate the RP.

## Huntington Beach Oil Spills

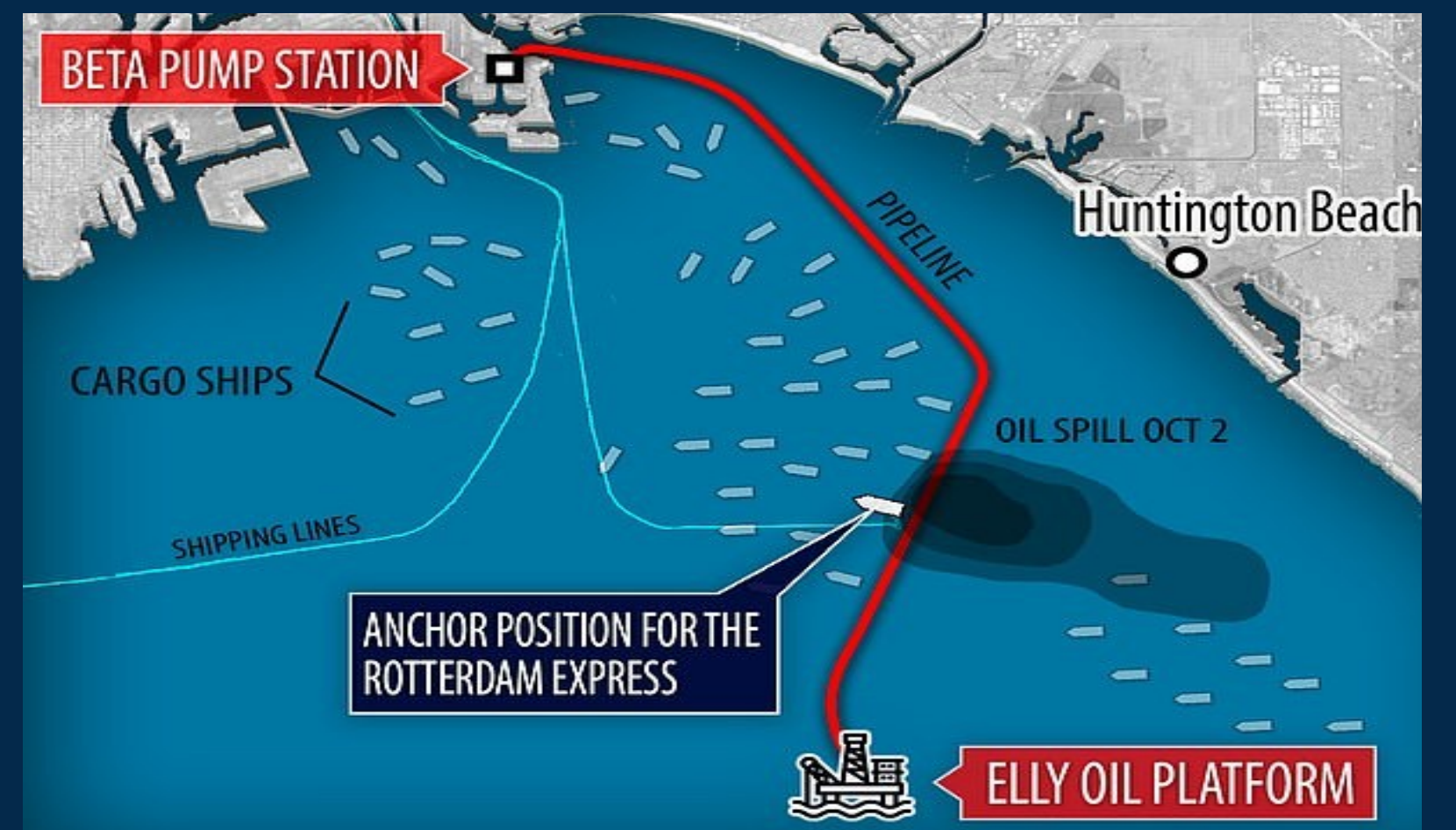
**Hazard:** Oil Spills—@ 9,000 gallons oil, 549,658 pounds oily debris  
**Date:** Saturday, October 2, 2021 and December 15, 2021  
**Responsible Parties:** Amplify Energy and DCOR  
**Responding Jurisdictions:** United States Coast Guard (USCG), California Department of Fish and Wildlife’s Office of Spill Prevention and Response, County of Orange, and Amplify Energy  
**Response Operations:** The Responsible Parties were part of Unified Command and assisted in abating the hazard.  
**Complicating Factors:** Two releases overlapped - Platform Elly pipeline from an anchor drag; Platform Eva pipeline from a leak. The first spill occurred during the Pacific Air Show, resulting in contamination of boats and the cancellation of the third day of the event.



