

PACIFIC STATES/BRITISH COLUMBIA  
OIL SPILL TASK FORCE



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2004 ANNUAL REPORT

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Executive Coordinator  
Pacific States/British Columbia Oil Spill Task Force

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# PACIFIC STATES / BRITISH COLUMBIA OIL SPILL TASK FORCE

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The states of Alaska, Washington, Oregon, California, and Hawaii have joined with the Province of British Columbia in order to combine resources and coordinate efforts to protect their shared waters and 56,660 miles of sensitive coastlines from the devastating impacts of oil spills.

# PREFACE

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This Annual Report of the Pacific States/British Columbia Oil Spill Task Force is submitted to the Premier of British Columbia and the Governors of California, Oregon, Washington, Hawaii, and Alaska, as well as to the citizens whom they represent. It provides information on the activities and accomplishments of the Task Force and its member agencies from July 2003 through June 2004.



The States/British Columbia Oil Spill Task Force was established by a Memorandum of Cooperation signed in 1989, following two West Coast oil spill incidents. The first involved the barge *Nestucca*, which spilled oil impacting the coasts of Washington and British Columbia in December of 1988. The second incident was the catastrophic spill by the T/V *Exxon Valdez* in Alaska's Prince William Sound in March of 1989. These events highlighted common concerns shared by West Coast states and the Province of British Columbia related to spill risks from coastal vessel traffic, the need for cooperation across shared borders, and a shared commitment among West Coast citizens of both the US and Canada to protect their unique marine resources.

The Oil Spill Task Force produced a report in October of 1990 that included 46 joint recommendations for spill prevention and response, as well as recommendations specific to each member's jurisdiction. Most of these recommendations have since been incorporated into state or provincial statutes, rules, or programs. They are also reflected in the US Federal Oil Pollution Act passed in 1990 (OPA '90), as well as the Canadian Shipping Act Amendments adopted in 1993.

As state/provincial and federal policies and programs are implemented, the continuing focus of the Task Force is on fostering regulatory compatibility, sharing information and resources, and coordinating regional projects to improve oil spill prevention, preparedness, and response in the shared Pacific waters of the US and Canada. These efforts are guided by our five-year Strategic Plans and are based on our Mission, Goals, and Objectives as stated on the following page.

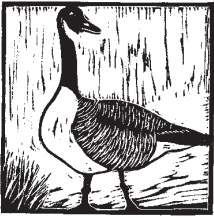
When the State of Hawaii authorized its Department of Health, Environmental Health Division, to join the Task Force in 2001, the governing Memorandum of Cooperation was updated and signed by Hawaii Governor Benjamin Cayetano, Alaska Governor Tony Knowles, Washington Governor Gary Locke, Oregon Governor John Kitzhaber, California Governor Gray Davis, and Gordon Campbell, Premier of British Columbia. The organization's name was changed to the Pacific States/British Columbia Oil Spill Task Force.



This Annual Report does not reflect oil spill prevention and response activities on the part of any federal agencies or industry organizations except as may have occurred in response to or in cooperation with the Pacific States/British Columbia Oil Spill Task Force or a member agency.

# GOALS, MISSION, and OBJECTIVES

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## *OUR MISSION:*

The mission of the Pacific States/British Columbia Oil Spill Task Force is to strengthen state and Provincial efforts to prevent, prepare for, and respond to oil spills in our member jurisdictions through ongoing coordination among the Task Force member agencies. The Task Force will provide a forum for exchanging information, sharing resources, promoting a consistent approach to regulatory standards, collaborating with key stakeholders to address shared concerns, reviewing current legislative authorizations and making recommendations for necessary changes, and advocating for our common interest on national and international issues.

## *OUR GOALS:*

The goals of the Pacific States/British Columbia Oil Spill Task Force are:

- To prevent** both large oil spills that cause catastrophic impacts in the waters of our member jurisdictions and the cumulative impacts of chronic small spills;
- To coordinate** communication, policy development, response capabilities, prevention and preparedness initiatives, and education in order to maximize efficiency of effort; to learn from one another and share ideas and “products”;
- To clarify** the roles and responsibilities of state, provincial, and federal agencies in order to reduce regulatory gaps, overlaps, and conflicts;
- To advocate** in national and international arenas on selected issues of common concern, earning respect through credibility, clarity of purpose, and collaboration
- To work** cooperatively with federal agencies, vessel and facility operators, the oil industry, response contractors, public interest groups, and all concerned citizens to create opportunities for political and technological breakthroughs by serving as a catalyst for progressive change;
- To educate** the public on the impacts of oil spills and issues relating to spill prevention, preparedness, response, and restoration; and
- To serve** as a model of regional cooperation and coordination.

## *OUR OBJECTIVES*

**Spill Prevention:** To prevent oil spills from vessels, pipelines, facilities, vehicles and railroads through development and implementation of regulatory and public/private partnerships.

**Spill Preparedness and Response:** To enhance oil spill preparedness and response capabilities in US and Canadian Pacific coastal areas.

**Communications:** To continuously improve communications within the Task Force as well as with key stakeholders and the general public, and to maintain a high level of public and stakeholder involvement in Task Force activities.

# KEY TASK FORCE PERSONNEL

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## *Task Force Members*

**ERNESTA BALLARD** (2002-2004)

COMMISSIONER, Alaska Department of Environmental Conservation

**LINDA HOFFMAN** (2003-2004)

DIRECTOR, Washington Department of Ecology

**LAURENCE LAU** (2003-2004)

DEPUTY DIRECTOR, Hawaii Division of Environmental Health

**GORDON MACATEE** (2003-2004)

DEPUTY MINISTER, British Columbia Ministry of Water,  
Air, and Land Protection

**CARL MOORE** (2003-2004)

INTERIM ADMINISTRATOR, Office of Spill Prevention and Response,  
California Department of Fish and Game

**PAUL SLYMAN** (2001-2004)

DEPUTY DIRECTOR, Oregon Department of  
Environmental Quality



## *Coordinating Committee Members:*

**LARRY DIETRICK** (1999-2004)

Alaska Department of Environmental Conservation

**CURTIS MARTIN** (2001-2004)

Office of Hazard Evaluation and Emergency Response

**STAN NORMAN** (1995-2004)

Washington Department of Ecology

**SCOTT SCHAEFER** (2000-2004)

Office of Spill Prevention and Response,  
California Department of Fish and Game

**STAFFORD REID** (1992-1999, 2004)

British Columbia Ministry of Water, Air, and Land Protection

**MIKE ZOLLITSCH** (1997-2004)

Oregon Department of Environmental Quality

## *Executive Coordinator:*

**JEAN CAMERON** (1993-2004)

Pacific States/British Columbia Oil Spill Task Force

# FROM THE EXECUTIVE COORDINATOR

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Dear Reader,

Reviewing our accomplishments over the past year reminds me of how many people have worked hard – and well – to ensure successful outcomes. Particularly noteworthy among those outcomes is our second year of collecting and compiling regional spill data. When you review the center insert you'll find both graphics and analysis, but the amount of hard work by Jack Barfield of the Washington Department of Ecology, who chaired this Database Project Workgroup, may not be evident. All members of the Workgroup invested a great deal of effort to refine their spill data in order to ensure that we were comparing apples and apples, but Jack made extra efforts to provide project leadership, generate templates, and compile and analyze the data.

Likewise, many people have worked on the Places of Refuge project over the past year, but special thanks go to the Project Co-Chairs USCG CAPT Rob Lorigan and Linda Pilkey-Jarvis of Ecology. In addition, John Bauer of the Alaska Department of Environmental Conservation and USCG CDR Bill Whitson are making significant contributions to development of the Places of Refuge Area Plan Annex. Also noteworthy this past year were the contributions of Michael Conway, recently retired from ADEC, who moderated our roundtable discussion on cruise ship pollution, and the leadership of Laurence Lau, our Task Force Member from Hawaii, who hosted our 2003 Annual Meeting. Anita White did a great job of designing our new website, and the Coordinating Committee deserves ongoing kudos for all their work, but especially for drafting a new Five Year Strategic Plan.

Many other stakeholders have participated in events or workgroups this year, for which I am very grateful. I especially appreciate the efforts made by staff of the US Coast Guard Pacific Area and the Canadian Coast Guard and Transport Canada, since they've had many other demands on their time and attention as a result of ongoing concerns with national security.

I was able to make a vacation tour of mainland China last fall, and it was a fascinating experience. China is not just a “developing” nation, it's actually “rushing” into the 21st century. New development is everywhere; the Chinese joke and say that their national bird is the construction crane!



Besides returning to the US with an appreciation for China's ancient history and gracious people, I also gained a new appreciation for the clean environment that citizens in the US and Canada enjoy. Seven of the world's ten most polluted cities are in China; believe me, the clean air of the Oregon Coast never felt so good!

Most of all, however, I appreciate the commitment of the citizens of the West Coast and Hawaii to aggressive environmental protection. It is that commitment that has enabled the Pacific states and British Columbia to work cooperatively for the last fifteen years. I'm also proud that we can celebrate our 15th anniversary by noting a 32.6% reduction in the volume of oil spilled in this region in 2003! Congratulations to you all!

Sincerely,

Jean R. Cameron  
Executive Coordinator



### OIL SPILL TASK FORCE ACTIVITIES AND ACCOMPLISHMENTS

#### ■ *SPILL PREVENTION PROJECTS:*

##### *THE SPILL INCIDENT AND CAUSAL DATABASE DEVELOPMENT PROJECT*

Under the chairmanship of Jack Barfield of the Washington Department of Ecology, our Database Project Workgroup continued to refine and compile regional spill data that will help target our oil spill prevention activities. Workgroup membership includes Camille Stevens from Alaska's Department of Environmental Conservation, Stafford Reid for the BC Ministry of Water, Land, and Air Protection, Mary Lou Perry for Oregon's Department of Environmental Quality, Rick Holly and Spencer Ung for California's Office of Spill Prevention and Response, and Curtis Martin and Marcia Graf for Hawaii's office of Hazards Evaluation and Emergency Response. Using conference calls the Workgroup has refined their data submissions pursuant to the Data Dictionary adopted by Task Force members in 1997. Please reference the data and analysis beginning on page 56 at the end of this annual report.

Please note that we do not include data from British Columbia, since our member agency in BC is not the provincial agency that collects such data. However, Stafford Reid is designing an incident reporting system that will provide this information in the future.

##### *THE WEST COAST OFFSHORE VESSEL TRAFFIC RISK MANAGEMENT PROJECT*

The Task Force continued implementation of the 2002 recommendations of the West Coast Offshore Vessel Traffic Risk Management (WCOVTRM) Project Workgroup. We were successful in getting US and Canadian authorities to place notes on their navigation charts and detailed instructions in their Coast Pilots regarding the recommended minimum transit distances from shore last year. Our focus this year has been on tracking vessel compliance with those recommendations, on AIS carriage requirements for ocean-going tugs, and on the need for consistent ballast water exchange requirements covering coastal transits.

We commented on the US Coast Guards' proposed regulations on AIS carriage, noting that the WCOVTRM Project Workgroup had recommended that the US Coast Guard evaluate whether the information to be available through AIS carriage would provide equivalent or better tug location and capability information than that provided by the International Tug of Opportunity System. If so, the Workgroup recommended that the US Coast

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Guard take steps to ensure that this information on tug locations is made available to all Captains of the Port on the West Coast. If not, the Workgroup recommended that the US Coast Guard consider placing transponders on ocean-going tugs not already carrying them, and adding signal receiving stations as needed to establish a coastwise network for information on ocean-going tug locations.



We also submitted comments on the US Coast Guard's proposed regulations for a mandatory ballast water management program, again citing a WCOVTRM Workgroup recommendation. Noting that different offshore ballast water exchange standards have been adopted by California, Oregon, Washington, and various Canadian west coast ports, the Project Workgroup had recommended that the US Coast Guard, in consultation with Fisheries and Oceans Canada and Transport Canada, and consistent with IMO actions, adopt a single set of preemptive national or regional offshore ballast water exchange standards that would enhance the consistency of navigation for the purpose of ballast water exchange on the West Coast. In particular, we noted that these regulations should apply to coastwise transits as well as to vessels entering US waters from offshore.

We have also maintained a dialogue with the US Coast Guard regarding the need for them to maintain information on vessel transits which they will collect through AIS and other "Maritime Domain Awareness" mechanisms being developed for security purposes. Such information will be invaluable in assessing compliance with the recommended offshore transit distances and will also address the need for solid data regarding routes which vessels follow offshore.

*COMMUNICATION OF RECOMMENDED BEST INDUSTRY PRACTICES FOR VESSELS AND TUG/TANK BARGES*

Our focus this year has been on communicating the recommended best industry practices for prevention of oil spills through the use of our web site and by general outreach. These recommendations focus on voluntary spill prevention practices that are not required by law. In particular, we wanted to reach non-tank vessel operators.

Stan Norman of the Washington Department of Ecology, who has spearheaded this project, participated in a panel discussion on this topic at a session of MARAD's Ship Operations Cooperative Program (SOCP) in Houston, Texas on March 3, 2004. Michael Bohlman of Horizon Lines also participated, as did audience members representing tank vessel, dry cargo, and tug/barge operators. Stan observed that SOCP members are "good operators," and many were surprised that the recommended practices were not required by law, since they routinely apply them. Obviously our



continuing challenge is to communicate with vessel and tug operators who run marginal operations.

#### *PREVENTING POLLUTION FROM CRUISE SHIPS*

The Task Force hosted a public roundtable in San Diego on January 21, 2004 titled “On Board with Cruise Ship Pollution Prevention.” Michael Conway, who supervised Alaska’s Cruise Ship Initiative, served as Roundtable Moderator and gave a background presentation on development of Alaska’s cruise ship pollution regulations.

In his keynote address, Carlton Moore, OSPR’s Administrator, focused on why the Task Force Member jurisdictions are concerned about all aspects of cruise ship pollution, including oil spills.

Jack Geck of OSPR, who served on California’s Cruise Ship Environmental Task Force, provided an overview of the cruise ship waste streams of concern.

Tom Dow, representing Carnival Corporation and the International Council of Cruise Lines, provided the industry perspective on regulatory versus voluntary standards, and also described the technology initiatives undertaken by the cruise ship industry to reduce or eliminate their waste streams.

Kira Schmidt, Cruise Ship Campaign Manager for Bluewater Network, reported on cruise ship pollution incidents and violations of voluntary agreements, arguing for stronger state and federal standards.

Curtis Martin described successful efforts by the Hawaii Department of Health to negotiate a Memorandum of Understanding with the NW Cruise Ship Association, which includes agreements to provide oil spill contingency plans.

DR. Elizabeth Kim of EPA and CDR Jeff Brager, US Coast Guard District 11, described the federal regulatory regimes governing cruise ship pollution.

A detailed summary of these presentations and the roundtable discussions can be found on our website at: [http://www.oilspilltaskforce.org/docs/meeting\\_notes/SummaryNotesCruiseshipRt2.pdf](http://www.oilspilltaskforce.org/docs/meeting_notes/SummaryNotesCruiseshipRt2.pdf)

#### *THE PACIFIC OIL SPILL PREVENTION EDUCATION TEAM*

The Task Force Executive Coordinator staffs the Pacific Oil Spill Prevention Education Team (POSPET), which includes representatives from the

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Washington Department of Ecology, the Oregon Department of Environmental Quality, the California Coastal Commission, the Oregon State Marine Board, the Puget Soundkeeper Alliance, the Georgia Strait Alliance, and OSPR. POSPET is chaired by Eric Olsson of Washington Sea Grant.



POSPET provides a forum where these educators can coordinate outreach efforts to recreational boaters and marina operators that focus on preventing oil spills and other forms of marine pollution. Members meet annually in the fall and stay in touch throughout the year through email.

#### *MONITORING TAPS TANKERS AND VESSELS TRANSITING BETWEEN JURISDICTIONS*

Laura Stratton of the Washington Department of Ecology provides the Task Force agencies with quarterly information on the status of Trans-Alaska Pipeline (TAPS) tankers that transit the West Coast. These reports cover owner/operator, date of build or scheduled date of build, hull configuration, deadweight tonnage, conversion date if single hull or double bottom, and retirement date. This information is available at: <http://www.ecy.wa.gov/programs/spills/prevention/bap/TAPS%20Trade%20Tanker%20Report.pdf>

The Task Force member agencies also track trends in the US Coast Guard's Critical Area Inspection Program for TAPS tankers. In addition, Task Force member agencies share information among themselves regarding casualties and incidents involving both tank and non-tank vessels that are transiting between our member jurisdictions.

