

**Summary Notes<sup>1</sup>**  
**Pacific States/British Columbia Oil Spill Task Force**  
**Winter 2005 Coordinating Committee Meeting**  
**January 13-14, 2005**  
**Honolulu, Hawaii**

**I. ATTENDING:**

Curtis Martin, Hawaii Dept. of Health; Stan Norman, Washington Dept. of Ecology; Bud Leland, California Office of Spill Prevention & Response; Stafford Reid, BC Ministry of Water, Land, and Air Protection; Mike Zollitsch, Oregon Dept. of Environmental Quality (by speaker phone); and Jean Cameron, Pacific States/BC Oil Spill Task Force

**II. JURISDICTIONAL UPDATES**

British Columbia Ministry of Water, Land, and Air Protection; Stafford Reid reporting:

- The Province of BC has adopted ICS province-wide, and the Ministry is moving forward with ICS training for twenty-five Incident Management Team personnel and technical specialists. All response officers will have 300-level training.
- Stafford is “Canadianizing” Ecology’s *Drilltrac* program for application in BC.
- The Ministry participated in an Imperial Oil spill response exercise on November 16th in Nanaimo. Stafford noted that the unified command element worked well.
- The Ministry joined Burrard Clean as a member, thus allowing them access to response equipment.
- Stafford has been working with the BC Spill Alliance, an organization of industry and consultants, to provide spill preparedness and response recommendations to Taiwan’s Minister of the Environment.

Hawaii Department of Health, Hazards Evaluation & Emergency Response (HEER); Curtis Martin reporting:

- There have been no significant spills in Hawaii in the last quarter, just minor sheens at the offshore moorings.
- The US Navy and Dept. of the Interior conducted a spill response drill in late October for the battleship Arizona in Pearl Harbor. Minor releases occur continuously, but if there’s a catastrophic release, response will be limited to boom and mechanical recovery in order to avoid tampering with the Arizona itself. Hull surveys will continue to be done.
- Curtis reported that Hawaii’s MOU with the NW Cruise Ship Association has just undergone its annual review. No significant changes are proposed. This voluntary agreement actually exceeds what the state could accomplish through regulations, since the industry agreed to ban grey water releases within 4 miles of the 1000 fathom curve, which is greater than the state’s three- mile authority. Nevertheless, he expects that a few cruise ship bills will be introduced when the state legislature convenes later in January.
- There is a proposal to build a wildlife rehabilitation facility on the island of Hawaii, but HEER prefers use of mobile trailers that can be moved between islands by aircraft.

Washington Department of Ecology; Stan Norman reporting:

**PREVENTION**

- Tanker Tug Escort Study: The contractors hired to complete this Legislatively- mandated study have completed their work. The study is posted at the Spills Program web site: [www.ecy.wa.gov/programs/spills/spills.html](http://www.ecy.wa.gov/programs/spills/spills.html). We are still absorbing the wealth of information in the study. It is unlikely that there will be any legislative action on the recommendations during the 2005 Session, which began on January 10th. Ecology is hoping that the issue of tanker tug escorts will be

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<sup>1</sup> NOTE: This is a meeting summary and is not intended as a verbatim record of all presentations or comments made during the meeting.

tabled until the 2006 Legislative Session to give them more time to consult with affected stakeholders and gather additional information.

- Happy (?) New Year: In a case with disturbing similarities to the *Selendang Ayu* tragedy in Alaska, a large cargo vessel lost power more than 400 miles west of the entrance to the Strait of Juan de Fuca on New Year's Eve. Fortunately for Washington and British Columbia, the Master of the *Stewart Island* wasted no time in calling for help. A Crowley tug, the *Hunter*, was dispatched almost immediately to tow the vessel safely into port. A second tug was added as a precaution as the *Hunter* and *Stewart Island* approached the coast. Spill response organizations were also placed on alert. The story had a happy ending as the ship was safely towed, still powerless, into Vancouver BC on January 6th.

## PREPAREDNESS AND RESPONSE

- Quoted below is a message that Dale Jensen, Spills Program Manager, sent to the Program on January 6, 2005:

"I want to share with you the **Final Report of the Oil Spill Early Action Task Force** and the **GENWEST Independent Review**. These two reports provide an external perspective on our response to the Dalco Passage Spill on October 14, 2004 and recommendations for implementing "Lessons Learned" for the future and I encourage you all to read them.

"The Early Action Task Force was chartered by Governor Locke and RADM Garrett of the US Coast Guard (USCG) on November 5, 2004. The group was established under the auspices of the Region Ten Regional Response Team (RRT) and Northwest Area Committee (NWAC) and met 5 times to evaluate actions that should be taken during the early stages of oil spills and make recommendations. CAPT Chip Boothe, U.S. Coast Guard and I co-convened the Oil Spill Early Action Task Force.

