

Summary Notes
Pacific States/British Columbia Oil Spill Task Force
Fall Coordinating Committee Meeting
September 17, 2009

Attending: Larry Dietrick, Alaska Department of Environmental Conservation; Curtis Martin, Hawaii Department of Health; Graham Knox, British Columbia Ministry of Environment; Mike Zollitsch, Oregon Department of Environmental Quality; Scott Schaefer, California Office of Spill Prevention and Response; Jon Neel, Washington Department of Ecology; Laura Couvillon, TradeFair Group; and Jean Cameron, Pacific States/British Columbia Oil Spill Task Force

JURISDICTIONAL UPDATES

Hawaii Office of Hazards Evaluation and Emergency Response; Curtis Martin reporting:

- Curtis noted that the Governor had vetoed a bill which would have increased the per barrel fee from \$1 to \$1.05; the increased revenue would not have gone into the state's emergency response fund.
- There have been no spill events to report, although 100-200 gallons were removed from a boat which sank at a marina on Oahu.

The Office of Spill Prevention and Response (OSPR), California Department of Fish and Game; Scott Schaefer reporting:

- Steve Edinger was confirmed as OSPR Administrator by the California Senate last Friday.
- There have been a number of changes in command with the local U.S. Coast Guard: VADM Breckenridge assumed command of the Pacific Area and RADM Castillo has assumed command of District 11. Steve Metruck is serving as Chief of Staff for D11. CAPT Jay Jewess heads the Incident Management Division which is now the point-of-contact for the RRT. CAPT Roger LaFerriere is now Captain of the Port for LA/LB.
- California state agencies, including OSPR, are now required to take a furlough day 3 Fridays each month. Field staff can take their 3 days on a flexible basis to accommodate work responsibilities. Combined with scheduled holidays and vacations, this has seriously reduced staff time.
- OSPR is forecasting that the Response Trust Fund will be in a deficit position by June of 2011 unless there is either a reduction in spending or an increase in funding. In addition, reductions in the interest rate have resulted in less funding for the Oiled Wildlife Care Network.
- Scott also reported an increase in the number of vessel casualties resulting from fuel switching (from bunkers to diesel) as required by the California Air Resources Board (CARB); losses of power have averaged 8/month.
- He also noted that the San Francisco Area Contingency Plan has been amended to allow the FOSC to appoint a Local Government On-Scene Coordinator (LGOSC) to represent local governments. The questions of "who will play that role" and "how that will be decided" are issues still being worked out.
- Scott further reported that the Area Committee and OSPR are working to improve interactions with social media networks; the Oiled Wildlife Care Network is developing a blog, for example.
- OSPR is drafting professional qualification standards for staff in ICS; they've reviewed both the USCG and FEMA standards for this project.
- OSPR is also reviewing response software options, Scott noted.
- Since industry is encouraging OSPR to provide drill credits for out-of-state drills, OSPR staff is developing standards for contractors who would represent the agency in monitoring drills.

Oregon Department of Environmental Quality (ODEQ); Mike Zollitsch reporting

- Mike reported that regulations have been adopted pursuant to recent legislation which increased many penalties from \$10,000 to \$25,000. Fines for intentional or reckless violations were increased from \$100 thousand to \$250 thousand.
- Oregon DEQ employees are required to take 10 furlough days over the biennium; salaried staff will take 2-4 additional furlough days in the next two years.
- Spill program funding is down as a result of few vessel transits, but no major cuts are being considered at this time.
- A person recently hired to review contingency plans has returned to the USCG, so DEQ is currently recruiting for that position.