#### *SPILL PREVENTION TOPICS OF CONCERN*

Each year the Coordinating Committee monitors and shares information on selected spill prevention topics. Our topics for 2003-2004 included:

- Oil spill prevention research and development
- Pipeline spill prevention
- Bunkering and Oil Transfer standards
- Offshore Lightering
- Highway and railroad spill trends
- Spill prevention at facilities
- Oil spill risks from sunken vessels
- Port and facility Best Available Protection standards
- Waste oil dumping



## ■ *SPILL PREPAREDNESS AND RESPONSE PROJECTS:*

### *PLACES OF REFUGE*

The Task Force hosted a Roundtable discussion on the issue of Places of Refuge on July 23, 2003. Anil Mathur, President and CEO of the Alaska Tanker Company, keynoted and two panels of experts addressed key issues associated with decision-making during a Places of Refuge incident. Anil recommended that a Task Force Working Group, co-chaired by the US and Canadian coast guards, develop an area plan template to assist in pre-planning for ships' request for assistance. He also recommended that this work be consistent with the International Maritime Organization (IMO)'s guidelines on Places of Refuge, which were under development at the time. The first Roundtable panel focused on "The Technical Elements of Decisions regarding Places of Refuge." Panelists included Dick Fairbanks, Titan Maritime LLC; LT Sarah Scherer, NOAA HAZMAT; Fred Beech, Environment Canada, Pacific Region; Norman Meade, NOAA Damage Assessment Center; and Patrick Torres, the Honolulu Harbormaster. The second panel focused on "Places of Refuge Decision-Making Policies and Procedures." Panelists included Paul Revere, President, SeaRiver Maritime, Inc.; Gordon Macatee, Deputy Minister for the BC Ministry of Water, Land, and Air Protection; Carlton Moore, Administrator of California's Office of Spill Prevention and Response; LCDR Paul Albertson, US Coast Guard Office of Response; and Don Rodden, Canadian Coast Guard Pacific Region. Stan Norman served as moderator for the Roundtable. Details of their presentations, as well as photos, are available on our website at: [http://www.oilspilltaskforce.org/notes\\_refuge\\_2003.htm](http://www.oilspilltaskforce.org/notes_refuge_2003.htm)

Task Force Members then appointed Linda Pilkey-Jarvis, Manager of the Preparedness Section of the Spills Program at the Washington Department of Ecology, to co-chair a stakeholder workgroup to address this issue. CAPT Rob Lorigan, Chief of the Marine Safety Division of the US Coast Guard Pacific Area, agreed to represent the Coast Guard as the other workgroup co-chair. Linda and CAPT Lorigan worked with Jean Cameron to define the project and confirm Workgroup Membership. Representatives from US Coast Guard Districts 17, 13, 14, and 11 agreed to participate, as did representatives from each Task Force member agency. Representatives from Transport Canada, the Canadian Coast Guard, and Environment Canada are also participating. Industry groups represented include the British Columbia Chamber of Shipping, the Council of Marine Carriers (tow boat operators in BC), the American Waterways Operators, Pacific Region, TeeKay Shipping for INTERTANKO, and the Western States Petroleum Association Marine Committee, which includes the TAPS trade tanker operators. Non-tank vessel operators are represented by steamship

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operator associations from Puget Sound, California, and the Columbia River. Both the Cook Inlet and the Prince William Sound Regional Citizen Advisory Councils are represented, as is the David Suzuki Foundation in BC.



The Workgroup held its first meeting in February 2-3, 2004 in the Seattle area. Observers from Transport Canada headquarters in Ottawa and the US Coast Guard headquarters in Washington DC also attended. Workgroup members agreed to a charter which outlines their purpose as follows:

It is the purpose of the Places of Refuge Project Workgroup to develop a decision-making process for:

- 1) Evaluating a request for a Place of Refuge from a ship in need of assistance in a situation, apart from one requiring rescue of persons on board, that could give rise to loss of the vessel or an environmental or navigation hazard; and for
- 2) Assessing and minimizing potential economic and environmental impacts associated with such hazards.

The decision-making process developed by this Workgroup will be consistent with the Guidelines on Places of Refuge for Ships in Need of Assistance adopted by the 23rd IMO Assembly in December 2003, and will provide a framework for implementing those guidelines.

The Workgroup agreed that the first step would be to draft an annex for Area Contingency Plans based on the IMO Guidelines. Once finalized, this will be the decision-making template that will operationalize the IMO Guidelines. CAPT Lorigan, Linda Pilkey-Jarvis, USCG CDR Spencer Wood, USCG CDR Bill Whitson, John Bauer of ADEC, Don Rodden for the Canadian Coast Guard, and Gordon Mann of Transport Canada have been working as a subcommittee to draft this annex. The purpose of the annex is to facilitate pre-planning for all possible places of refuge within a planning area as well as facilitation of expedited decision-making when a request for refuge is received. We hope to have Area Committees in the Pacific region, natural resource agencies, and various other technical specialists review the draft annex over the 2004 summer, post it on our website for public comment in the fall, and secure final Workgroup endorsement by year-end.

#### *CONTINGENCY PLANNING REQUIREMENTS FOR NON-TANK VESSELS*

One of the Task Force's goals for this past year was to support initiatives by the US Coast Guard or other states to require oil spill contingency planning and response contracts for large cargo, passenger, and fishing vessels. We intend to do so by providing letters of support, testimony, or expertise as necessary. HR 2443, the US Coast Guard's 2004 Authorization Act, although not passed at this writing, includes authority



to require contingency plans from non-tank vessels 400 gross tons or larger, so we look forward to working with them on regulations to implement this statute. We continue to advocate that the US Coast Guard both delegate non-tank vessel plan review authority to the states and provide funding for such review.

#### *1-800-OILS-911*

The Task Force maintains this toll-free spill reporting number in California, Oregon, Washington, and British Columbia. The number automatically reaches the 24-hour emergency reporting center in each of these four jurisdictions as a function of the location from which the call originates. For example, a call made to 1-800-OILS-911 from anywhere in Washington will automatically be routed to the Washington emergency reporting center.

Although it is available for anyone to use, information regarding the number is targeted at recreational boaters and fishermen through the outreach efforts used by POSPET (see pages 8-9 above). Usage analysis for July 2003 through April of 2004 shows that the OILS-911 number was used 109 times during that period.

#### *THE INTEGRATED VESSEL RESPONSE PLAN GUIDELINES*

In 1998 the Task Force completed a cooperative project with the US Coast Guard and industry stakeholders that resulted in approval of a voluntary Integrated Vessel Response Plan (IVRP) format. This format allows correlation of West Coast state planning requirements with the Shipboard Oil Pollution Emergency Plan (SOPEP) required by the Canadian Coast Guard with the US Coast Guard vessel planning requirements.

The Task Force Members signed a formal agreement in 1998 reflecting their willingness to accept vessel response plans submitted in the IVRP format. They also agreed to communicate any new or revised contingency planning regulations to the Task Force Executive Coordinator for updates to the format guidance matrix. In addition, the Canadian Ministry of Transport determined that the Integrated Vessel Response Plan format will be acceptable to meet their vessel planning standards, since it includes the SOPEP format from Marpol. A formal endorsement from the US Coast Guard is also in place.

The integrated format guidance matrix is available to planholders on the Task Force website at [http://www.oilspilltaskforce.org/docs/project\\_reports/ivrp2004.pdf](http://www.oilspilltaskforce.org/docs/project_reports/ivrp2004.pdf) and is kept current with any changes in member agency contingency planning regulations, thus is an ongoing project.

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### *UPDATED MUTUAL AID AGREEMENTS*

Member agencies of the Task Force have signed two mutual aid agreements. The 1993 Mutual Aid Plan provided for sharing of member agency personnel and equipment. The 1996 Mutual Aid Agreement established protocols for member agencies to release private sector response equipment cited in approved contingency plans in order for this equipment to be moved to other member jurisdictions for spill response. This agreement also set minimum levels of equipment which has to be maintained in each member jurisdiction. 24/7 contact information is regularly updated for both agreements. Copies of these agreements are available on our website at: <http://www.oilspilltaskforce.org/agreements.htm>



### *SPILL PREPAREDNESS/RESPONSE TOPICS OF CONCERN*

The Coordinating Committee has monitored and shared information on the following oil spill preparedness/response “topics of concern” throughout the past year:

- Unannounced drill programs
- State and federal financial responsibility requirements
- Hazardous material spill contingency planning
- Response technologies, including research and development
- Salvage capabilities and regulations
- Response training standards for member agency personnel
- Task Force agency implementation of the recommended contingency plan elements
- The 2004 Spill of National Significance exercise
- Response organization certifications and mergers
- Natural Resource Damage Assessment initiatives and activities

### ■ *COMMUNICATIONS PROJECTS AND ACTIVITIES:*

#### *THE TASK FORCE WEB SITE*

The Task Force launched a new website this year; it offers the following features:

- The OVERVIEW provides background on the Task Force as well as bios and photos of all Task Force Members;
- CURRENT INTERESTS is where we post newsletters, announcements, and summary notes from recent Task Force events;
- WHAT WE DO includes our current Strategic Plan and Annual Work Plan, our Memoranda of Cooperation, and Resolutions and Agreements signed by the Task Force Members since 1993;
- The LEGACY AWARD HONOR ROLL lists all the Task Force Legacy



- Award Winners since 1999;
- NOTES & REPORTS features the current Annual Report as well as recent newsletters, Task Force comments on federal rulemaking, noteworthy correspondence, meeting notes, and project reports;
- CONTACT INFORMATION provides contact details for the Task Force's Coordinating Committee and Executive Coordinator;
- LINKS provides links to all Task Force member agencies as well as key US and Canadian federal agencies; and
- A SEARCH engine allows you to search the site if you don't find what you want in one of the categories above.

### *STAKEHOLDER PARTICIPATION*

Stakeholders monitor Task Force activities through our web site and can also participate in Task Force sponsored events or project workgroups. As noted above, a Workgroup of more than forty persons has been convened for the Places of Refuge project. We also host two public events each year: a roundtable forum and our Annual Meeting; these two events were combined in July of 2003 to focus on issues associated with the T/V Prestige oil spill. An additional roundtable on cruise ships issues was hosted in January 2004 (see details on page 8 above).

### *THE 2003 ANNUAL MEETING*

Over seventy people attended the 2003 Annual Meeting of the Pacific States/British Columbia Oil Spill Task Force, which was held in Honolulu, Hawaii on July 22, 2003. The meeting was hosted by the Hawaii Department of Health, Environmental Health Division; Laurence Lau, Deputy Director for Environmental Health, chaired the Meeting. The 2003 Legacy Awards were presented (see below), Task Force Members presented updates on programs and initiatives in each member jurisdiction, and the Executive Coordinator reviewed Task Force activities over the past year as well as initiatives outlined in the coming year's work plan.

The theme of the meeting was "The Prestige Oil Spill: What if it Happened in the Pacific Area?" and speakers addressed our response capacity in the Pacific area. The Task Force also hosted a roundtable discussion on July 23rd focused on the issue of Places of Refuge, which the Prestige oil spill had tragically highlighted.

In his keynote address, US Coast Guard Rear Admiral Charles D. Wurster, Commander, District 14, noted that "Severe weather played a role in creating the potential for the PRESTIGE calamity, but it was the failure to have an appropriate response plan that ultimately resulted in the disastrous environmental and economic effects. We in the Pacific must

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heed the painful lessons offered by the PRESTIGE, as we have from the tanker EXXON VALDEZ and the bulk carrier NEW CARISSA. We must take positive action to prevent or minimize future incidents and mitigate their impacts.” He also noted the importance of coordinating response across jurisdictional boundaries as well as planning for responses to public concerns. He called for “mounting a robust salvage effort,” use of ICS, and pre-planning at the area committee level.



The luncheon was co-hosted by the Task Force and the Clean Islands Council. Power Point and video presentations were given by Dr. Michael Ziccardi, Director of California’s Oiled Wildlife Care Network, on the topic of oiled wildlife care during the Prestige oil spill response.

Scott Schaefer, Deputy Administrator for the Office of Spill Prevention and Response, California Department of Fish and Game, moderated a panel discussion addressing the annual meeting theme. Panelists focused their presentations on our ability to respond to an offshore oil spill the size of the Prestige event. Speakers were: Kim Beasley, Clean Islands Council; Kevin Gardner, Burrard Clean Operations; Richard Wright, Clean Sound Cooperative; Dick Fairbanks, Titan Maritime, LLC; LCDR Paul Albertson, US Coast Guard Office of Response; Mike LaTorre, Marine Spill Response Corporation; and Timothy Holmes, US Coast Guard District 11.

Complete summary notes of all presentations at the 2003 Annual Meeting are available at: [http://www.oilspilltaskforce.org/annual\\_mtg\\_2003.htm](http://www.oilspilltaskforce.org/annual_mtg_2003.htm)

#### *THE 2003 LEGACY AWARDS*

The Pacific States/British Columbia Oil Spill Task Force presented four 2003 Legacy Awards for Oil Spill Prevention, Preparedness, and Response at its Annual Meeting. The 2003 Legacy Award winners were:

- The Regional Citizens’ Advisory Council of Prince William Sound, Alaska;
- Titan Maritime, LLC, headquartered in Ft. Lauderdale, Florida;
- Sause Brothers Ocean Towing Company, headquartered in Coos Bay, Oregon; and
- Ms. Margot Brown of Alameda, California.

Legacy Awards are given to industry, non-profit or public agency organizations and individuals, or for team efforts. The Task Force gives Legacy Awards for projects, accomplishments, or leadership that demonstrates innovation, management commitment, and improvements in oil spill prevention, preparedness, or response resulting in enhanced environmental protection. Efforts to promote partnerships and involve the public are favored. Organizations, individuals, or projects nominated for



the Legacy Award must be located or primarily operating in the Task Force jurisdictions of Alaska, British Columbia, Washington, Oregon, California, and Hawaii. Organizations or individuals representing a regulated industry must demonstrate a satisfactory history of compliance with state, provincial, and federal oil spill regulations. More details on the four 2003 Legacy Award winners and photos are available on our website at: [http://www.oilspilltaskforce.org/awards\\_2003.htm](http://www.oilspilltaskforce.org/awards_2003.htm)

#### *OUTSTANDING SERVICE AWARDS*

On December 8, 2003 Tom Fitzsimmons was presented the Oil Spill Task Force's Outstanding Service Award for his contributions as Washington's Task Force Member from 1996 to 2003. Tom was recognized for his "exceptional leadership as expressed by ongoing support for the Task Force's endeavors and foresight in shaping our vision of the future." Jean Cameron, the Task Force Executive Coordinator, specifically cited Tom's support for Task Force efforts to facilitate regional partnerships; the support for Task Force activities provided by Ecology staff; plus Ecology's financial and contract management support. She further noted that Tom had participated in five Annual Meetings and two Strategic Planning sessions, providing leadership and guidance on every occasion. Tom served as Washington's Task Force Member during his tenure as Director of the Washington Department of Ecology. On September 24th, Washington Governor Gary Locke announced that Tom would serve as his new Chief of Staff.

On January 22, 2004 Jean presented Stafford Reid with an Exceptional Service Award honoring his dedication and determination in creating and maintaining the Oil Spill Task Force's first website. She noted that Stafford had taken initiative to set up the original Task Force website and has maintained it with great patience and creativity for many years. It was a huge effort, and one he made as a volunteer until changing demands on his time made it clear that the Task Force needed to bite the bullet and hire someone!

