

determination of the Secretary under subparagraph (B) that the national planning criteria established pursuant to this subsection are inappropriate for a vessel operating in the area of responsibility of the Western Alaska Captain of the Port Zone and the Prince William Sound Captain of the Port Zone.

“(I) VESSELS IN COOK INLET.—Unless otherwise authorized by the Secretary, a vessel may only operate in Cook Inlet, Alaska, under a vessel response plan approved under paragraph (5) that meets the requirements of the national planning criteria established pursuant to this subsection.

“(J) SAVINGS PROVISIONS.—Nothing in this paragraph affects—

“(i) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Western Alaska Captain of the Port Zone, within Cook Inlet, Alaska;

“(ii) the requirements under this subsection applicable to vessel response plans for vessels operating within the area of responsibility of the Prince William Sound Captain of the Port Zone that are subject to section 5005 of the Oil Pollution Act of 1990

(33 U.S.C. 2735); or

“(iii) the authority of a Federal On-Scene Coordinator to use any available resources when responding to an oil spill.”.

(2) ESTABLISHMENT OF WESTERN ALASKA OIL SPILL PLANNING CRITERIA.—

(A) DEADLINE.—Not later than 2 years after the date of enactment of this Act, the President shall establish the Western Alaska oil spill planning criteria required to be established under paragraph (9)(D)(i) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

(B) CONSULTATION.—In establishing the Western Alaska oil spill planning criteria described in subparagraph (A), the President shall consult with the Federal agencies, State and local governments, Tribes (as defined in section 323 of title 14, United States Code), the owners and operators that would be subject to such planning criteria, oil spill removal organizations, Alaska Native organizations, and environmental nongovernmental organizations.

(C) CONGRESSIONAL REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the status of implementation of paragraph (9) of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

SEC. 11310. COAST GUARD CLAIMS PROCESSING COSTS.

Section 1012(a)(4) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(4)) is amended by striking “damages;” and inserting “damages, including, in the case of a spill of national significance that results in extraordinary Coast Guard claims processing activities, the administrative and personnel costs of the Coast Guard to process such claims (including the costs of commercial claims processing, expert services, training, and technical services), subject