British Columbia Ministry of Environment (MOE); Graham Knox reporting

- Graham reported that his staff has been dealing with small spills since the last meeting, although derelict vessels are becoming a big issue, since no agency has clear authority or funding to deal with the problem. If the Coast Guard moves an abandoned boat out of the navigation channel it may end up in the Province's jurisdiction. The Ministry is working with other agencies to develop cooperative options to address the problem.
- The ministry recently participated in Burrard Clean Operations' 1000-ton exercise with Chevron. Burrard Clean Operations (BCO) also has a 10,000 ton exercise coming up as part of the CANUSDIX exercise, which will involve a scenario built around salvage of the *General Zalinski*. The Ministry expects to participate in a "jurisdictional review team" (i.e. Unified Command without labeling it as such due to Canadian Coast Guard's inability to adopt UC) as part of this exercise.
- A big drill is also being planned in October to test interagency coordination in preparation for the Winter Olympics and Para-Olympic Games in Vancouver next year. The U.S. Coast Guard, U.S. Navy, and Canadian Maritime forces will be conducting exercise "Spartan Rings" October 19 through October 23 practicing maritime security in the northern Puget Sound area. MOE and other agencies will be involved in "Exercise Gold" during the first week of November to exercise public safety plans.
- Graham explained that the Ministry has been merging Incident Management Teams across the Province with the goal of maximizing both expertise and availability. Four Incident Commanders and five Deputy Incident Commanders are now trained and available.
- Recommendations from the program's Legislative Review have now been considered by the Minister and are likely to be recommended to Parliament in 2011.
- The Ministry is working with BCO, representatives of the shipping industry, and the Oiled Wildlife Trust to draft a policy and plans for care of oiled wildlife, including how it would interface with an ICS team. Graham noted that Transport Canada is also involved, as they regulate the certified response organizations like BCO. (Graham explained that the Canadian Wildlife Service in Environment Canada is responsible for migratory species, the Province is responsible for residential species and the Department of Fisheries and Oceans is responsible for marine mammals.)
- The Western Canada Environmental Emergencies Group – which includes the environmental emergency programs from the provinces of British Columbia, Alberta, Saskatchewan, Manitoba, Yukon, and the NW Territories as well as two Environment Canada regions - is scheduled to meet in Victoria in November.
- The Ministry has been working with industry and agency stakeholders for the past two years to improve planning and response for railroad spills. Their focus now is on developing a training program for emergency responders which incorporates common standards like ICS. An exercise may be planned for late 2010.
- The Ministry of Environment has taken a 12% budget cut, which has been absorbed through retirements and other cost cutting measures to avoid layoffs. Graham reported that his program budget was not significantly impacted, but some staff across government voluntarily agreed to reduce their work weeks during the summer. Travel out of the province is severely restricted.

Washington Department of Ecology (DOE); Jon Neel reporting

- Jon reported that the Spills Program has been conducting strategic and program planning.
- Ecology is working with the U.S. Coast Guard District 13 regarding protocols for notifications of all incidents.
- Regarding incidents, there were a couple of fishing vessel fires off the Coast, and a double-hull tank barge carrying gasoline grounded in the Columbia River near the Oregon town of Hood River. The grounding happened on the Oregon side; after lightering the barge was refloated. No release occurred, thankfully, since there were many windsurfers in the area. There was some confusion regarding whether the USCG or EPA had authority. A Unified Command including both states was set up. Jon noted that Ecology is reviewing the decision-making during the response. It is possible that the area needs dredging, and coordination between the Army Corps of Engineers (dredging and maps), NOAA (charts), and the USCG (buoy placement) needs to be improved.
- Jon also noted that the Spills Program is developing a policy regarding the agency's Incident Commander needs, including whether more skilled persons should be assigned to significant incidents. They are likely to recommend responding to the maximum probable volume of oil that could be released from an incident, even if a spill has not occurred. This response posture will build experience among staff and ensure the "broader response community" does not under respond.
- With staff reductions, the drill program will emphasize equipment deployment and unannounced drills. There will be fewer drills overall, so the emphasis is on those with the greatest value to participants.
- Jon is working on developing a funding proposal for the next legislative session. He and Dale Jensen are scheduled to meet with key legislators in Neah Bay on September 18th to review funding among other spill-related issues.
- Jon also reported that Ecology approved 13 oil spill readiness plans in August for refining, oil handling and vessel shipping companies operating in Western Washington; all but one is located in Puget Sound. In coming months, they anticipate approving final spill readiness plans for 18 additional regulated facilities, vessel shipping companies and vessel umbrella organizations operating in the state. The approved readiness plans were the first to fully satisfy new oil spill contingency rules updated in 2006; among the new standards was one requiring companies to have sufficient strategies, personnel and mobile equipment in place which can be sent anywhere in the state to rescue 100 oiled birds within 24 hours of a spill.
- Jon explained that the state is funding an emergency response tug to be on station at Neah Bay through the end of June, 2010. Washington legislation SB 5344 requires the shipping industry to submit a plan by the end of 2009 for private sector funding. The industry funded tug should then be in position on July 1, 2010 to take over this important spill prevention and response task.