#### *OTHER TASK FORCE COMMUNICATIONS AND OUTREACH ACTIVITIES*

- Pursuant to our focus on submitting Task Force consensus comments on federal initiatives, the Executive Coordinator tracks rulemaking activities and notifies member agencies of opportunities for comment on relevant proposals. Consensus comments were submitted by the Task Force this year on the US Coast Guard's proposed ballast water exchange and AIS carriage regulations (see pages 6-7 above). Copies of all these comments are available on our web site at: <http://www.oilspilltaskforce.org/comments.htm>

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- The Task Force Coordinating Committee met with representatives of the US Coast Guard Pacific Area during their winter quarterly meeting. Jean Cameron, Stafford Reid, and Heather Taylor also met with representatives from the Canadian Coast Guard, Environment Canada, and Transport Canada in December 2003. Discussion topics during both meetings focused on projects of common interest such as Places of Refuge, cruise ship pollution, tankers serving the West Coast, waste oil dumping, and the 2004 SONS exercise.
  - The Task Force responds to information requests from students, regulators, journalists, professionals, and concerned citizens worldwide. From July 2003 through May of 2004, the Task Force office responded to a number of information requests from the US, Canada, and Germany.
  - A periodic newsletter is published on our website; this “Report to Our Stakeholders” provides regular updates on Task Force activities and projects.
  - Jean Cameron serves as a member of the US Coast Guard’s Navigation Safety Advisory Council (NAVSAC), where she works with representatives of the maritime community to prevent oil spills by promoting navigation safety through applications of and revisions to both the inland and international “rules of the road,” advice on implementation of various Coast Guard programs, and reviews of safety issues associated with developments in maritime and navigation technology.
  - Jean Cameron also represents the Task Force on the Pacific Region Quality Steering Committee of the American Waterways Operators and the US Coast Guard. This team is focused on improving safety in barge and towing operations on the West Coast. Stan Norman of the Washington Department of Ecology serves as the Task Force's alternate.
  - Task Force updates are regularly provided at meetings of the American Petroleum Institute’s Spills Advisory Group.
  - Task Force and member agency staff also participated in the US Coast Guard’s Spill of National Significance (SONS) exercise in Southern California April 20-22, 2004, which exercised multiple spills, the US/Mexico transboundary response agreement, dispersant-use decisions, and Place of Refuge decisions.
  - The Coordinating Committee of the Task Force held its quarterly meetings in Honolulu, Hawaii, Portland, Oregon, San Diego, California, and Juneau, Alaska over this past work year. These meetings provide opportunities for information exchange as well as decisions on administration and implementation of projects outlined in our Annual Work Plan.





- The Executive Coordinator and Coordinating Committee worked together over the past year to develop a new Strategic Plan for 2004-2009. This was made available on our website for public comment and the final Plan will be adopted by the Task Force Members at the July 20, 2004 Annual Meeting. An annual work plan for 2004-2005 will also be adopted at that meeting; it will be the first annual plan to implement the new Five Year Plan. Both documents should be available on our website by August 2004.

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## TASK FORCE MEMBER AGENCY ACTIVITIES AND ACCOMPLISHMENTS



In addition to their dedication of staff and resources to Oil Spill Task Force projects, our member agencies have been involved in a wide range of initiatives in their own jurisdictions, as outlined below:

### ***ALASKA:***

#### ***The Division of Spill Prevention and Response, Alaska Department of Environmental Conservation (ADEC)***

□ ADEC received reports of 1,871 oil spills, 90 brine spills, and 292 hazardous substance spills in calendar year 2003. The Department conducted 252 field responses to oil spills, 8 field responses to brine spills, and 32 field responses to hazardous substance spills. The Department estimates that 75,638 gallons of oil, 80,189 gallons of brine and 184,117 gallons of hazardous substances were spilled in 2003. Of the 79 oil spills exceeding the Task Force data threshold of 500 gallons to land and one barrel to water; 49 were from facilities, 10 from vessels, and 3 from vehicles and 17 were from other sources.

□ The following three incidents resulted in significant response efforts by ADEC:

- 1) The BPXA GATHERING CENTER facility at Prudhoe Bay spilled 6000 gallons of crude oil and brine due to external corrosion on a flow line. The release, discovered on May 27, 2003 was to approximately one (1) acre of ice and snow covered tundra. The spill occurred in a pipeline culvert where the above ground pipeline exits a caribou crossing overpass constructed of gravel. The contaminated snow and ice was melted and the contaminated area “warm water flushed” to remove the oil and dilute the brine. The contaminated water was then vacuumed into trucks and injected down class II wells for disposal.
- 2) The AMERICAN EAGLE, a 43 foot fishing tender capsized and spilled 400 gallons of diesel fuel on June 25, 2003 near Port Graham. The State initiated an emergency contract with the Seldovia Oil Spill Response Team to contain and control the discharge of diesel from the vessel and provide a response capability while escorting the tow to open water. Commercial set-gillnet and subsistence fisheries in the area were temporarily closed by the Alaska Department of Fish &



Game as a result of this incident. Spill response equipment, including 500 feet of harbor boom from ADEC's newly deployed response connex in Seldovia, played a key role in the response. The vessel was taken in tow on July 3rd and scuttled at an ocean dumping site approved by the US EPA.

- 3) The City of Petersburg's CRYSTAL LAKE HYDRO PLANT spilled 20 gallons of IFO 68 turbine oil on February 4, 2003. The oil was discharged following maintenance on an oil return line from the heat exchanger in the hydro plant. The spill affected the adjacent state-owned Crystal Lake fish hatchery. The oil contaminated the hatchery water supply conduit, the hydro plant overflow line and the waters of Crystal Creek and Blind Slough. Fortunately, the oil did not contaminate either the domestic water supply or the fish incubators. ADEC mobilized and deployed containment boom and oil snare from its local response equipment container in Petersburg to the site for protection of resources as well as containment and recovery of the spill.

#### ❑ Seven-Year Spill Analysis Report

ADEC produced a spill data analysis report that reviewed spills reported over the seven-year period extending from July 1, 1995 to June 30, 2002 (State Fiscal Year (FY) 1996-2002). The spill data is used by staff to highlight any significant trends and focus our prevention and outreach efforts to educate industry and the general public, as well as to validate budget submissions and resource allocation through a risk-based decision process. This report included an analysis of spills from both regulated as well as unregulated activities in the State of Alaska.

The following are a few interesting excerpts from the report:

- A total of 15,731 spills were reported during FY 96-02, or an average of 2,247 spills per year. There is no apparent trend in the number of spills occurring annually within the state.
- Spills from unregulated facilities (84%) occur more than five times as frequently than spills from regulated facilities (16%), and result in over 2,260,000 gallons of spilled product (as compared to 807,512 gallons of spillage for regulated facilities).
- The majority of spills (57%) were 10 gallons or less. The largest percentage (94%) in terms of cumulative spill volume occurred from spills of 100 gallons or more.
- The most common product category spilled was non-crude oil, which also accounted for nearly half of the total volume spilled during this seven-year reporting period. By comparison, crude oil spills made up only 4% of the total number of spills, and accounted for 16% of the total volume spilled.

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An electronic version of this report is also available on the ADEC website at: <http://www.state.ak.us/dec/spar/perp/data.htm>



❑ **Statewide Hazmat Response Work Group & Exercises**

The Statewide Hazmat Response Work Group met on three occasions during calendar year 2003. Items discussed included additional Level A Hazmat Teams in the State, the Statewide Decontamination Strategy, federal and State funding issues, lessons learned from recent Hazmat responses, and general overall training, exercises, and preparedness activities. The Statewide Hazmat Steering Committee met twice during 2003 to provide overall direction to the work group.

A Level A Hazmat Team is now operationally ready in Kodiak, while another Level A Hazmat Team will soon be operational in Valdez. Both of these teams are considered part of the Statewide Hazmat Response Team, and may be deployed beyond their jurisdictional boundaries to support a response to a major Hazmat incident anywhere in the State.

As mentioned in the previous annual report, two cold weather decontamination exercises were held in January 2003 (Anchorage) and in February 2003 (Fairbanks). The Anchorage exercise focused on casualty rescue and decontamination, while the Fairbanks exercise concentrated on primary decontamination of Hazmat team members following a response to a Hazmat incident. Additionally, a cold weather radiological exercise was held in Fairbanks in February 2004. A shipboard Hazmat response exercise was also held on a State ferry vessel in March 2004.

❑ **Federal/State Spill Response Planning**

The Unified Plan is undergoing revision and the public review draft of Change 3 is being prepared. Change 1 to the Cook Inlet Subarea Contingency Plan has been completed and will be distributed in May 2004. The change incorporates 94 Geographic Response Strategies (GRS) which have been developed for the Cook Inlet subarea.

The Southeast Alaska Subarea Committee will be convening in April 2004 to begin development of Change 1 to the Southeast Subarea Contingency Plan. The change will incorporate the 60 GRS developed for the Southeast Alaska subarea. Change 2 to the Prince William Sound Subarea Contingency Plan will be drafted immediately after this year's PREP exercise (scheduled for August 2004). The change will incorporate the 29 GRS developed for the subarea, as well as pre-identified places of refuge, and other changes to the plan.



A new project has been initiated to develop a GRS for the Aleutians subarea. The initial meeting of the work group is scheduled for May 2004. Pre-identified potential places of refuge are also included as a deliverable for this project.

Updated risk assessments for the Aleutians, Bristol Bay, Western Alaska, Northwest Arctic, and North Slope are also underway. These risk assessments will be applied to develop GRS for the Aleutians, and for future development of GRS for the remaining subareas.

*The Alaska Regional Response Team (ARRT) Science and Technology (S&T) Dispersant Workgroup* initiated efforts to revise the current *RRT Oil Dispersant Guidelines for Alaska* (Annex F of the Unified Plan). During 2003, the S&T workgroup completed technical review of dispersant and shoreline impact information generated after the approval of the current guidelines dated September 1999. This information will be applied to the guideline revisions. The goal of the workgroup effort is to update the current guidelines - redefining the dispersant use pre-approval zone boundaries within Prince William Sound and Cook Inlet to provide for the most efficacious response options.

#### **❑ Places of Refuge**

ADEC is a member of the Alaska Regional Response Team and Pacific States/BC Task Force Places of Refuge working groups tasked to develop procedures for addressing requests for safe havens for vessels. ADEC is coordinating the development and review of the Places of Refuge drafts in parallel with both groups. ADEC is building upon previous Places of Refuge work in Cook Inlet and Gulf of Alaska spill drills to share information with both working groups. The procedures include a risk-based decision-making process to guide regulators, industry, and stakeholders for deciding if a ship in distress may be offered a safe haven and where it may be taken.

#### **❑ Illegal Methamphetamine Drug Lab Cleanup Regulations**

In July of 2003, the Alaska State Legislature passed House Bill (HB) No. 59, "An Act relating to the evaluation and cleanup of sites where certain controlled substances may have been manufactured or stored". The bill was designed to provide a mechanism for property owners impacted by the manufacture of illegal drugs to have the property declared 'fit for use' or reoccupied after being cleaned. The bill tasked ADEC to establish health based standards, identify analytical methods, develop sampling protocols, and develop decontamination guidelines.

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ADEC established a workgroup to manage and research available information to meet the department's obligations. Workgroup tasks included review of the legislative intent, methamphetamine manufacturing methods used in Alaska, identification of established health standards, research of other states' regulations for reoccupation or 'fit for use' criteria, sampling protocols and analytical methods, and decontamination guidelines.



As a result of their research, the recommendation from the workgroup was to adopt the State of Washington's decontamination standards. Washington's standard is based upon 'achievable and measurable' results, as there is no health based standard for chronic low levels of exposure to methamphetamine. Cleanup guidelines are in the process of being written. The guidelines are to identify appropriate analytical methods, sampling protocols, and decontamination guidelines.

Additionally, laboratories that are capable of performing the required analytical method are to be identified. The draft regulations are expected to be out for public review during calendar year 2004.

#### **❑ Community Spill Response Agreements**

ADEC negotiated two new Community Spill Response Agreements in 2003, increasing the total number of agreements to forty-five (45). These agreements continue to expand the State's pool of responders and provide "first response" capability in some areas for the first time. ADEC also pre-positioned five additional spill response equipment packages, which are available at cost to local communities, responsible parties, spill response cooperatives, and response action contractors. The addition of these five packages also brings the total number of response equipment packages statewide to forty-six (46).

#### **❑ Alaska Land Mobile Radio (ALMR) Project**

DEC has dedicated funds to participate in the ALMR project. This project will build a shared (federal, state, local governments) trunked land mobile radio communications system. This system will provide each agency autonomous day-to-day communications as well as the ability to transition seamlessly to a full featured interoperable system for responders. This system replaces most of the aging systems in place today with the ability to respond more effectively to natural and man-made disasters, as well as mutual homeland defense issues. This system is scheduled to be phased in, beginning in 2002, and is estimated to be completed in 2006. This project will aid in effective responses across federal, state, and local jurisdictions.



❑ **Oil Spill Contingency Plan Approvals Extended from 3 to 5 Years by Senate Bill 74**

This new standard allows more time for field inspection and exercises, with less time spent by ADEC staff in the office reviewing paperwork. The increased frequency of inspections allows the State to verify that prevention measures are in place and are operable (we test pipeline leak detection systems, overfill alarms on storage tanks, etc.). The increased frequency of exercises allows the State to verify that response actions will be effective in the event of a discharge. This revision also allows state plan renewals to coincide with federal plan renewals, providing an opportunity for plan holders to increase efficiencies in their internal plan review and revision process. Our performance targets for FY04 call for the number of inspections to double and the number of exercises to increase by 45% as a result of this change.

❑ **Contingency Plan Regulations Project**

Exploration and production facility plans prepared under the existing regulations have led to substantial improvement in oil spill preparedness and response capability in Alaska. However, ambiguities and lack of well-defined standards have led to ongoing and increasing adjudication and litigation, frustrating the regulated community, other stakeholders and ADEC staff. This project is intended to review and evaluate existing response plan requirements for exploration and production facilities with the goal of providing greater clarity and consistency, reducing the possibility of conflicting interpretations, and to foster clarity and certainty through clear and consistently applied response plan requirements for oil exploration and production facilities. This will be a multiple-phase project extending over several years, as follows:

- Phase 1 – Review & Update of Exploration and Production Facility Contingency Plan Requirements (18 AAC 75, Article 4)
- Phase 2 – Review & Update Oil Spill Prevention Requirements (18 AAC 75, Article 1)
- Phase 3 – Review & Update the Contingency Plan Review & Approval Process (18 AAC 75, Article 4)
- Phase 4 – Review & Update of Contingency Plan Requirements for other regulated activities (18 AAC 75, Article 4)

The timetable for Phase 1 (Exploration & Production Facility C-Plan Requirements) will be:

- Project started Spring 2003
- Public draft “straw man” version of changes published and public workshops held in April-June timeframe

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- Proposed regulation changes published for public comment in September, public comment period ended October 13, 2003
  - Final regulation will be effective May 26, 2004



The timetable for Phase 2 (Prevention Requirements) will be:

- Project started Fall 2003
- Will address oil spill prevention issues
- “An ounce of prevention is worth a pound of cure”

For more information, ADEC’s spill program website is at:  
<http://www.state.ak.us/dec/spar/index.htm>



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## ***BRITISH COLUMBIA:***

### ***Environmental Emergency Management and Permits, the British Columbia Ministry of Water, Land and Air Protection***

- ❑ The Ministry of Water, Land and Air Protection (WLAP) works to protect people, property, and the environment from environmental hazards through its emergency management program. This program undertakes emergency planning and coordination and uses trained Response Officers for oil and hazardous material response. The Regional Operations Branch in Victoria undertakes environmental emergency planning.
  
- ❑ On average, more than 3500 environmental emergencies are reported to the ministry annually; most are hazardous material spills and releases. Response Officers located in regional offices are available to respond to these spills. There is a Manager, Environmental Emergency Planner and an Emergency Operations Officer in Headquarters (Victoria) for planning and preparedness of large-scale incidents from marine, freshwater, and land based hazards.
  
- ❑ There are interagency coordinating committees established to promote cooperation among oil spill response agencies. Memberships include WLAP, Environment Canada, Fisheries & Oceans Canada, Burrard Clean Operations, Transport Canada and the Port of Vancouver. The committees meet regularly to exchange information and to discuss training, equipment, and response issues of mutual concern.
  
- ❑ The BC Ministry of Water, Land and Air Protection supports and monitors Coast Guard (both US and Canadian), shipping and oil industry initiatives towards marine oil spill prevention, preparedness and response. Issues of concern include:
  - Improving rescue tug capability along BC's West Coast;
  - Assessing shipping risks on the outer BC coast posed by vessels on the great-circle route, en route to Alaska, or operating in Canada's territorial sea;
  - Phasing out of single-hulled oil tankers serving the Trans-Alaska Pipeline System (TAPS);
  - Promoting a unified command approach in marine oil spill response among lead jurisdictions and the Responsible Party;
  - Reducing chronic spills from commercial and recreational vessels, and
  - Promoting compliance on waste discharges from passenger and other major vessels.

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❑ The Province, through its Ministry of Sustainable Resource Management, continues to maintain the Coastal Inventory and Oil Spill Response Information System for coastal protection and planning (<http://wlapwww.gov.bc.ca/eeeb/osris/osris.html>). This computer-based system utilizes satellite imagery with video and geographically linked/mapped coastal inventory data for determining shoreline sensitivity. Coastal resource and land use data have been gathered for the Strait of Georgia, Vancouver Island and Central Coast. An atlas of the west coast of Vancouver Island is available on CD-ROM.