Photo Credit: Pacific Airoshow



Coastal Diagram of Coastal Oil Spill Cleanup Divisions  
Figure Credit: National Oceanic and Atmospheric Administration, Environmental Response Management Application



Coastal Diagram of Oil Platforms and Ships  
Figure Credit: Unknown, Multiple news reports

**Impacts:** 764 miles shore-line, 32 environmentally sensitive sites, 271 boats; \$95 million in settlement agreements  
**Financial Recovery:** USCG activated the Oil Spill Liability Trust Fund. Local governments, business owners, and boat owners submitted claims. Lawsuits were filed by local government, businesses, impacted individuals, and the Air Show organizers.

What is a Responsible Party (RP) and how does it change how you and your community respond to and recover from a disaster? The RP is the person or entity that owns or operates the hazard or that caused the condition that led to the disaster or emergency. The term does not imply criminal negligence.

Federal and State laws cover an array of human-caused hazards and often-times assign lead agency roles and cost recovery methods. For example, oil spills are led by the United States Coast Guard, trust funds exist for response and natural resource damages. The Left example describes a local experience with this process. Other human-caused disasters may not have such well-delineated processes. The Right example describes a local experience creating recovery processes during the incident.

## LESSONS LEARNED

### Recommendations for Local Government:

- Hazard Mitigation:** Document which hazards have RPs  
**Prevention:** Establish relationships with RPs and incorporate mandated/non-mandated monitoring and reporting  
**Planning:**  
1) Identify and understand legislation/regulations for hazards where RPs exist  
2) Ensure plans and procedures encompass RP-related incidents  
3) For training and exercise, include scenarios with RPs  
**Response and Recovery:**  
1) Inform leadership of unique considerations when RPs exist  
2) Clearly define roles in Incident Command and Operations Section  
3) Include Legal Counsel in discussions with RPs  
**Recovery:** Work with the RPs to facilitate public messaging and claims processes for individuals, businesses, and government claims

### Recommendations for State and Federal Entities:

**Guidance and Training:** Incorporate RP nuances into documents and curriculum

### Recommendations for Elected Officials and Agency Leads:

**Response:** Set the tone for including Local Government in response operations  
**Recovery:** Consider means of assisting individuals impacted by the disaster who do not have the financial means to seek legal remedies

A special thank you to incident responders including but not limited to the County of Orange, Orange County Fire Authority, City of Tustin, California Department of Fish and Wildlife, and the United States Coast Guard.