Alaska Department of Environmental Conservation (ADEC); Larry Dietrick reporting:

- Larry explained that by Sean Parnell, who took over as Governor when Sarah Palin resigned, has not changed any Cabinet appointments.
- ADEC is encouraging the Legislature to increase the per barrel fee from 4 to 6 cents in order to avoid a deficit in the response fund by 2012.
- He noted that the Department is involved in a number of risk assessments as an alternative to command and control regulation. These risk assessments are likely to lead to performance standards for industry which allow them the flexibility to tailor their management plans to address identified risks.
- Risk assessments are currently underway for the oil and gas infrastructure statewide (\$5 million), for shipping in the Aleutians (\$4.5 million), and for operations in Cook Inlet (\$3 million). A risk assessment for the Arctic is under consideration.
- ADEC has been participating in R&D work on oleophilic skimmers; the TAPS shippers are supporting the work. Use of these skimmers removes the water storage issue, and they can remove up to 800 gallons

oil/hour. They are likely to be more effective in broken ice conditions than other skimmers. Evaluations are underway of various technical issues as well as efficacy in various sea-states.

- The Unified Command for the Drift River terminal below Mt. Redoubt was set up for six months. The terminal is currently operating at a reduced level. All tanks are out of service and alternative storage is being used in combination with more frequent tanker trips to remove oil in storage.
- Underwater recovery operations for the *M/V Monarch* are ongoing in Cook Inlet; see http://dec.alaska.gov/spar/perp/response/sum_fy09/090115201/090115201_index.htm.
- Alaska continues to have its share of various fishing vessel groundings, including the *F/V Vigilant* and the *F/V Nahanni*; see http://dec.alaska.gov/spar/perp/response/sr_active.htm.
- The state is concluding settlements regarding the *M/V Selendang Ayu* and the *T/V Seabulk Pride*. Other actions in process include a \$8 million civil action against BP plus a suit for \$400 million for lost revenue to the state from the 2006 pipeline spill.
- Larry noted that there are six sites in Alaska on the National Priority Superfund list. He also noted that Alaska received \$1 million in federal "Stimulus" funds for cleanup of underground storage tanks.

DEBRIEFING THE CLEAN PACIFIC CONFERENCE

- Laura Couvillon, Show Director from the TradeFair Group, joined the Coordinating Committee for this discussion. She reported that approximately 850 persons had attended this year.
- Feedback from participants was generally positive; they appreciated the regional flavor of the event and the chance to meet with peers from the Pacific area. Other positive points included:
 - Good attendance at the closing sessions;
 - Good interactions in the Exhibit area;
 - The Oregon Convention Center was a great place and our event felt more "compact," as it was easier to find meeting rooms, etc.;
 - The lunches provided productive gathering opportunities;
 - The Coordinating Committee members liked the "flag stations" at the Opening Reception; and
 - The TradeFair group did a great job of everything, including managing our 20th anniversary logistics (flags, posters, & banners)!
- Regarding areas needing improvement or possible revisions next time, the Coordinating Committee noted:
 - There were too many Super Session choices (NOTE: Clean Gulf will have only one this year); perhaps one Super Session could be picked from each track and worked into the schedule at varying times;
 - Exhibitors wanted more "big oil" companies there; Laura thinks that they're picking just one conference a year to attend;
 - Some corporations are more willing to "sponsor" than to actually exhibit;
 - Some sessions had too many speakers with the result that they were "crowded" for time;
 - Jean wondered if we really needed a keynote speaker, since it's hard to get commitments from high-ranking officials and celebrity fees are too expensive. She recommended just one General Session to include the agency updates and the Legacy Awards only; and
 - "Quiet Please" signs outside of session rooms would help with the problem of persons chatting in the hall just outside the doors.
- Jon Neel asked Jean to send "thank-you" letters to all conference sponsors; Laura will send Jean the contact information for this.
- Laura reminded the Coordinating Committee that TradeFair Group would be sending out a survey of all participants and will share the feedback with us once it's received. Jean noted that she had asked Heather Parker Hall to survey the USCG specifically, since they were co-hosts with the Task Force.
- TradeFair Group will also be emailing information to all participants regarding how to access the conference presentations on the web.
- Laura confirmed that Long Beach will be the location for Clean Pacific in 2011; the dates are September 27-29.

(NOTE: The Pacific States/British Columbia Oil Spill Task Force Members (or their delegates) adopted both the 2009-2012 Strategic Plan and the 2009-2010 Annual Work Plan at their Clean Pacific Conference Briefing and Executive Session on September 14th. The following discussions by the Coordinating Committee and Executive Coordinator are based on the projects and Topics of Concern identified in the 2009-2010 Annual Work Plan.)