❑ The Ministry of Water, Land and Air Protection is an “associate member” of Burrard Clean Operations for the purpose of improved response capability and to facilitate closer industry and government cooperation.

❑ In accordance with the Ministry’s Service Plan (available at [www.bcbudget.gov.bc.ca/sp2004/wlap/](http://www.bcbudget.gov.bc.ca/sp2004/wlap/)) the ministry has developed a framework to guide response to high-risk environmental and human health and safety emergencies. This risk-based decision model guides its Response Officers on whether to attend a spill in the field by taking into account public safety, environmental sensitivity, response capability and timing of other responding agencies and the Responsible Party.

❑ A major focus of the emergency management program will also be to expand industry and local government responsibility for response to and clean up of spills.

❑ A spill incident database is currently being developed. This data-base will have a strong program evaluation component that includes: capturing data on industrial sectors that cause spills, measuring response performance by all government sectors (local, federal and provincial) and the Responsible party, determining spill cause factors, and tracking response costs.

❑ The Ministry of Water, Land and Air Protection, as the lead provincial agency for spills, is currently training and equipping two Incident Management Teams to deliver on its three response plans for major environmental emergencies (BC Marine Oil Spill Response Plan, BC Inland Oil Spill Response Plan, and BC Hazardous Material Response Plan). These plans and supporting operational guidelines can be found on the Emergency Program’s homepage at: [www.gov.bc.ca/eeeb/eeephome/index.htm](http://www.gov.bc.ca/eeeb/eeephome/index.htm)



□ In addition, the following reports and documents are available (while supplies last) from the British Columbia Ministry of Water, Land and Air Protection, PO Box 9377, Stn Prov Govt, Victoria, BC, V8W 9M1, CANADA

- BC Coastal Marine Facility and Operating Standards Manual (11/91)
- Guidelines for Industry Emergency Response Plans (3/92)
- Coastal Resources Oil Spill Response Atlas: Southwest Coast of Vancouver Island (8/90)
- Coastal Resources Oil Spill Response Atlas: Southern Strait of Georgia (11/93)
- Oiled Marine Shoreline Cleanup Training Course (5/95)
- Basic Marine Oil Spill Safety Training Course (5/95)
- The Double Hull Issue and Oil spill Risk on the Pacific West Coast(7/95) (on internet site)
- Benefit-Cost Analysis of Expediting the Schedule for Double-Hulling Oil Tankers and Barges Operating in and near British Columbia Waters (9/95)
- Benefit-Cost Analysis of Establishing a Dedicated Rescue/Salvage Tug to Serve Canada's Southern West Coast (9/95)
- Financial Preparedness for a Major Marine Oil Spill in British Columbia (9/95)
- BC Marine Oil Spill Response Plan (on internet site)
- BC Inland Oil Spill Response Plan (on internet site)
- BC Hazardous Material Response Plan (on internet site)
- Operational Guidelines for Site-level Emergency Response (on internet site)
- Incident Command Post Signage kit (2004)
- Spill Incident Personal Registration Database (2004)

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**CALIFORNIA:**

***The California Department of Fish and Game's Office of Spill Prevention and Response (OSPR)***



□ The Office of Spill Prevention and Response (OSPR), division of the Department of Fish and Game (DFG), is the lead State agency for off-highway oil spill prevention and response in California. The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990 (Act) established OSPR and provides the OSPR Administrator with substantial authority to direct spill response, clean-up, natural resource damage assessment and restoration.

□ Mr. Carlton Moore became OSPR's Interim Administrator on March 3, 2003. Moore continues in his lead position at OSPR awaiting appointment confirmation or replacement. A senior attorney with OSPR and past Deputy Administrator, Moore is well-qualified to be at the helm, with extensive expertise in federal legal issues as well as admiralty and international law. He earned his B.A. in political science at the University of California, Santa Barbara, and completed post-doctorate studies in admiralty at the University of Pacific's McGeorge School of Law. He also served 33 years in the U.S. Coast Guard Reserve, attaining the rank of Rear Admiral.

□ **Legislation**

SB 849 (Torlakson, Oil Spill Prevention and Response) - Under existing law, the Administrator is authorized to collect a fee sufficient to carry out the purposes of the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. SB 849 (Chapter 514, Statutes of 2002) authorized a one-cent increase (from 4 cents to 5 cents) of the maximum fee that can be charged by OSPR on each barrel of oil and petroleum products entering California over or through State marine waters. As also provided in SB 849, Government Code Section 8670.41 states: "...The Administrator shall charge a non-tank vessel owner or operator a reasonable fee, to be collected with each application to obtain a certificate of financial responsibility, in an amount that is based on the Administrator's costs to implement this chapter relating on non-tank vessels. Before January 1, 2005, the fee shall be...\$2,500 or less..." The legislation also allows the fee to be reduced for non-tank vessels which pose a reduced risk of an oil spill. Emergency regulations were approved by the Office of Administrative Law (OAL) to implement the provisions of SB 849. The Notice of Proposed Rulemaking was mailed in early February, 2003. Public hearings were held in April at the Port of Long Beach. OAL approved the regulations on June 26, 2003.



#### ❑ Revised Local Government Grant Regulations

The Local Government Grant regulations implement a program that provides money for local governments to complete, update or revise an oil spill contingency plan, to help provide a coordinated oil spill response and clean-up effort between the local government, OSPR, and federal officials. This program has been in place since 1993. All counties that have jurisdiction over or within marine waters have done their initial local oil spill contingency plans, and are now submitting updates. The regulations have been updated to reflect this, as well as make other clarifying amendments. These amendments were approved by OAL on June 6, 2003. The significant changes are:

- Limit the inclusion of local governments on the Unified Command only if this accommodation has been pre-arranged in an MOU with OSPR, and only if certain conditions are met, including recognition by the Local Government of the Federal On-Scene Coordinator's and State On-Scene Coordinator's authority to direct oil spill response;
- Clarify and provide consistency with the terms and titles used to describe the Unified Command System;
- Update geographic boundaries to make them consistent with the US Coast Guard Designated Areas
- Refine some of the terms and conditions of the Grant Agreement;
- Amend the format of local plans, for consistency with Area Contingency Plans;
- Clarify the coordination of local governments' oil spill response personnel with that of the State's Incident Command System, which is used within the Unified Command structure; and
- Clarify permissible uses of the grant money.

#### ❑ 2003 Spill Statistics

OSPR's communication center received reports of 6,750 petroleum spills to water in 2003. The majority of these were in Kern and Los Angeles Counties. 211 petroleum spills reported in California during 2003 were above the Task Force reporting thresholds of 500 gallons to land and 42 gallons (one barrel) to water. 1.9 percent of these were from pipelines, 7 percent from vessels, 10 percent from vehicles, 4.3 percent from merchant/business, and 60.2 percent from facilities. Another 11.4 percent are listed as "other" sources. In 2003, crude oil was the most common oil spilled, representing 35 percent of these reports. Diesel fuel made up 15 percent, bunker C/HFO, gasoline, hydraulic oil, and waste oil combined for 33 percent in this category; jet fuel/kerosene and other/unknown oils made up 18 percent of the spills included here. Equipment failure was listed as the cause of 43 percent of these spills, with human error following at 36 percent. Another 21 percent were unknown.

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### ❑ Mad River Slough Incident Settled

OSPR, in a joint agreement with the North Coast Regional Water Quality Control Board (Water Board) and the Humboldt County District Attorney, reached an \$800,000 settlement with Sierra Pacific Industries, Inc. (SPI), in an enforcement case involving water and soil pollution caused by SPI's Arcata Division Sawmill, located adjacent to the Mad River Slough, near Manila, California. Key provisions of the settlement require SPI to clean up the pollution and pay \$500,000 to fund environmental restoration projects. The settlement follows a three-year investigation by DFG and the Water Board. The investigation, initiated by a DFG warden, determined SPI had discharged into the Mad River Slough sawdust, petroleum and petroleum by-products, zinc, copper and other metals, pentachlorophenol (PCP) tetrachlorophenol (TCP), associated wood treatment chemical by-products such as dioxins and furans, and other pollutants associated with operations at the sawmill. The Mad River Slough - an estuary area connected to Humboldt Bay - is an important source of food for wildlife and aquaculture. The settlement further bolsters these ongoing cleanup activities, by requiring SPI to complete the risk assessment and cleanup, as directed by the Water Board. SPI must also construct a pond, roof, drainage, and conveyance systems to prevent the pollution from occurring again, and cleanup residual woody debris remaining from prior discharges. The settlement further stipulates that SPI will comply with all Water Board orders, and further reiterates compliance with Fish and Game Code section 5650. This - the oldest water pollution law in the U.S. - makes it illegal to permit any substance or material that could harm fish, plants, or birds to get to any areas where it could pass into waters of the State. SPI agreed, due in part to a natural resources damage assessment prepared by OSPR, to pay \$500,000 to DFG. The Department will place the money in the National Fish and Wildlife Foundation Environmental Fund for Habitat and Incident-Specific Restoration Projects. These funds will be applied to wetlands restoration and/or enhancement projects in and around Humboldt Bay. The remainder will be paid for civil penalties and costs to the State Water Resources Control Board's Cleanup and Abatement Account and DFG's Wildlife Pollution Account, where it will be available for use by the State to fund other restoration and cleanup actions. SPI will pay all Water Board costs for enforcement of this settlement agreement. If the company fails to meet the terms of the agreement, the settlement requires SPI to pay an additional \$100,000 penalty. SPI is also required to provide government officials access to the site at all reasonable times, to inspect the pollution prevention systems, records and contracts, collect samples for testing, and ensure that the terms of the settlement agreement are being met. The settlement was finalized and approved by the Humboldt Superior Court in August, 2003. Many terms from the State's settlement were incorporated into a locally-publicized agreement reached





in a parallel lawsuit against SPI, filed by the Ecological Rights Foundation (ERF). For example, the ERF settlement includes the \$500,000 in environmental restoration funds that SPI will pay under the State's settlement. The ERF will receive \$700,000 in attorney's fees, costs, and oversight expenses under its agreement. The two settlements require SPI to pay a combined total of \$1.5 million.

❑ **1991 Mobil/Santa Clara River oil spill settled**

OSPR, in co-operation with the U.S. Department of Justice, U.S. Fish and Wildlife Service (USFWS), and U.S. Environmental Protection Agency (EPA), have settled the Mobil/Santa Clara River oil spill. ExxonMobil Oil Corporation will pay the United States and the State of California \$4.7 million in compensation for the crude oil spill from a southern California pipeline operated by the former Mobil Oil Company. The bulk of the \$4.7 million settlement will be toward restoration of naturally resources injured by the spill; the remainder will be paid as federal and state civil penalties and other damages. The discharge occurred from a segment of the M-70 pipeline beneath the Valencia Golf Course in Valencia, Los Angeles County, on January 31, 1991. M-70 runs from Lebec in Kern County to Torrance in Los Angeles County. The oil flowing from the ruptured pipeline fouled 15 miles of the Santa Clara River in both Los Angeles and Ventura Counties. Although Mobil responded promptly to the spill, damages to flora and fauna in and along the river were unavoidable. This settlement resolves past violations by the former Mobil Oil Co., and will pay for habitat restoration and preservation projects in and along the Santa Clara River to compensate for the natural resources injured by the oil spill. The Santa Clara River and surrounding habitat are home to a rich abundance of plant and animal life, including numerous endangered and threatened species, protected under federal and State laws. Restoring injured natural resources in this area is of great benefit to the local ecology and the public. This settlement is a positive example of what can be accomplished through a close federal-state working relationship. The mutual partnership produced needed funds that effectively offset the losses caused by the spill into the Santa Clara River.

❑ **Analytical Laboratory Support Services Program**

In the wake of S.S. Jacob Luckenbach spill and subsequent oil recover operation in 2002, the Dept. of Fish and Game's (DFG's) five analytical support laboratories, specifically our Petroleum Chemistry Laboratory, were instrumental in solving the "San Mateo Mystery Spill" incident with its positive identification and match of oil samples taken from the sunken wreck of the Luckenbach and additional samples (archived and newly acquired) from oiled seabirds. The primary mission of the analytical laboratories is to provide protection of the State's freshwater, marine, and

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estuarine fish and wildlife and the habitats upon which they depend by providing technical support, expertise, investigatory and monitoring information required to successfully administer DFG's pollution, water quality and spill prevention and response programs as mandated by the Fish and Game Code and the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. DFG's five separate physical facilities include:



- The Fish and Wildlife Water pollution Control Laboratory, which also includes the Aquatic Bio-assessment Unit;
- The Petroleum Chemistry Laboratory;
- The Pesticide Investigation Unit and Aquatic Toxicology Laboratory;
- The Marine Pollution Studies Group, which includes the Moss Landing Marine Laboratory; and
- The Granite Canyon Marine Pollution Laboratory.

These five facilities have been consolidated and report to a single point of management in the Office of Spill Prevention and Response and operate as one cohesive unit. These laboratory facilities provide full service capabilities in the areas of analytical chemistry (water, sediments, tissue and oil), freshwater and saltwater bioassays, and aquatic, biological assessment monitoring. Services include organic and inorganic chemical analysis, biological interpretation of chemical results, aquatic macro invertebrate assessment of damage and recovery of aquatic systems, field sampling assistance, sample preparation and processing (for programs investigating pollution cases and water quality and toxicology issues that involve environmental contaminants), and environmental monitoring.

❑ OSPR's website is: <http://www.dfg.ca.gov/Ospr/>



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## ***HAWAII:***

### ***Hazard Evaluation and Emergency Response Office of the Environmental Health Administration in the Hawaii Department of Health (HEER)***

□ The Hazardous Evaluation and Emergency Response (HEER) Office serves the people of the State of Hawaii by addressing all aspects of releases of hazardous substances into the environment, including oil. Our work includes preventing, planning for, and responding to hazardous substance releases or risks of releases. The HEER Office accomplishes this mission by addressing contaminated sites with the highest risk to human health and the environment, preventing contamination rather than cleaning up after the fact, and basing decisions on sound scientific principles and common sense.

The office is comprised of three operating sections, each addressing an important aspect of its mission. The implementing sections are organized as follows: 1) Emergency Preparedness and Response; 2) Site Discovery, Assessment and Remediation; and 3) Hazard Evaluation.

#### **□ Emergency Response Significant Site Summaries**

The HEER Office Emergency Preparedness and Response Section (EP&R) State On-Scene Coordinators (SOSCs) are responsible for planning and preparing for, and responding to releases of a hazardous substance and/or oil that may cause immediate and substantial threat to human health or the environment. The SOSCs have been trained to enter hazardous atmospheres in self-contained breathing apparatus and various types of personal protective equipment. As back-up personnel to first responder County HAZMAT teams, SOSCs are on 24-hour call.

During FY 2003, the HEER Office received 403 notifications of which 358 were directly concerned with the release of hazardous chemicals or oil spills. Of the 358 notifications reported, 71 required a site visit by a State On-Scene-Coordinator (SOSC) and/or a major off-scene coordination and response effort. Notable spill responses during FY 2003 included the following:

- Honolulu Harbor Area-wide Contamination
- Hilo Bayfront Soccer Fields
- Vessel Groundings
- Environmental Crimes

In addition, the HEER Office receives many notifications that involve small spills; these are usually resolved in less than one day.

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### ❑ **Honolulu Harbor Area-wide Contamination**

The Iwilei District Operating Partners (IDOP) have continued to focus on preventing the release of the existing area wide petroleum contamination into the Honolulu Harbor and the waters of the State. The Hawaii Department of Health HEER Office has continued the oversight of source control, containment, response activities, and pipeline mapping. The Environmental Protection Agency (EPA) Federal On-Scene Coordinators (FOSCs) are assisting in this State lead joint project.



The IDOP is a group of organizations that negotiated a voluntary agreement with the DOH to define responsibilities for prevention of releases in the Iwilei area. This agreement will augment the current voluntary agreement between the Iwilei District Participating Partners (IDPP) and the DOH to control releases, delineate the extent of contamination, remove sources, and remediate the Iwilei area.

The FY 2003 emergency response issues for the Honolulu Harbor area included seepage of petroleum hydrocarbons from the Pier 26 bulkhead into the harbor, and Pier 32 seepage onto the pier at the old Pauley/Shell asphalt plant. The Pier 26 seepage was patched and the IDPP has plans to excavate the area to find and remove the source. At the close of FY 2003 the Pier 32 seepage was being cleaned up, and plans to investigate the source were underway.

