

# Independent Oil Marketers Association of New England

## MassDEP

### Proposal to Assess Natural Resource Damages for Small to Medium Oil Spills

The Secretary of the Executive Office of Environmental Affairs (EEA) is the designated natural resource Trustee (M.G.L. Chapter 21A Section 2A). Within the EEA, the Massachusetts Department of Environmental Protection (MassDEP) administers the natural resource damages (NRD) program. MassDEP has in the past assessed NRD on a case by case basis for spills of oil and/or hazardous materials (OHM) within the Commonwealth.

MassDEP is proposing to standardize the process for assessing NRD for small to medium oil spills. Since MassDEP already has a process to assess NRD on a case by case basis, there is no need to develop a standardized process to be applied only to oil spills.

The Mass DEP Massachusetts Oil and Hazardous Materials List (MOHML) (310 CMR 40.0000 Subpart P) contains approximately 1,800 different chemicals or compounds. Therefore, singling-out one compound, i.e., oil, on the MOHML is discriminatory. Since a process already exists for assessing NRD by MassDEP on a case by case basis, it is not cost effective to develop another, duplicative process.

Finally, any process developed to assess NRD should apply to all of the chemicals and compounds listed on the MassDEP MOHML, not just one (1) out of approximately 1,800.

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