## Navy Hangar Fire

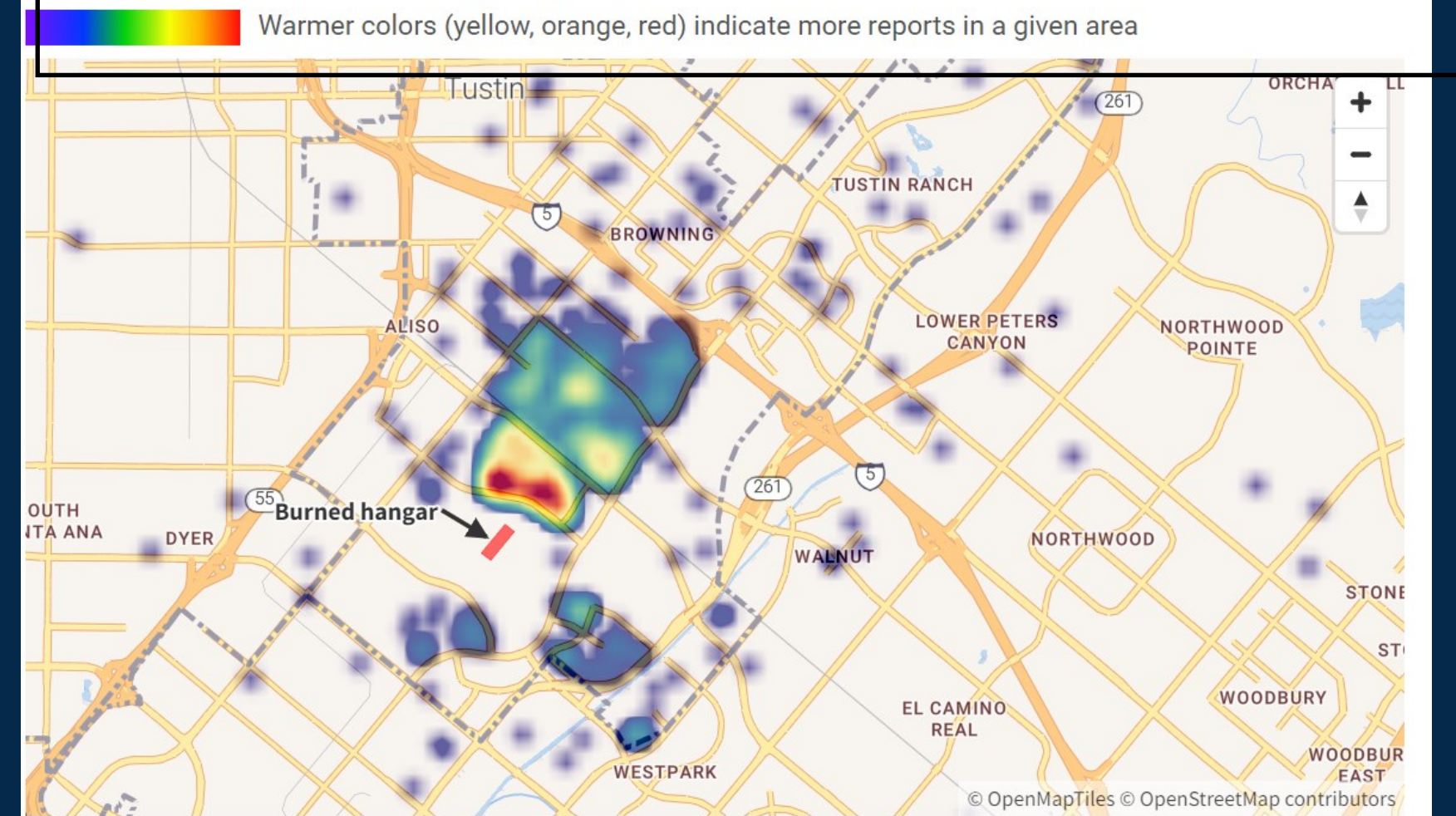
**Hazard:** Structure Fire - 17 stories, 1,000’ long x 300’ wide, 7-acres  
**Date:** Tuesday, November 7, 2023  
**Responsible Party:** United States Department of Navy  
**Responding Jurisdictions:** County of Orange; Orange County Fire Authority; cities of Tustin, Irvine, Santa Ana; Air Quality Management District; Environmental Protection Agency  
**Response Operations:** As a closed base, the Navy did not have any nearby response personnel or equipment. Their initial support related to fiscal recovery and transitioned to leading the debris characterization and removal processes.  
**Complicating Factors:** Asbestos and heavy metals in structure; fire duration due to unique architectural structure; nearby animal shelter, law enforcement academy and socio-economically disadvantaged communities nearby

**Impacts:** 1,500 homes, 29 schools and 14,000 residents, \$95 million agreement between the Navy and the City of Tustin