Also during FY 2003, the Nimitz Highway corridor in the area of Pacific and Sumner streets was in the process of being excavated for a Board of Water Supply new water main and street resurfacing project. During construction contamination was encountered. The contaminated area was partially excavated by the contractor, and was mapped and referred to the IDPP. The project and mapping continues for FY 2004.

The HEER Office will continue to provide oversight of the prevention and cleanup activities. The work will entail the evaluation of current facilities and the control and elimination of future releases. It is envisioned that the area wide remediation effort will require staff time for several more years.

### ❑ **Hilo Bayfront Soccer Fields**

In November 2001, contaminated soil from an old gasification plant was deposited onto the Hilo Bayfront soccer fields via the Alenaio Stream Flood Control Channel. Contractors removed approximately 70 cubic feet of tar-like fuel residue from the stream bank. The tar and contaminated soil removed from the fields was disposed of as non-hazardous wastes. Following removal activities, the fields were capped with clean soil by



Hawaii County. The flood also wiped out monitoring wells that had been constructed to assess the impact of the buried tar on groundwater. These wells were restored by the County and FEMA.

Currently a berm located at the Northern end of the site contains approximately three thousand cubic yards of buried tar left by the Army Corps of Engineers during construction of a scour pond for the channel. Samples taken from the new wells show no significant impact to groundwater. In an effort to find an on-island solution, the HEER Office has asked the EPA to assist in determining the environmental impact of the tar, as well as alternatives for its removal. There have been many of these old cooking gas manufacturing plants on the West Coast, and the EPA has been involved with cleaning up most of them. Pending the EPA's review of the site's historical documents and recommendations, the berm will then be thoroughly sampled.

#### **❑ Vessel Groundings**

On November 28, 2002 the 60 foot steel hull fishing vessel "Kolea" grounded off Diamond Head Light House releasing 1000 gallons of diesel fuel. Weather, and the fact the vessel was located in the surf line, prevented removal of the vessel until December 1. The vessel was towed offshore and scuttled in 300 feet of water.

On January 4, 2003 the motor vessel "Messenger of Peace" grounded on the reef off Maui in waters of the Humpback Whale Marine Sanctuary with 1000 gallons of diesel fuel on board. The owner had no insurance and was unable to pay for removal of the vessel. The Coast Guard transferred the fuel from the vessel and a National Oceanic and Atmospheric Administration (NOAA) contractor removed the vessel from the Marine Sanctuary for offshore disposal.

#### **❑ Illegal Dumping on All Islands**

The HEER Office continually receives reports of drums and containers abandoned on the sides of the road and in remote places. Historically, drums that have been "abandoned" typically contain hazardous waste and/or petroleum, used cooking oil and grease trap waste, and are often found to be leaking. The HEER Office and Environmental Crimes Task Force is working to coordinate law enforcement and response efforts to mitigate the problem.

❑ HEER's website is at: <http://www.state.hi.us/health/eh/heer/>

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**OREGON:**

***Emergency Response Program, Oregon Department of Environmental Quality***



❑ The Department of Environmental Quality (DEQ) has not had any legislative activity with regard to oil spill prevention, preparedness or response this year and does not anticipate any next year when the legislature convenes for the biennial session.

❑ This year DEQ has been working on updating enforcement rules for all programs. Enforcement rules specific to the Emergency Response Program include: oil spill prevention and contingency planning (OAR 340-141), emergency response to releases of oil and hazardous materials (OAR 340-142) and ballast water (OAR 340-143). The enforcement rules describe what actions DEQ may take when environmental rules are violated.

❑ DEQ has spent a significant amount of time working with other state agencies on State Homeland Security issues.

❑ DEQ received 2,164 spill notifications from the Oregon Emergency Management Division in 2002.

- One hundred forty one (141) of these spills were petroleum products spilled in volumes greater than 42 gallons (down from 182 last year);
- Eight (8) of the petroleum spills were over 1000 gallons (down from 11 last year);
- There were 64 spills to navigable waters of the state, but only 13 involved petroleum products;
- There were only two (2) oil spills from regulated facilities or covered vessels, but both were fairly minor; and
- Thirty eight (38) spills were from fishing vessels or other harbor craft.

❑ The most significant spills during 2003 were inland spills from a train wreck and from petroleum tank trucks. The case study below is fairly typical:

The Oregon Department of Environmental Quality (DEQ), the Environmental Protection Agency (EPA), Oregon Department of Transportation (ODOT), and Harris Transportation Company worked in a Unified Command to direct cleanup of contamination caused by the release of over 6,000 gallons of gasoline on Highway 38, following a tanker truck crash Monday, September 8. The crash occurred about three miles east of Scottsburg, spilling about 6,200 gallons of gasoline. Initially the gasoline ignited, but firefighters were able to extinguish



the blaze. There is no estimate of the amount of gasoline consumed by the fire, or the amount that migrated into the soil. An undetermined amount of gasoline went into the road and into the embankment on the south side of the road, threatening the Umpqua River flowing below.

DEQ conducted an assessment of the contamination and need for cleanup soon after the fire was out. EPA arrived the following day. Along with Harris Transportation Company, they formed the Unified Command to ensure a safe and complete cleanup. Contractors worked on the initial stabilization action. Harris Transportation Company then contracted with additional companies to complete the cleanup work. The contractors were charged with planning, operations, and safety under the oversight of the Unified Command.

The work began as soon as the ground had cooled from an initial blaze that began when gasoline from the spill ignited. After a day of exploratory excavation and testing to determine the location and extent of the gasoline contamination, the Unified Command determined that the best way to remove the contaminated soil was directly through the roadbed. To keep traffic moving, a gravel road was constructed as a 200-foot temporary bypass on the north side of the highway. Soil removal in the south lane of the highway produced 1550 cubic yards of contaminated soil from an excavation that was 38 feet deep, and took crews four days to complete. ODOT directed the backfilling of the excavation and repaving of the road.

The Unified Command successfully coordinated work to keep the gasoline out of the Umpqua River. No gasoline sheen was seen on the river. Water samples below the spill showed limited initial impact from gasoline constituents, but resolved after a culvert pathway from the contamination to the river was stopped. As a precaution, absorbent booms were placed in the river near the crash site. Daily monitoring continued for several days to confirm that gasoline was not making its way to the river. The Oregon Department of Fish and Wildlife visited the site, and found no impact to aquatic life.

Two-way traffic resumed on the repaired highway, after crews finished the cleanup work and repaved the road. Extensive safety precautions were required due to concerns about gasoline vapor levels and because previous work had been done to control a landslide, leading to stability concerns for the excavation. With the road repaved and re-opened, the work that remained involved construction of wells to monitor the groundwater, and disposal of the excavated contaminated soil.

❑ For more information on the emergency response programs at DEQ, please go to <http://www.deq.state.or.us/wmc/cleanup/cugrmain.htm>

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**WASHINGTON:**

***The Spill Prevention, Preparedness, and Response Program of the Washington Department of Ecology***



**□ Evolution of the Spill Prevention, Preparedness, and Response Program**

After the 1988 Nestucca spill off Grays Harbor and the 1989 Exxon Valdez spill in Prince William Sound, Alaska, Washington's citizens and legislature became very concerned about the potential for massive environmental damage from an oil spill in Washington waters. Since all crude oil refined in Washington arrives via ship or pipeline, the need for vessel and facility spill prevention, preparedness, and response was considered to be extremely important. Therefore, in 1991 the Oil Spill Prevention and Response Act became law.

When the law became effective, the state Department of Ecology (Ecology) developed an effective prevention and preparedness program for land-based facilities, and expanded its response program. At the same time, the Office of Marine Safety was established and focused on vessel spill prevention and preparedness. In 1997, the Office of Marine Safety merged with Ecology creating the Spill Prevention, Preparedness, and Response Program. The following is a description of the 2003 program activities.

**□ Prevention Section**

The oil spill prevention section is dedicated to keeping pollutants out of the environment thereby protecting the environment and public health. Prevention inspectors visit oil-handling facilities and check for compliance with approved operation manuals and training certification programs. They also inspect vessels identified as most likely to cause problems. They investigate spills and incidents and collect data to be analyzed and shared with the marine transportation industry in an effort to prevent future occurrences. Up-to-date procedures are promoted to keep the industry safe and the state spill free.

***Bunkering Inspections***

Vessels that have undergone a bunkering (refueling) inspection continue to show a significant reduction in spills during bunkering operations. Since the year 2000, no bunkering spills have occurred within two months of an inspection; in 2003, in fact, no bunkering spills occurred from vessels inspected during the previous year. (See Figure 1 below) Recognizing this influence on vessel spills, program inspectors have continued to emphasize bunkering inspections during vessel boardings. Bunkering inspections made up 42 percent of the total vessel compliance



inspections in 2003. This ratio has averaged about 50 percent since the year 2000.

### *Vessel Inspections*

Last year, 4,537 tank barges transited Puget Sound and the Columbia River. That figure represents 1,086 more than 2002. In addition there were 7,119 cargo, passenger and tanker vessels entering Puget Sound, the Columbia River and Grays Harbor in 2003. This was a slight increase (+67) over the previous year. Lastly, there were 166,788 ferry transits in Puget Sound in 2003 – just 28 more than in 2002. Vessel inspectors from the Portland and Seattle field offices conducted 1,011 inspections on these vessels; this was 140 more vessel inspections than the previous year.

INFLUENCE OF BUNKER MONITOR INSPECTIONS ON BUNKERING SPILLS

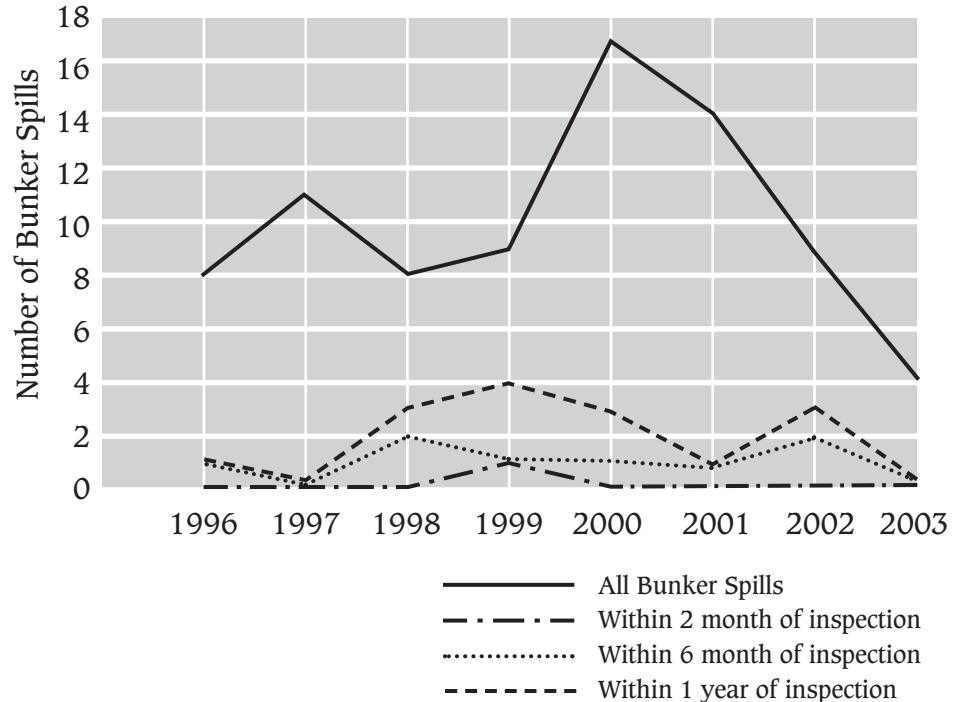


Figure 1 – Spill rates in Washington waters while bunkering for all ships versus ships that had undergone a bunkering inspection in the last 60 days, six months and within one year.

### *Vessel Oil Dumping Investigations*

An estimated 65 million gallons of vessel-generated oil sludge is dumped each year by unethical ship operators worldwide according to the 2003 National Academy of Sciences report, *Oil in the Sea III*. And some investigators believe it may be two or three times that amount.

In 2003, Ecology vessel inspectors partnered with the US Coast Guard (USCG), Department of Justice (USDOJ) and the US Environmental Protection Agency (EPA) in efforts that led to the prosecution and

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conviction of several ship operating companies and engineers in the illegal disposal of waste oil at sea.



A federal/state inspection team boarded the M/V Grand Glory in February 2003 while it was docked at the Port of Vancouver, Washington. After discovering discrepancies in the oil record log book, they learned that the ship's engineers used a hose to bypass the required pollution control equipment, discharging oily waste generated by the ship directly into the ocean. Ta Tong Marine Company Ltd. pleaded guilty to two federal criminal charges relating to the falsification of records concealing the intentional dumping of waste oil into the ocean. In March, the chief engineer also pled guilty to a felony false statement relating to the same dumping activity.

In September 2003, the M/V Hoegh Minerva was docked at the Port of Vancouver when inspectors detected an area where a "magic pipe" had been temporarily installed to bypass pollution prevention equipment and discharge oil waste directly into the ocean. Additionally, false entries in the vessel's oil record book were identified. An engineer on the vessel pleaded guilty to a felony violation related to obstructing the USCG's investigation of intentional dumping of waste oil.

The environmental damage of waste oil dumping or any oil spill is difficult to measure, but oil kills birds, fish, seals and other marine animals, as well as plant life.

Spills Program vessel inspectors and investigators continue to work with federal partners on several other criminal investigations of vessels illegally dumping oil, providing expertise and experience to joint boarding teams on the west coast and coordinating with the USDOJ when the cases are brought up for prosecution.

#### *Vessel Incident Investigations*

Thirteen detailed investigations of marine incidents (including spills) were completed in 2003. Six of these incidents involved spills for which an Investigation Findings report was produced to support program-wide activities (i.e. prevention recommendations, spill penalties, NRDA recovery efforts). All involve an analysis of the incident to determine lessons learned.

Unix Line Pte. Ltd. and Springs Navigation pleaded guilty to criminal charges arising from a 50 gallon oil spill from the chemical tanker Kaede in Tacoma, Washington on October 22, 2002. As a result of the conviction resulting from cooperative federal-state investigation of this case,



\$300,000 of the \$750,000 federal fine was earmarked for environmental restoration projects in the Commencement Bay area. In February 2003, Ecology received a \$34,000 payment for a penalty issued to Unix for the oil spilled and recovered another \$5,194 for investigation and cleanup costs.

In March 2003, Ecology issued a \$67,500 penalty to Evergreen Marine Corporation for spilling 500 gallons of oily waste from the company's container ship Ever Group. Evergreen initially denied responsibility for the spill that carried oil down the Columbia River leaving a 400 yard wide by half-mile long oily sheen to drift 38 miles down stream. Lab analysis of oil and fuel samples taken from several ships and facilities in the Kalama area later confirmed that the oil had come from the Ever Group, which was docked in the area at the time of the spill.

In November, Ecology issued an \$81,000 fine to Naftomar Shipping and Trading Company Ltd. for spilling oil from its cargo ship, the Gaz Diamond, into the Port Angeles Harbor. In May 2002, an estimated 1,188 gallons of fuel oil spilled when its tanks overfilled while refueling. Oil collected in nearby commercial fish pens, docks, recreational beaches, log booms, private boats, the public boat launch, a USCG vessel, and the Puget Sound Pilot Station. Ecology also assessed Naftomar \$41,000 to compensate for the damage caused to the environment.

These incidents provide opportunities to learn from mistakes and identify shortcomings in the marine safety system. Detailed analysis of the incidents allows for systematic improvements in marine safety in the form of lessons learned and prevention recommendations. It also provides detailed and verified information upon which Ecology staff can make informed decisions regarding marine safety and spill prevention.

#### *Facility Incident Investigations*

In October 2003, a Seattle marine fuel dealer was fined \$28,242 for supplying oil to a tank barge without having a state-approved spill-prevention plan.

Ecology fined the Covich Williams Company, after a thorough investigation, for transferring 12,371 gallons of diesel oil from above-ground storage tanks to the tank barge Kitsap in February 2003. The Kitsap then sailed into Elliott Bay, where the oil was used to fuel a cargo vessel.