"The final report is available at our web site as follows:

<http://www.ecy.wa.gov/programs/spills/response/taskforce/tasksforce.htm>. The final version of Ecology's recommended priorities and estimates of how much it would cost to implement the recommendations, may be found at the above web link in the section entitled "*Ecology Cost Estimates and Advice on Priorities.*"

"I also want you to know that the Senate will be holding a work session and public hearing this coming Tuesday on the "Report of the Oil Spill Early Action Task Force and the Tug Escort Study." This hearing will kick off a very busy legislative session for the Spills Program. The Spills Program Policy Team will be meeting Monday morning to work on our legislative strategy. I will be calling on many of you to assist us in this added workload.

"*Dalco Passage Mystery Spill, 14 October 2004 Lessons Learned Report*" was completed by John Murphy of GENWEST Associates and is available at the following web site:

<http://www.ecy.wa.gov/programs/spills/incidents/dalco/Dalco%20Passage%20Lessons%20Learned%20Genwest%20Report%20Final.pdf>. This report (along with those on the Dalles Dam and Foss Pt. Wells spills) is the third independent review that we have done in our Program this year and a number of the "lessons learned," have already been implemented.

"An overview of our efforts as of mid-December is provided in a document titled "*Department of Ecology Actions Taken Since the Dalco Passage Oil Spill*" this work may be found at:

<http://www.ecy.wa.gov/programs/spills/response/taskforce/Dalco%20Passage%20Actions%20Taken.doc>. Additional lessons learned reports may be found at: <http://www.ecy.wa.gov/programs/spills/response/lessons.htm>.

"There has been an incredible amount of work in our program this year to prevent, prepare for, and respond to spills. You are all part of a team that is incredibly good at what you do and you continue to rise to the challenge everyday to learn and grow. Thank you for all that you do to enhance public health, safety, and protect environment. It's a pleasure to work with you. "

- Regarding the recommendations of the Oil Spill Early Action Task Force referenced above, Stan noted that all recommendations need to be run through the Area Committee, and that no implementation budget has yet been approved by the state legislature.
- He also noted that Ecology has been training “beach watchers” to function as an alert system. Consideration has also been given to training volunteer responders, but their relationship to professional responders would need to be clarified.
- Regarding the match of the Dalco Passage oil with the Polar Texas, Stan noted that the leak could have occurred if the pump room on that vessel was open during deballasting.
- Stan also reported that Dodge Kenyon of the DOE Spills Program staff had gone to Alaska to help with the *Selendang Ayu* investigation, since he has experience with slow speed diesel engines.
- Stan anticipates that numerous oil spill bills will be introduced in the 2005 session.
- He reported that the 2004 cruise ship season went well and that the state’s MOU with the industry seems to be working well.
- The US Coast Guard is sponsoring two Ecological Risk Assessment sessions in Washington: one in Port Angeles in January and one in Port Townsend in February. Participants will evaluate the environmental impacts of various response technologies, including dispersants, for the Washington coast of the western Straits of Juan de Fuca.
- Ecology is promoting a Risk Management study for the Columbia River; the workgroup will evaluate various incidents and make recommendations. The co-chairs are Mike Zollitsch of Oregon DEQ, John Thornton of Ecology, and CDR Dan Pippenger of the USCG MSO Portland. Final recommendations are expected by Fall of 2005.

California Office of Spill Prevention and Response (OSPR); Bud Leland reporting:

- Bud noted that Lisa Curtis, who had been Enforcement Chief for OSPR, has been appointed as the new Deputy Administrator for OSPR. Bud will continue to serve as Assistant Deputy Administrator.
- The California Department of Finance’s audit of OSPR has been completed and a draft was submitted to the Department of Fish and Game, OSPR’s parent agency, for comments. Finance then added final comments and submitted the report to the legislature. Finance noted two points where improvements are needed:
  1. OSPR staff need to participate more in industry drills and exercises (although Finance conceded that revenue allotted for this purpose had previously been cut by their own agency); and
  2. OSPR needs to improve their data on inland spills. Inland spill reports come through the Office of Emergency Services, which contacts OSPR dispatch. The data is entered in Lotus Notes, not an Access database.
- OSPR is seeking Executive Branch approval for a bill which would give them civil penalty authority for inland spills. OSPR already has such authority for marine spills. Under the current arrangement, they must go through local District Attorneys for inland spills, and the DAs aren’t usually interested in pursuing spills with small volumes and minimal environmental impacts.
- Randy Imai of OSPR went to Dutch Harbor, Alaska, as an animal capture expert. Bud observed that the Task Force’s Mutual Aid Agreements helped to expedite approval by the Governor’s Office.
- OSPR will soon be sponsoring an On-Scene Coordinators’ seminar with the Pacific Strike Team and EPA Region 9.
- With regard to recent incidents, Bud noted that an old ship, made of cement, and abandoned at Aptos, CA, is suspected as the source of oil on birds found nearby. Rough weather and heavy surf conditions have hampered the investigation.
- Winter storms have wrecked havoc on inland pipelines; two washouts closed lines to Arizona.
- OSPR will be one of the co-sponsors of the National Harbor Safety Committee conference in Long Beach April 17-20.