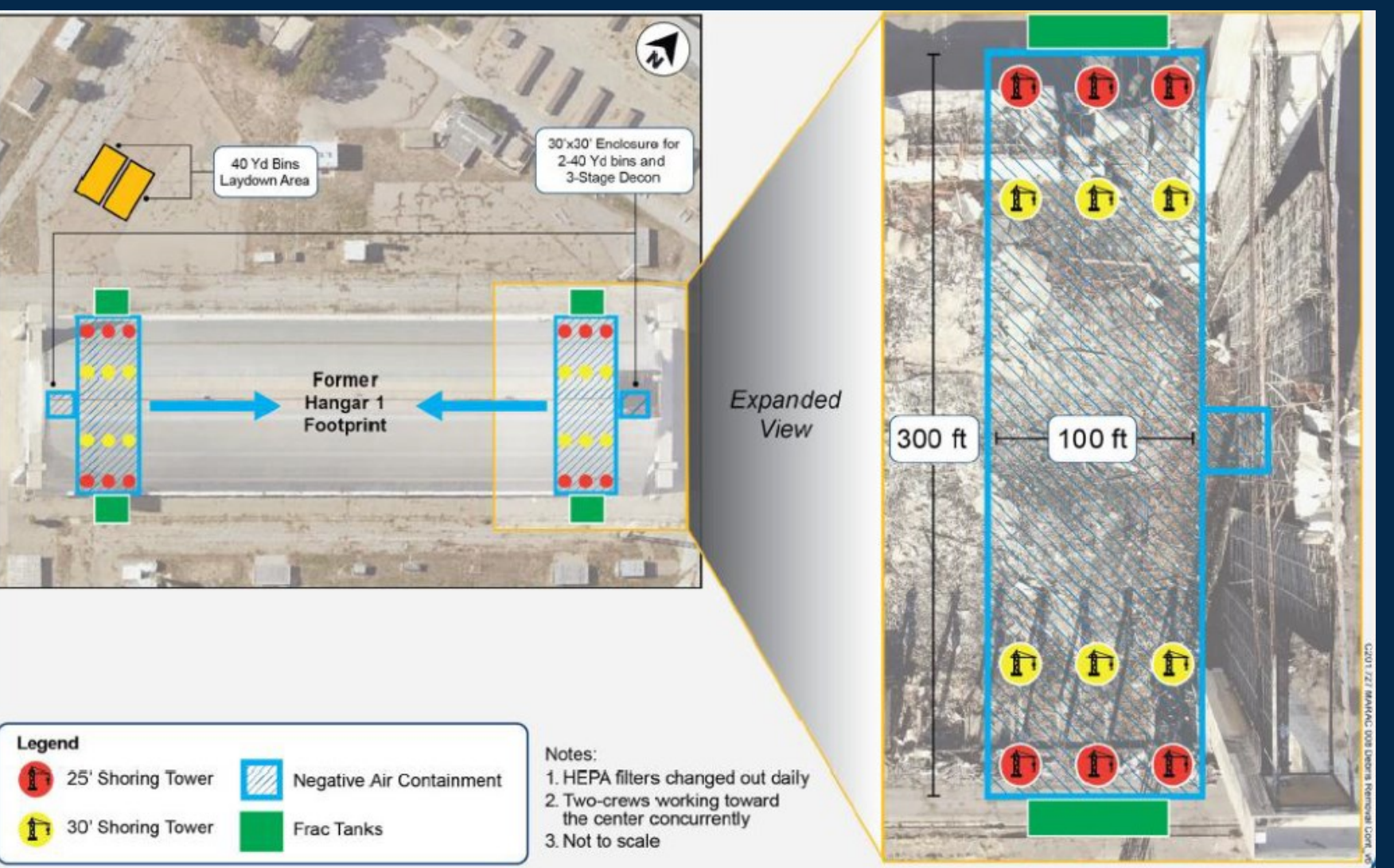
**Financial Recovery:** Local government entered into an Agreement with the Navy. For individuals, two class action lawsuits have been filed.



Photo Credit: Monse Munoz, OC Independent



Navy Hangar Reported Debris (Online Incident Portal)  
Diagram Credit: Maloy Moore, LAist



Clean-up Site Diagram  
Figure Credit: BRAC