Under state law, facilities that transfer oil to or from tank vessels or pipelines must plan for how they will prevent and respond to oil spills. The

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plans are reviewed and approved by Ecology. Shore-side facilities that do not transfer oil to or from a tank vessel or pipeline are not required to meet the state's planning standards. Covich Williams was operating as such a facility. By not complying with state requirements, the company gains an unfair economic advantage over other companies that annually spend time and resources maintaining plans and participating in oil spill exercises and training. Sea Coast Towing, the owner/operator of the Kitsap, received a notice of violation for receiving oil from a non-regulated facility, but was not fined. Sea Coast also changed business practices to ensure it would not happen again. Both companies have since worked cooperatively with Ecology to be in compliance.



- ❑ Additional 2003 facility investigations included:
  - Terminal 18 pipeline: Resolution of the appeal of this penalty against the Port of Seattle includes reduction in the penalty amount in exchange for a schedule for decommissioning of the old pipelines no later than Dec. 31, 2004. If the deadline is not met, the Port will be charged one-fifth of the amount waived for each month the decommissioning is delayed.
  - Terminal 18 jet fuel pipeline: Investigation still under way with the Port of Seattle and Kinder-Morgan.
  - McNeil Island: A day tank in the emergency generator building overfilled when an automatic shutoff switch malfunctioned. The facility replaced the switch and implemented additional items to prevent recurrence.
  - ConocoPhillips Renton terminal: A premium gasoline tank developed leaks due to microbiologically influenced corrosion. The bottom has been repaired and coated with epoxy to prevent recurrence. Enforcement action is ongoing.
  - U.S. Oil tank release: A small release of crude oil occurred from a hole in the bottom of a tank into secondary containment. The tank was cleaned and the bottom of the tank was rebuilt.
  - Shell Harbor Island dock pipeline: A small release of diesel occurred from an under-dock pipeline as a result of heavy corrosion. All of the under-dock pipelines were replaced with new, above-dock pipelines.
  
- ❑ Ecology regulations (Chapter 173-180A WAC) require facility owners to inspect all of their aboveground storage tanks in accordance with the American Petroleum Institute Standard 653. Inspections are to be completed by June 2004. All Washington facilities were surveyed to determine if they would be able to meet the inspection deadline. Initially five facilities stated they would not meet the deadline. One of these facilities has accelerated their schedule and the remaining four facilities



will receive an administrative order making the schedule adjustment they submit to Ecology an enforceable deadline.

#### ❑ **Facility Plan Review and Inspections**

Six facility prevention plans and seven operations manuals were reviewed and approved in 2003. Several manuals were submitted due to corporate reorganizations, new equipment or procedures, or as a result of a spill. Review of the manuals goes hand-in-hand with inspection of the facilities. The inspections provide an important tool for verifying the content of the manuals.

#### ❑ **VBAP/ECOPRO Programs**

The Voluntary Best Achievable Protection (VBAP) and Exceptional Compliance (ECOPRO) programs for tank vessels marked its fourth year of successful operation in 2003. Participants included 29 tank ship and tank barge companies from eight foreign countries and the U.S. Under this program, owners and operators voluntarily meet Washington's VBAP and ECOPRO standards, increasing their overall level of marine safety and reducing the probability of a spill.

One of the highlights of 2003 was the granting of ECOPRO-full member status to MTM Ship Management Ptd. Ltd. of Singapore. MTM is the third company to achieve this honor and the first non-U.S. company to enjoy this status

Two of the three major oil transportation companies operating tank ships in the Trans-Alaska Pipeline System trade are ECOPRO full members. This represents approximately 60 percent of crude oil tanker entries into Washington waters during 2003

Interest in these voluntary programs continued to increase in 2003 with two companies pursuing upgrades from VBAP to ECOPRO. One of these companies, a U.S. company, operates articulated tug barges and the other company, based in Canada, operates conventional tank barges. If successful, they will be the first tank barge companies to make this important commitment to having an exceptional safety culture.

#### ❑ **Neah Bay Rescue Tug**

Ecology continued to pursue long-term funding to make the Neah Bay rescue tug a permanent spill prevention measure for Washington's outer coast and the western Strait of Juan de Fuca. Discussions were held with stakeholders and state lawmakers emphasizing the usefulness of rescue tugs as a precautionary measure for vessels entering Puget Sound.

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In the spring of 2003, the legislature provided a mechanism for funding the rescue tug and for additional “stand-by tug” capability. The stand-by tug funding allows Ecology to spot charter and pre-position tugs as a preventive measure, during periods of increased risk such as major storms.



The tug is available to assist ships in distress off the outer coast and in the Strait of Juan de Fuca throughout the fall and winter seasons. Winter storms present a higher risk of oil spills from the nearly 10,000 tankers and cargo ships traveling through the strait each year. Washington’s coastline and the Strait of Juan de Fuca area are considered some of the most pristine in the lower 48 states. Beaches in the Olympic National Park, the Olympic Coast National Marine Sanctuary and tribal lands are directly at risk for major oil spills since they are adjacent to the shipping route. A major spill could hurt Washington’s fishing and shellfish industries, further endanger salmon runs, kill birds and marine mammals, ruin public beaches, and dampen tourism.

On September 15th, the Barbara Foss got a rousing send-off as it launched the sixth season of Neah Bay rescue tug coverage. State lawmakers, officials from Ecology, representatives of Foss Maritime Company and the Makah tribe, and others gathered in Seattle to tour the tug and celebrate its success in preventing oil spills in the Strait and on Washington’s outer coast.

During 2003, the tug responded to three vessels for a total of 23 assists since spring 1999. The following is a brief description of 2003 tug events:

- On January 19, 2003, the F/V Seafreeze Alaska contacted the USCG’s Vessel Traffic Service to report a serious electrical problem that caused its propulsion system to fail. The outbound vessel was dead in the water in the Strait of Juan de Fuca south of Sooke Inlet, British Columbia. Ecology released the Barbara Foss from standby duty to respond to the drifting fishing vessel. Based on wind and currents, the vessel projected a possible grounding at Angeles Point, west of Port Angeles in about 4 hours. The vessel’s master dropped a fishing net trawl “door” to the bottom of the Strait on a long cable to slow their drift. The maneuver was successful. The tug took the vessel under tow and proceeded to Port Angeles.
- On January 30, 2003, the 540-foot containership Buxsund was outbound for Hong Kong via the Strait of Juan de Fuca. At 2:30 a.m., the ship’s main engine was stopped to repair the cooling system following the failure of both main seawater cooling pumps. The Buxsund notified the USCG’s Vessel Traffic Service Puget



Sound (VTSPS) of the problem. The ship was in Canadian waters in the outbound traffic lane, approximately 10 miles east of the entrance to the Strait of Juan de Fuca. At 7:20 a.m., with the ship drifting northeasterly out of the traffic lane, Transport Canada directed the ship via VTSPS to take a tug and proceed to Port Angeles to effect repairs. The state-funded rescue tug Jeffrey Foss, standing in for the Barbara Foss, was dispatched to escort or tow as needed. The tug arrived alongside the ship, now underway on its own propulsion after about 5 \_ hours of repairs. At 8:20 a.m., the USCG's Marine Safety Office issued an order requiring the ship have a tug escort in U.S. waters and that it proceed to Port Angeles. The ship, under escort by the Jeffrey Foss, anchored safely at 2:41 p.m. in Port Angeles for inspection.

- On October 11, 2003, the tug Ernest Campbell separated from the empty 271-foot double-hulled tank barge, Dottie, it had been towing. The nuclear powered attack submarine USS Topeka had severed the tow line connecting the tug and barge. The tug was approximately 12 miles west southwest of Cape Flattery, within the Olympic Coast National Marine Sanctuary, but outside the federally established Area-To-Be-Avoided. Winds were reported as 23 to 46 miles per hour with 15- to 20-foot seas, pushing the drifting Dottie north at 4 to 5 miles per hour. The USCG directed the rescue tug, Barbara Foss, be called out to assist. Meanwhile, the Ernest Campbell was preparing to recover the barge Dottie. The Barbara Foss stood by to assist the Ernest Campbell in its attempt to reconnect to the Dottie using an Orville hook (emergency tow retrieval device). The reconnection was made and the Ernest Campbell began towing the barge to Port Angeles with the Barbara Foss providing an escort.

#### □ Preparedness Section

The preparedness section works to assure that all deep-draft vessels, petroleum barges, oil-handling facilities and pipelines are ready to mount effective, rapid responses to oil spills. Section staff analyzes and approve spill contingency plans and evaluate drills that test the effectiveness of plans and the strengths of spill management teams. In addition, primary response available to plan holders in Washington must be approved by Ecology. The Preparedness section lends its support to the Northwest Area Contingency planning process, maintaining the area plan and developing/testing geographic response plans.

#### *Oil Spill Contingency Plan Review and Approval*

Contingency plans describe the steps necessary for carrying out oil spill response operations. Plan holders conduct drills to train personnel and

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test their ability to respond immediately and work collaboratively within the incident command system. Ecology evaluates these drills and uses the results to improve preparedness and planning. In 2003 two facility plans and three vessel plans were approved in Washington State. Plans are approved for a period of five years. Several plan holders developed integrated plans that cover multiple vessels or facilities.



### *Deployment and Tabletop Drills*

Drills test the effectiveness of plans, and over a three year period of time, companies design drills that test each component of their plans. Ecology personnel have many roles at drills: coaches, evaluators, or participating in roles such as the state on-scene coordinator, a member of the environmental unit, joint information center, planning section, operations section, or other sections as needed to support the training exercise.

The preparedness section evaluated 32 tabletop drills, including 12 worst case scenario drills. Six of the worst case drills took place over a period of six consecutive weeks in the last quarter of the year.

There were 53 deployment drills, three of these were responses to small spills where drill credit was given. Deployment credits were given to three plan holders through training opportunities set up by primary response contractors.

Ecology initiated one unannounced facility notification drill and 164 unannounced vessel notification drills.

Two on-water SMART protocol (dispersant monitoring) drills were conducted as a joint effort with the National Oceanic and Atmospheric Administration (NOAA), the USCG, and primary response contractors (PRCs) Clean Sound Cooperative, and Polaris Allied Services.

Plan holders tested 15 geographic response plans (GRPs) and five company-specific worksites, or spill control points. Nine drills led to formal notices from Ecology to update existing plans.

Ecology met its goal to provide written evaluations of tabletop and deployment drills within 30 days seventy percent of the time. Some of the delays were due to the large number of worst case drills held during the final quarter of the year and the loss of one staff member to military duty for part of the year.



### *The Value of Drills*

A drill exercises the following important functions for response organizations:

- Increases readiness in the event of an actual emergency;
- Provides a means to assess the effectiveness of response plans and response capabilities;
- Demonstrates the knowledge and skill of the plan implementers;
- Serves as a training tool for response personnel;
- Provides an opportunity to practice skills and improve individual performance in a less stressful environment;
- Requires participants to network with each other, work collaboratively with agencies and pre-plan decisions on resources;
- Provides a means to educate and involve the public, media, and key community organizations in response planning;
- Validates existing policies and procedures;
- Identifies planning conflicts;
- Identifies resource needs; and
- Clarifies roles and responsibilities.

### *Primary Response Contractors (PRCs)*

Seven PRC applications were submitted last year and all were approved. The approval period is for two years. The type of equipment tested in 2003 at unannounced PRC inspections included skimmers, response vessels, vacuum trucks and pumps.

### *DRILLTRAC*

DRILLTRAC is an Ecology-driven training and competency program for managing spills through an incident command system. It is the policy of the Spills Program that staff will respond to spills and drills with the same level of competence, realism and intensity. All of the Spills Program staff will be trained through DRILLTRAC. Some of the training materials are available to assist industry and other organizations in making sound decisions during drills and spills. DRILLTRAC materials are available online at: <http://www.ecy.wa.gov/programs/spills/hottopics/ics/ics.htm>

### *Oil Spill Contingency Plan Rulemaking*

In 2003, the preparedness section continued working with a rule advisory committee on updating and consolidating the 11-year-old oil spill contingency plan rules. With the aid of a facilitator, the committee covered most rule subjects before temporarily adjourning to gather more data to finish the discussions. A modeling analysis and cost survey is now being conducted. Ecology plans to hold additional committee meetings in the spring of 2004 to produce a final draft of the rule language. The formal review process will begin in the summer of 2004. If you are not yet

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signed up to receive rule updates, you may do so by either calling (360) 407-6959, or sending an e-mail to JPIL461@ECY.WA.GOV.



*Oil Spill Trajectory Analysis Planner (TAP) Model for Puget Sound NOW AVAILABLE*

When an oil spill occurs, where is it likely to go? This is the question asked in every language around the world. The Puget Sound Trajectory Analysis Planner (TAP) is a computer-based tool that investigates the probabilities that spilled oil will move and spread in particular ways within an area. The TAP model is now available for general release.

Development of TAP began in 2000 and was field tested in 2003 by Ecology in conjunction with NOAA. The intent of the TAP model is to determine how factors such as weather conditions, tides, currents and shoreline types will affect the direction a spill will travel. Shoreline segment impacts for each of 500 individual representative spill trajectories were calculated for varied time frames, spill volumes and product types.

Having this information available will improve spill contingency planning efforts. Oil-handling facilities may calculate planning distances using spill trajectory models that include credible adverse winds, currents and/or river stages, over a range of seasons and weather conditions. To get a copy of the Puget Sound TAP, please contact: David Mora, Washington Department of Ecology; Phone: 360-407-6394, Email: damo461@ecy.wa.gov. Or go to this website: <http://www.ecy.wa.gov/pubs/0308007.pdf>

**□ Response Section**

The response section received 3,830 reports of spills in 2003. Of these reports 2,350 were for oil or hazardous materials spills and 1,480 were for methamphetamine drug labs or dumpsites.

Ecology spill responders removed and disposed of 688 cylinders of compressed anhydrous ammonia gas (including 612 five-gallon propane tanks and 76 large 150-pound cylinders), and 920 hydrochloric acid gas generators in 2003. Responders also processed 702 miscellaneous pressurized containers, and noted an insurgence of “ammonia generators.” These ammonia generators combine two solid ingredients, which chemically react to produce anhydrous ammonia, which is subsequently collected and used for methamphetamine (meth) production. Safely processing these pressurized containers represents a considerable workload with long hours of work in all types of weather, anytime of the day or night. The increase in the ammonia generator use also substantially increases the volume of waste that must be properly



disposed of. Ecology responders handled an enormous volume of very dangerous and toxic materials – all without an injury or chemical exposure.

The following are some examples of Ecology responses around the state:

*Point Wells Oil Spill - Northwest Region*

Shortly after midnight on Dec. 30, 2003, the Foss Maritime tank barge 248-P2 was taking on a load of industrial fuel oil from the Chevron-Texaco terminal at Point Wells, near Shoreline, Washington, when the tank overflowed spilling oil. Crews immediately stopped the flow of oil and began to respond to the spill. Approximately 4,800 gallons of oil entered the water and an additional 1,200 gallons was recovered from the barge deck.

Foss Maritime immediately notified the Coast Guard and state authorities and brought in clean-up crews from National Response Cooperative, Marine Spill Response Corporation, Clean Sound Cooperative and Global Diving and Salvage.

After some unfortunate delays that resulted in minimal on-site containment, crews set up boom around the terminal and barge where the oil initially spilled overboard. The skimmers recovered relatively little oil from the surface of the water.

Oil continued to drift into the main channel off North Seattle and Shoreline. Environmentally sensitive areas were boomed on the eastern shore of Puget Sound, Bainbridge Island and in the Port Madison area. The response was under the direction of a unified command, led by the USCG, Ecology, the Suquamish Tribe, Foss Maritime Company, and local public officials. Many other federal and state natural resource agencies and staff from Chevron-Texaco provided additional operational, technical and logistical support to the clean-up effort. While we are pleased with the responsible actions taken by Foss Maritime, one of our state's more progressive maritime companies, we will be evaluating the inability of their response contractors to remove the oil before it washed up on the beaches.

Ultimately tides, wind and current concentrated the oil primarily in the Port Madison area. An important shoreline and marsh were badly damaged along a 1\_ mile stretch between Point Jefferson and Indianola. Cleanup has been on-going and the cause of the spill is under investigation.

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### *Pesticide Spill - Eastern Region*

On May 13, 2003, a chemical semi-truck overturned one mile south of Chewelah on SR 395 in Stevens County. Ecology arrived at the scene and met with the truck company's safety officer and the local state trooper, who had assumed the position of Incident Commander. The semi was on its side in the middle of SR 395 blocking both lanes of traffic. The Spokane Hazmat team arrived on scene and a Unified Command structure was formed with representatives from the Washington State Patrol, Ecology, and Stevens County fire and sheriff's departments.