SPILL PREVENTION PROJECTS

- Continue Database Project
 - Jean will develop a data submission schedule with Camille Stevens, the Workgroup Chair. She noted that staff in EPA had inquired regarding the 2008 data on facility spills.
 - Jean also reminded the Coordinating Committee to review the API spill data report which she had emailed on 8/24.
- Implement 2008 WCOVTRM Recommendations
 - This will include both Harbor Safety Committee outreach as well as work with the Maritime Information Services of No. America (MISNA) on tracking vessels.
- Develop the Pipeline Regulations Table
 - Jean advised the Coordinating Committee that she will consider hiring a contractor to help with this project if sufficient funding is available.
- Promote Best Industry Practices
 - Jean noted that she's experiencing difficulty getting responses from Jason Lewis of AWO pursuant to this project. Jon Neel offered to assist.
- Support POSPET
 - Jean reported that POSPET will hold their Fall 2009 meeting on September 30th at the Washington Department of Ecology.
- Monitor Double Hull status of tank vessels
 - Jean plans to ask MISNA if they can help identify double-hull tankers visiting West Coast ports.
- Monitor Topics of Concern
 - It was noted that the American Salvage Association, NOAA, and the USCG are collaborating to define and address risks from sunken vessels.

SPILL PREPAREDNESS/RESPONSE PROJECTS

- Review U.S./CN Transboundary Spill Issues
 - Jean reviewed the project schedule for this work year, and also noted that Dave Sawicki at BP, Cherry Point, is considering hosting workshops on a variety of issues in lieu of a drill on 11/13; one of those issues would address *Unified/Coordinated Command expectations for a cross-border spill*.
- Increase U.S. Limits of Liability
 - Jean needs to review the status of current regulations on this and submit petitions as outlined in the Annual Work Plan.
- Track changes to the Incident Command System
 - Jean noted that Heather Parker from USCG D13 is leading a project to design a Job Aid for the Environmental Unit Leader. Members of the Task Force's ICS Workgroup have been invited to participate.
- Update the IVRP and Expand to Nontank Vessels
 - If we do this year, it should be done after the U.S. Coast Guard's final Nontank Vessel rules are published.
- Maintain and Expand OILS 911
 - Jean noted that the system is operable again, although it cost the Task Force an extra fee to reestablish it.

- She reminded the Coordinating Committee members to explain the system to the marketing persons in their jurisdiction's emergency offices so they won't be tempted to tinker with it again!
- Monitor Mutual Aid Issues
 - This Task encourages member agencies to include Mutual Aid in drill designs, maintain staff training and passports, and report on any problems encountered.
- Preparedness Response Topics of Concern (no updates were provided at this meeting)
- Based on presentations and conversations at the Clean Pacific Conference, Jean recommended – and the Coordinating Committee agreed - to add two new Tasks under the Preparedness/Response objective as follows:
 1. To conduct an “electronic” workshop for representatives of Task Force Member agencies on the topic of using “social media” to improve public outreach during a spill response incident; and
 2. To establish a standing workgroup of Member Agency representatives to monitor developments in oil spill R&D, provide input regarding priority projects, and implement adoption of Best Available Technologies.

ADMINISTRATIVE & COMMUNICATIONS ISSUES

- Debrief 2009 Clean Pacific Conference and plan for 2011 (see above)
- Conduct Stakeholder Outreach
 - Jean reported that the West Coast JAT will be meeting in San Ramon, CA on 10/28; she expects to participate by phone.
 - The American Salvage Association conference is scheduled for 10/6-10/8 in Washington, DC; she has decided not to attend due to the high registration fee.
 - API's Spills Advisory Group will meet in New Orleans on November 17th in conjunction with the Clean Gulf Conference. Jean plans to attend both.
- Maintain the Task Force Web Site
 - This is ongoing; the 2009 Legacy Award information will be posted shortly, plus the new Strategic and Annual Work Plans.
- Track and comment on Federal Policy initiatives
 - Jean noted that the Final rules were out regarding response equipment.
 - The Proposed rules regarding the Nontank Vessel response plans is also out; she'll review it and ask the Coordinating Committee whether they wish to submit comments by the 11/30 deadline.
- Maintain the Legacy Awards Program
 - Since the new Strategic Plan changes the frequency for giving Legacy Awards to every 2 years, in conjunction with the Clean Pacific Conferences, we can use this “interim year” for evaluation and consideration of improvements.
- Maintain Partnerships with Federal Officials
 - Jean noted that she had forwarded a 8/31/2009 email from USCG CAPT Anthony Lloyd seeking input to the Department of Homeland Security's quadrennial review process. She encouraged each Coordinating Committee member to submit comments to the process emphasizing the USCG's environmental missions.
- Jean noted that she would be on vacation October 5-16. Prior to that she'll be following through on Clean Pacific closure tasks, reviewing the USCG NPRM on nontank vessels, finalizing the Strategic and Annual Work Plans to send to the governors and Premier, updating the website, and staffing the POSPET meeting, in addition to general administration work.