Two 250 gallon poly containers of 2-4-D amine along with several one gallon containers of Round-Up and 1000 lbs of dry insecticide and herbicides had been loaded on the truck when it overturned. Only five gallons of 2-4-D amine had leaked from the poly tank and two 2.5 gallon containers of 2-4-D had been ruptured. Metal cages around the large poly tanks absorbed most of the impact. In addition, one bag of dry insecticide was cleaned up and removed. SR-395 was re-opened after being closed for eight hours. Later it was determined that the driver had lost control after blacking out.

### *Explosion Hazard Prompts Response - Central Region*

On Feb. 17, 2003, the response team received a call reporting a gasoline leak at a store/gas station East of Yakima. Upon arrival, the response team found two 10,000 gallon aboveground tanks sitting in a pool of gasoline within their secondary containment structure, which subsequently turned out to be leaking. Estimates from the fire department at the scene were that approximately 300 gallons had leaked from the tanks. The surrounding area was evacuated and the station was immediately cordoned off because the spilled gasoline presented a serious explosion hazard. Subsequently, firefighting foam was applied to reduce the potential for explosion. The store's fuel supplier was immediately notified and agreed to remove the remaining fuel from the tanks and suction up the spilled fuel. A check of the store's records revealed a 5,000 gallon discrepancy of missing fuel. Emergency site remediation included removing the old above-ground tanks and excavation of the spill area to remove contaminated soil and recover any pooled fuel. Excavations revealed that the tanks had been leaking for quite some time. Only 1,200 gallons of fuel was estimated to be recovered from the soil and from ground water. A Notice of Correction was issued by Ecology requiring complete cleanup of the site and full inspection and licensing of any subsequent fuel storage and pumping systems.

### *Tank Truck Explosion - Southwest Region*

On Nov. 27, 2003 (Thanksgiving morning), a Reinhard Petroleum tanker



truck carrying 11,000 gallons of gasoline veered off state Highway 8 near Elma, Washington. The truck turned over and exploded, killing the driver. Flames and smoke were visible for miles. The fire burned for about six hours during which traffic was reduced to one east bound lane. Washington State Patrol took the lead as Incident Commander. Response personnel decided to let the tanker burn to reduce the amount of gasoline leaking into the adjacent wetlands and nearby Cloquallum Creek and ultimately Chehalis River.

The decision to allow the spilled gasoline to burn was based partly on the pollution potential of the wetland versus the air, in addition to reducing the amount of cleanup required after the incident. Following the explosion and fire, Ecology sampled the soil and water to help determine the extent of contamination and the amount of cleanup required. Samples were sent to Manchester Laboratory for analysis. Foss Environmental did the clean up and oversaw the removal of the truck debris. It is estimated that a few hundred gallons of gasoline ended up in the wetlands. Later, contaminated soil was excavated from the site and replaced with material designed to control erosion. Replacement vegetation will be planted in the spring of 2004.

#### *Meth Lab Activities*

The number of methamphetamine drug labs reported in Washington in 2003 decreased for the second year in a row, reversing an upward trend that began in 1995. Ecology received reports of 1,480 sites last year, a 12.5 percent decrease from 2002, when 1,693 sites were found. In the highest-volume counties – Pierce, King, Snohomish, and Thurston – only Pierce and Snohomish increased their numbers in 2003. Ferry, San Juan and Whitman had no drug labs reported at all, and Garfield, Klickitat and Okanogan reported only one each. In all, 24 counties showed declines in 2003, and 11 counties increased their numbers.

Presumably there are multiple reasons for the decline in meth labs including:

- Harsher sentencing (possibly four or more years in prison);
- Increased difficulty in buying or stealing pseudo-ephedrine;
- More meth being imported from Mexico;
- Enforcement staff changes (seasoned personnel have more experience at recognizing the signs of drug lab activity); and
- Meth users are cooking smaller quantities and stashing the meth-making supplies throughout their homes.

As some of the meth ingredients become harder to obtain, the production of meth is evolving. These changes make it more difficult to clean up after

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meth labs. For example, cooks are mixing fertilizer with drain cleaner in pressurized containers to collect ammonia, creating disposal challenges and risks of explosion. Some meth-making materials can cause severe injury or death if inhaled or touched, and they require special handling to remove safely. Pseudo-ephedrine, iodine, acids, sodium hydroxide, flammable solvents, anhydrous ammonia, lithium, sodium metals and red phosphorous are some of the substances used to produce methamphetamine. Cleaning up meth labs costs the state two million dollars each year, but the cleanup staff have identified ways to save money. By consolidating waste, they significantly reduced the disposal cost of meth waste in the last few years from more than \$11,000 per lab site to about \$750.



In a statewide effort to raise meth lab waste awareness, response staff conducted training sessions for local fire and enforcement officers, city and county road crews, pesticide applicators, police academy narcotics division trainees, and Ecology Youth Corps supervisors.

Meth related chemical hazards training was given to city and county employees working at land-fills, transfer stations, and health departments. The focus was on lab components, chemical and physical hazards, notification protocols, and potential criminal evidence in meth lab waste. In addition to meth lab waste awareness, Hazardous Materials Operations training was provided to local fire departments.

### *Weapons of Mass Destruction*

Ecology response staff assisted with the year-long development of the largest weapons of mass destruction (WMD) international drill ever conducted: TOPOFF 2. The TOPOFF (short for Top-Officials) exercise consisted of simulated WMD attacks: a dirty bomb in Seattle and a biological weapon attack in the Chicago metropolitan area. The exercise not only involved a myriad of agencies in the host cities, but also involved simulated exercise play in Washington DC and Canada.

The purpose of the exercise was to test the Nation's response and preparedness for an attack involving weapons of mass destruction. The exercise offered the opportunity to identify where strengths and weaknesses exist and to test communication strategies. In May 2003, several agencies including Ecology, King County, City of Seattle, Canadian representatives, the US Department of Homeland Security and the US Department of State participated in the Seattle scenario, a hypothetical explosion containing radioactive material. Countless hours were invested into creating and implementing the TOPOFF 2 exercise. The response demonstrated the joint coordination capabilities of the emergency preparedness and response authorities.



Ecology's role in this radiological event was to support field monitoring at the explosion site and assist other agencies in characterizing the down wind spread of radiological contamination. In preparation for this event, Ecology responders across the state have attended intensive chemical, biological, radiological, and ordinance/explosive training offered by the US Department of Justice Office of Domestic Preparedness. Attendees were able to work hands-on with live nerve agents such as sarin and VX, as well as radioactive material. An additional benefit of attending these classes is that all expenses are covered by the federal government.

#### *Natural Resource Damage Assessment*

When oil is spilled to state waters, the responsible party must compensate the state for any damages to public natural resources. Ecology works with the responsible party to assess natural resource impacts and estimate the monetary value of damages. The responsible party may develop and implement a restoration project in lieu of payment.

In 2003, resource damage payments of \$153,808 were received in compensation for oil spills. Those monies are deposited in the Coastal Protection Fund and can only be used to fund environmental restoration projects. The Resource Damage Assessment (RDA) Committee met throughout the year to conduct pre-assessment screenings for several oil spills that had occurred. In most cases, the compensation schedule (WAC 173-183) was used to calculate damages to the environment.

#### *Geographic Response Plans (GRPs)*

Geographic Response Plans (GRPs) identify and prioritize strategies to protect specific natural resources for a particular area. This pre-planning prepares staff for the initial response period of a real spill. Updates to the marine GRPs, including the Lower Columbia River, were completed in 2003 and were distributed via Adobe Acrobat PDF files on the Spills Program web page. For more information go to: <http://www.ecy.wa.gov/programs/spills/preparedness/GRP/GRP%20web%20page%20intro.htm>

#### **Other Projects**

##### *Olympic Pipeline*

In 2003, most of the environmental penalties issued to Olympic Pipeline for its 1999 Bellingham incident were settled through legal agreements between Shell Oil and the Department of Ecology. Under the terms of the consent decrees, Shell pays the state \$5 million in civil penalties and Olympic pays \$2.5 million over five years. In addition, the pipeline

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company will spend an estimated \$15 million for pipeline safety improvements in Washington and Oregon.



In December, an innovative settlement was agreed upon by Ecology and Shell Oil, which took over management from its predecessor, Equilon. Shell will pay \$4 million to the city of Bellingham and \$1 million to the Whatcom Land Trust in lump-sum payments. The money will be used to fund projects directed to protect and restore the city's streams and shorelines and to purchase additional salmon, eagle and elk habitat along the Nooksack River and other locations.

The criminal pleas and civil settlements came after a National Transportation Safety Board investigation, federal grand jury indictments, state regulatory fines and the persistence of attorneys with the US Department of Justice and the Washington Attorney General's office. Olympic Pipe Line Company filed for bankruptcy in 2002. A penalty of \$2.5 million issued to the company by Ecology is among debts Olympic listed in federal bankruptcy papers.

*Protocols – Ecology and the U.S. Coast Guard*

In May 2001, Governor Locke and Rear Admiral Erroll M. Brown, Commander of the Thirteenth US Coast Guard District, signed a Memorandum of Agreement on Oil Pollution Prevention and Response. Ten protocols were developed and implementation began on nine of these in 2003. The protocols expand our partnership on activities that span the breadth of our mutual spill prevention, preparedness, and response efforts.

□ For Spills Program publications or more information on Washington Department of Ecology's Spill Prevention, Preparedness, and Response Program, please visit the web site at: <http://www.ecy.wa.gov/programs/spills/spills.html>

# ANALYSIS OF PACIFIC STATES 2003 SPILL DATA<sup>1</sup>

The total spill volume for the Task Force region (not including British Columbia) in 2003 was 253,606 gallons<sup>2</sup>, of which 88.9% was non-crude. This represents a 32.6% decrease in total oil spilled from 2002. Since the volume of crude oil spilled was only about 11% of the total, most of the following analysis is devoted to non-crude/refined product.

As with the 2002 data, the workgroup continued to focus on two goals:

- (1) Can the data help us to focus or target prevention efforts? The workgroup focused on two measures based on last year's review of the 2002 data:
  - Reduce the excessively high use of the "Other" designation, particularly in the "Source" and "Cause" fields. As a benchmark, we agreed that, if the "Other" designation was greater than 10%, a re-examination of the field selections offered should be made.
  - Evaluate the ability of member agencies to collect causal data with greater specificity than the basic four levels analyzed in the 2002 data.
  
- (2) What adjustments to data collection efforts in 2004 are indicated? This goal was further refined to include identifying the data dictionary revisions that are necessary to reflect actual collection capabilities among the member agencies. This is a preparatory step to beginning work on a revised database structure that will facilitate data input by member agencies as well as provide analysis and reporting functions.

Comments on the following graphics will be keyed to these two goals.

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<sup>1</sup> This database is being created and maintained for information purposes only. The data contained herein represents the respective agencies' best information at the time that it is logged into the database. Each agency that assists in the creation and maintenance of this database in no way guarantees the accuracy of the information and no guarantee of accuracy shall be expressed or implied.

<sup>2</sup> In compiling these statistics, only spills of 42 gallons or greater to land and water were considered.

# NON-CRUDE SPILLS

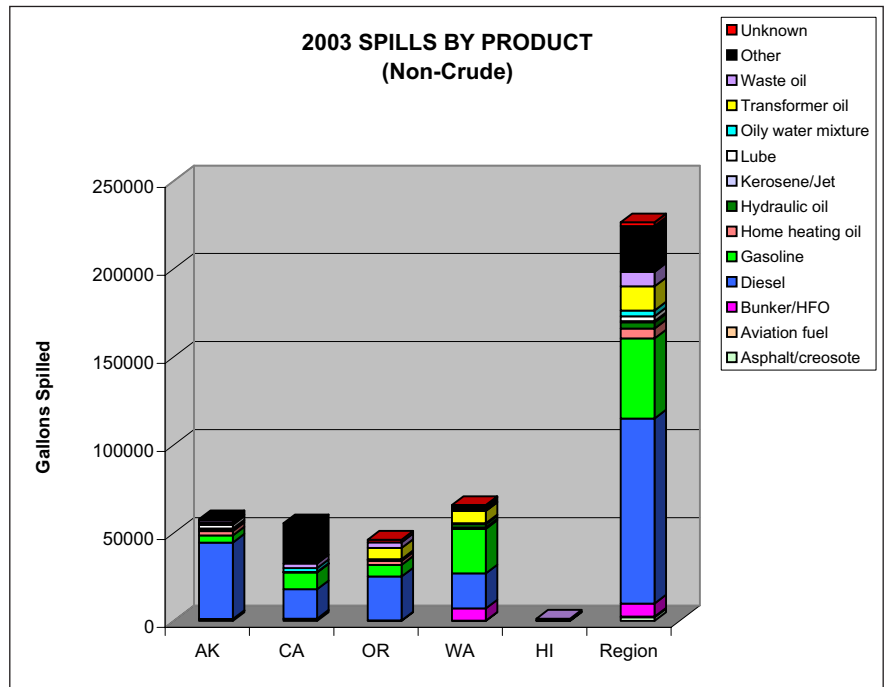
## Non-crude Spills By Product

### (1) Focus:

- Diesel and Gasoline were the largest contributors to this category at 46% and 20%, respectively. The next largest contributor was the “Other” category, at 11%. This is consistent with the 2002 data, where these two products comprised 31% and 11% of the spill volume.
- The “Other” category, at 11%, was higher than the goal of 10%, but significant progress was made over the 2002 results. A direct correlation cannot be made because, in 2002, the “Other” and “Unknown” categories were combined, and totaled 46% of the spill volume. Since these two categories diminish the validity of the overall analysis, it was important to reduce their impact. This effort was successful – in 2003, the combined “Other” and “Unknown” contribution was 12%.

### (2) Adjustments:

None needed. Continue the effort to minimize the contribution of the “Other” and “Unknown” categories.



	Asphalt/ Creosote	Aviation Fuel	Bunker/HFO	Diesel	Gasoline	Home Heating Oil	Hydraulic Oil	Kerosene/Jet	Lube	Oily Water Mixture	Transformer Oil	Waste Oil	Other	Unknown	Total
AK	1000	55	-	43440	4065	2490	873	510	2172	895	199	1300	765	-	57764
CA	1000	-	310	16700	9526	-	200	-	42	2192	-	2684	22817	-	55471
OR	-	-	245	24955	6630	2230	605	140	280	-	6367	3165	-	1505	46122
WA	-	150	6900	19971	25234	800	1906	50	274	200	6910	364	2355	710	65824
HI	-	200	-	50	49	-	-	-	-	-	249	715	-	-	1263
Region	2000	405	7455	105116	45504	5520	3584	700	2768	3287	13725	8228	25937	2215	226444

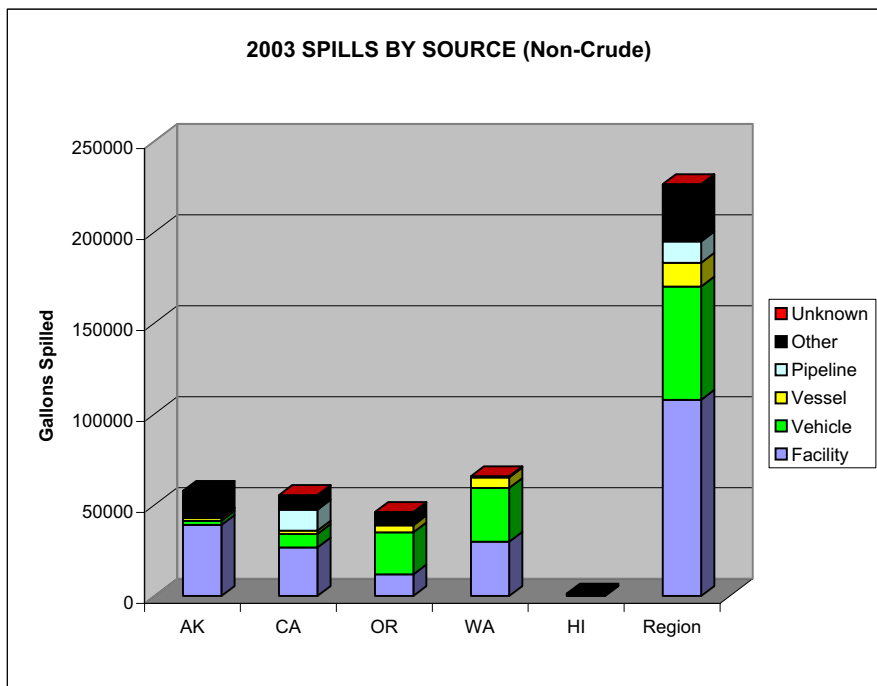
## Non-crude Spills By Source

### (1) Focus:

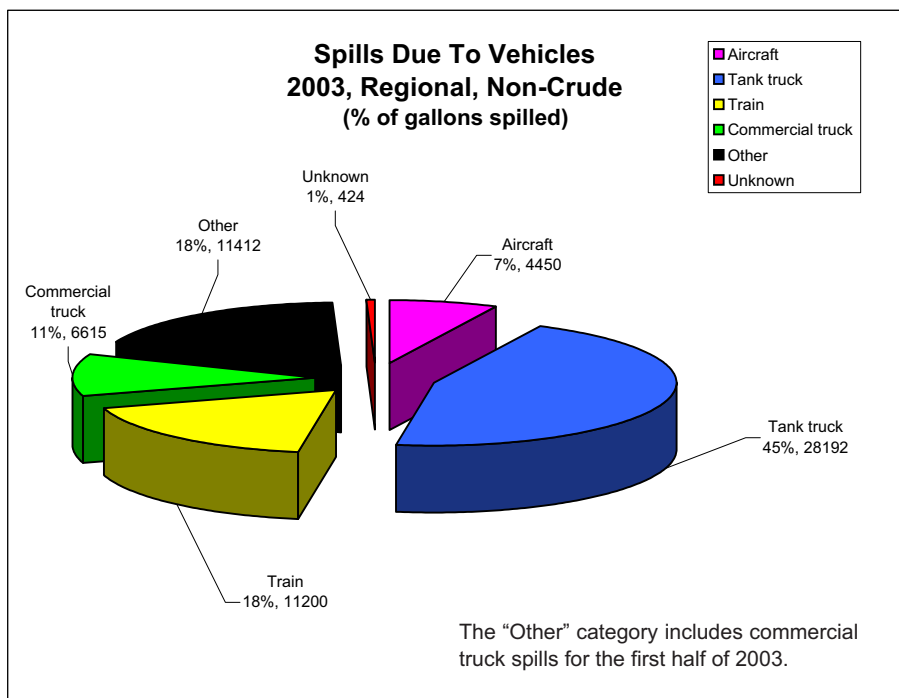
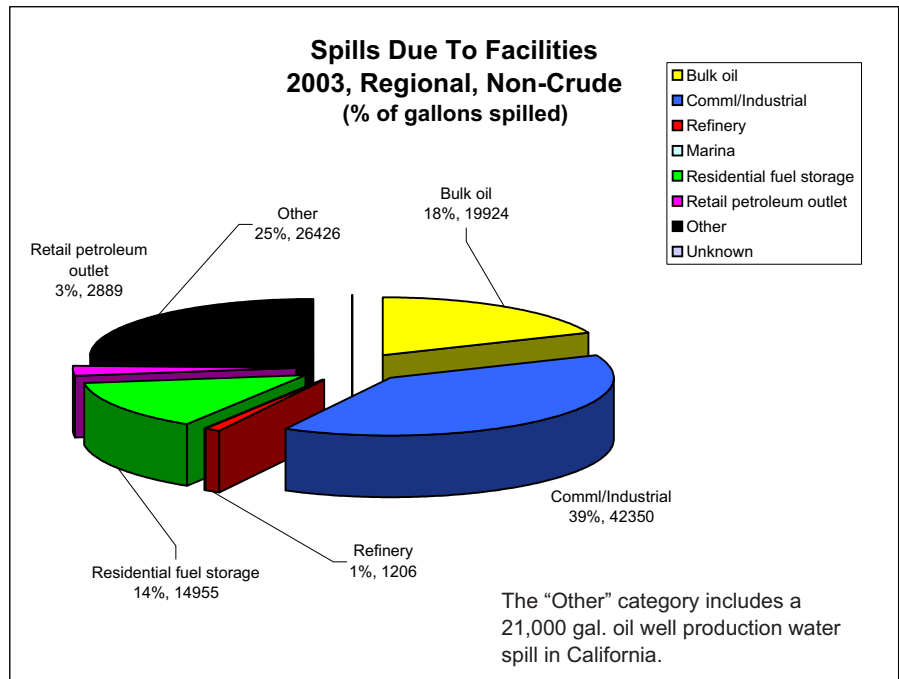
- Facilities and Vehicles were the two largest contributors, 48% and 28% respectively. This again is consistent with the 2002 data, where the contribution from these two sources was 59% and 13%.
- The "Other" category, at 13%, was again higher than the goal of 10%. The 2002 data showed a value of 14% for the "Other" category, indicating that continued emphasis needs to be placed on reducing this contribution.

### (2) Adjustments:

The Workgroup agreed that a sub-category of "Commercial Truck," under the Vehicle category be added for the 2004 data. At present, only tank trucks are broken out as a separate category; commercial trucks, which, based on limited observation appear to cause the bulk of vehicle spills, are reported under the "Other" category.



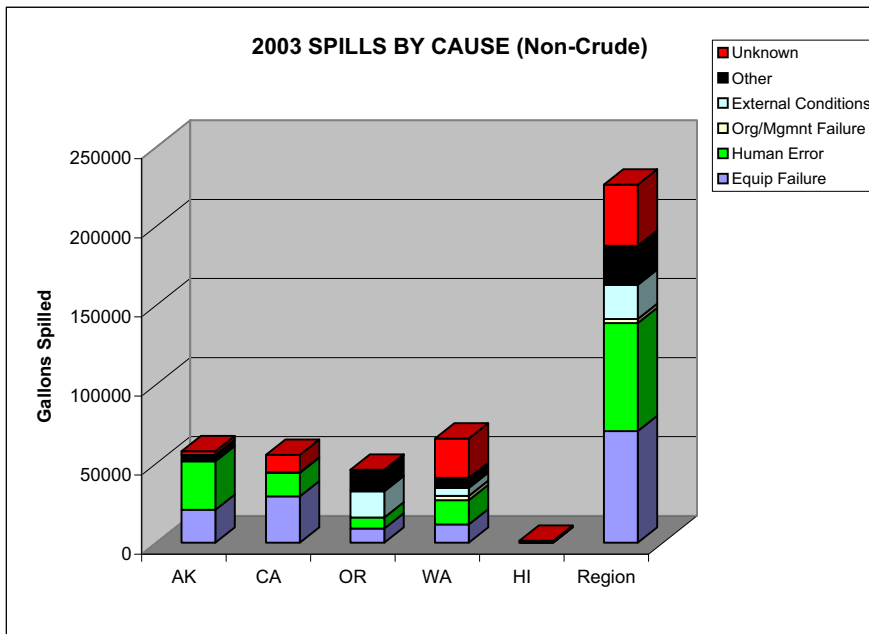
Within the two highest categories, **Facilities** and **Vehicles**, the breakout of contributors is as shown in the following two graphs:



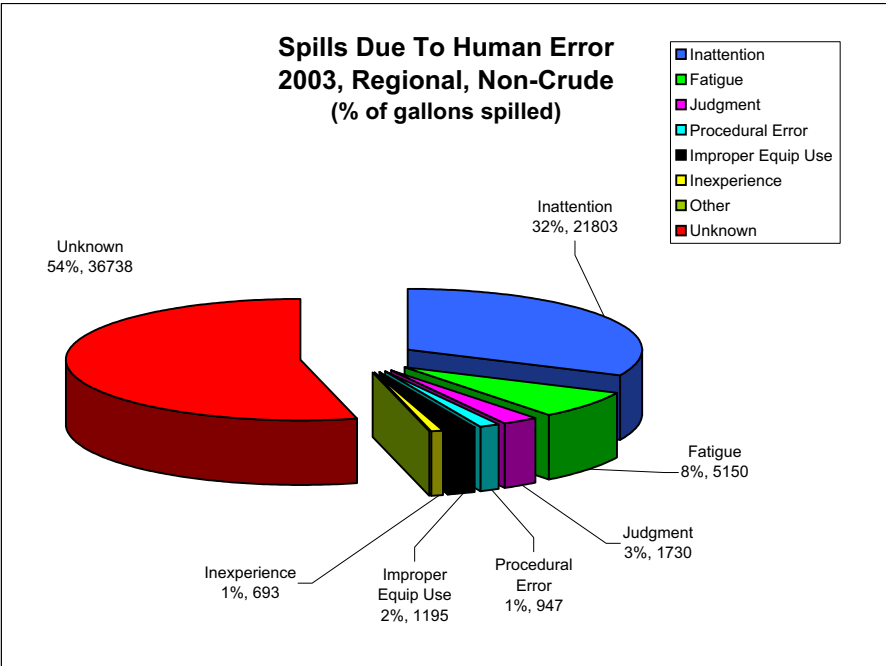
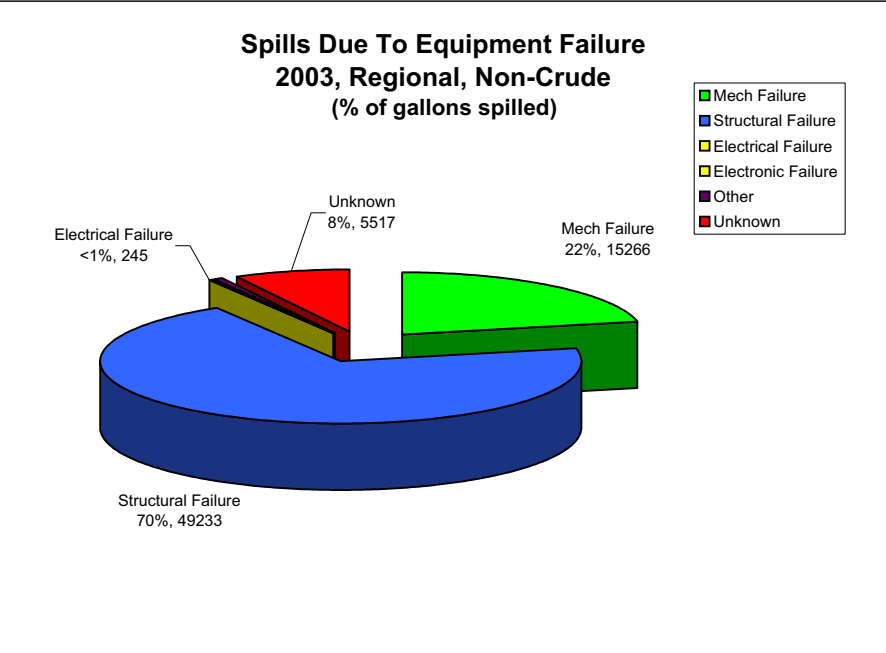
## Non-crude Spills By Cause

### (1) Focus:

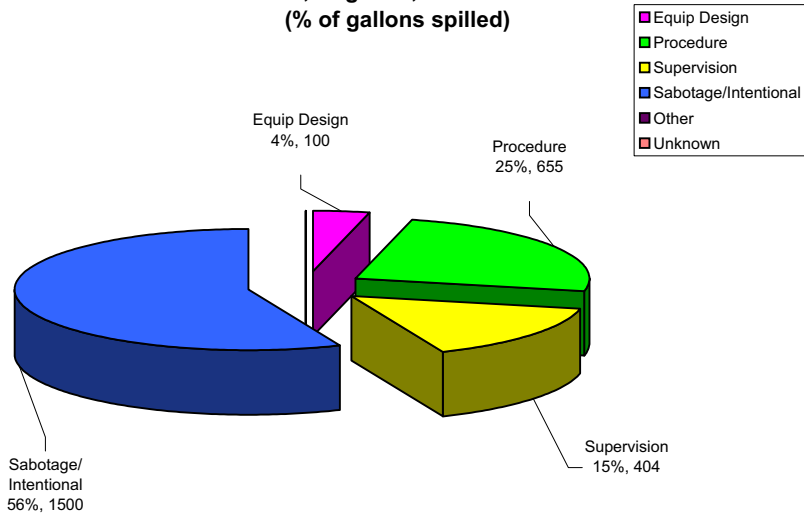
- Equipment Failure and Human error were the largest contributors to this category at 31% and 30%, respectively. This is consistent with the 2002 data, where these two factors comprised 41% and 29% of the spill volume.



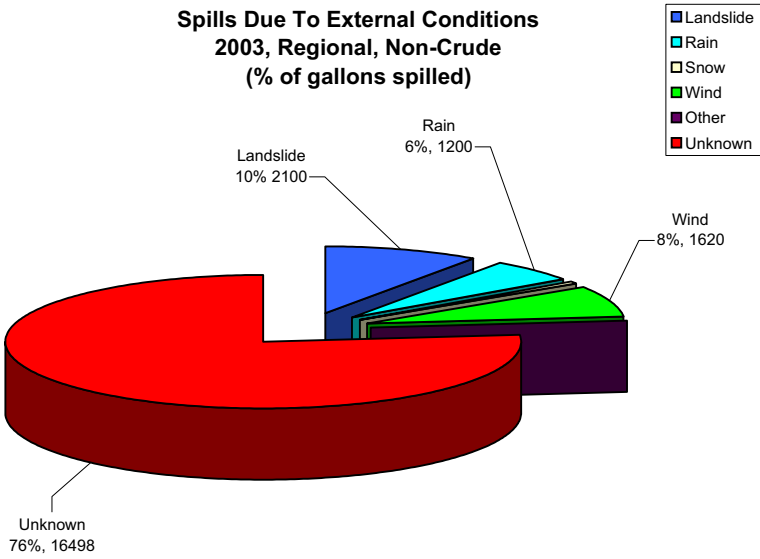
- Taken together, the categories of "Other" and "Unknown" comprised 28% of the total spill volume in 2003; these categories accounted for 27% in 2002. While we have achieved a higher degree of specificity in causal analysis (see the following graphs breaking down the above basic causal factors), this indicates that we are making insufficient progress in analyzing the causes of spills (this statement applies to significant spills, those over 42 gallons). Workgroup discussions indicate that this is primarily due to insufficient resources available for the investigation of spills.
- This conclusion is borne out by the 1% share attributed to Organizational/management Failure (0.2% in 2002). By comparison, for rigorously investigated spills in Washington State over the past ten years, the combination of Human error and Organizational/management Failure accounts for about 80% of the spill volume – this share is 31% for the 2003 PS-BC data.



**Spills Due To Organizational/Management Failure  
2003, Regional, Non-Crude  
(% of gallons spilled)**



**Spills Due To External Conditions  
2003, Regional, Non-Crude  
(% of gallons spilled)**

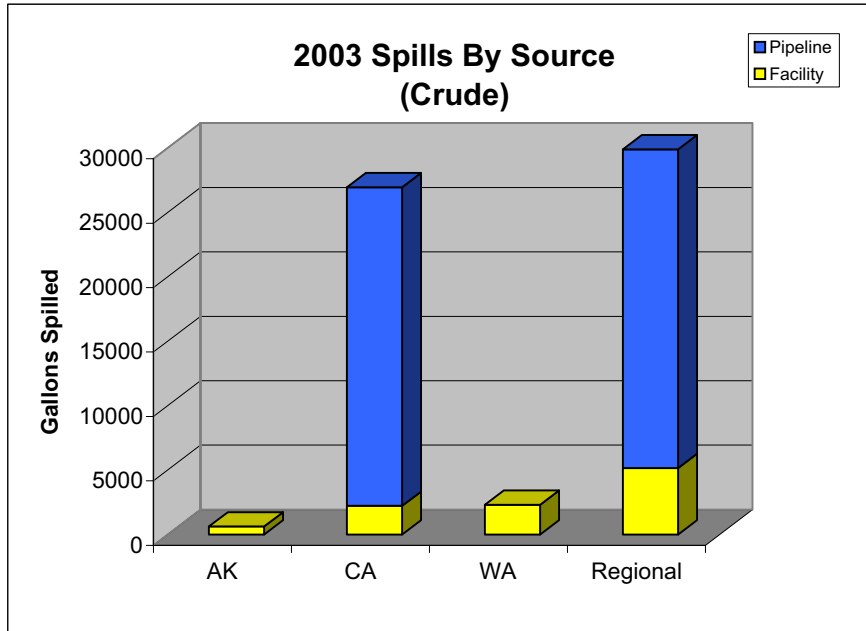


# CRUDE OIL SPILLS

Only sixteen (16) crude oil spills were reported, representing 11% of the total volume for 2003.

## Crude Oil Spills By Source

- Pipelines and Facilities were the only two contributors at 83% and 17% respectively.



## Crude Oil Spills By Cause

- Equipment Failure and Human Error were the largest contributors to this category at 70% and 22%, respectively.