- OSPR has contracted with RADARSAT for two months and hopes to extend the contract. RADARSAT provides images of the coastal waters and can spot an oil slick. OSPR has a protocol with the USCG to report slick sightings that need fly-overs for confirmation.

Oregon Department of Environmental Quality; written report submitted by Mike Zollitsch:

### **PROTECTING OREGON'S WATER**

- Drills and exercises are important parts of a well coordinated Emergency Response team. The Emergency Response staff at DEQ attends many drills during each year to ensure proper training and preparedness efforts in the regulated community. On November 5<sup>th</sup>, Mike Renz, the Emergency Response State On-Scene Coordinator (SOSC) from Bend attended a table top drill that the Maritime Fire and Safety Association (MFSA) held at their facility in Portland. Ed Wilson, Emergency Response planner, attended the drill as an evaluator in coordination with the State of Washington. Also participating were the Port of Portland, Cowlitz Clean Sweep, and the O'Brien Group. The drill scenario involved a grounded barge near the mouth of the Sandy River releasing 3000 barrels of kerosene per hour. The exercise developed the incident through the planning meeting and led to an Incident Action Plan covering the next day's response operations. This exercise and planning is the basis for next years worst case scenario drill for the Portland area.
- On November 16th, Mike Renz attended a table top drill for Chevron Products in Portland as an SOSC. In attendance were MFSA, Cowlitz Clean Sweep, and Chevron. The scenario was a combined eco-terrorism/oil release where an unauthorized boat tapped a header on the Chevron Dock releasing an unknown amount of oil to the Willamette River. Chevron, in conjunction with MFSA and Cowlitz, quickly established a unified command and produced an Incident Action Plan. The drill ran through the tactics meeting and demonstrated a very well thought out plan that produced a guide for the next day's response operations.

### **RESPONSE**

- On October 26<sup>th</sup>, 2004, two Central Oregon & Pacific locomotives pulling 10 rail cars filled with lumber derailed approximately 14 miles upstream of Riddle. The railway runs along Cow Creek between Glendale and Riddle. Reports from the site indicated that at least one of the locomotive fuel tanks ruptured and released approximately 4300 gallons of diesel fuel. Railroad crews on-site initially controlled some of the release with sorbent pads, and later their contractor installed booms in the creek. DEQ coordinated with the Douglas County emergency manager and Haz-Mat teams to notify the City of Riddle drinking water system and through their network, several other downstream intakes/towns. The City of Riddle, Tri-Cities and Myrtle Creek all shut down their Public Water System intakes due to the diesel odors at the water intakes. Contact was made with several tribes and an elder from the Cow Creek Band of the Umpqua Tribe visited the site. Cow Creek Falls is a important resource to the Cow Creek Band.
- There was serious entrainment of fuel in Cow Creek as reported by the Federal On Scene Coordinator. The scene of the incident had some major obstacles, including steep terrain, access by a single road and there were no cell phone communications at this site. Positioning boom along the creek was problematic. Oil levels on the creek were greatly reduced over several days. Wes Gebb, DEQ Western Region, was on-site as the State On Scene Coordinator.
- A freighter laden with heavy oil and diesel fuel spent about 12 hours grounded in the sensitive estuary of the Lower Columbia River, next to a wildlife refuge filled with waterfowl, before tugboats nudged it loose at high tide Friday morning, Jan. 7th. Authorities were relieved to find no sign that the Global Challenger, a 528-foot cargo ship from Singapore, had leaked any oil while mired in sand and mud near Woody Island about 30 miles up the Columbia. Coast Guard crews checked over the ship's steering and other functions before allowing it to proceed to Vancouver, WA where divers were scheduled to more carefully inspect its hull for damage. The ship was empty except for the oil, fuel and about 5,500 tons of ballast water when it headed up the river to collect a load of grain in Vancouver, said Coast Guard Capt. Paul Jewell. The Coast Guard is investigating the cause of the grounding.

## INVOLVE OREGONIANS IN SOLVING ENVIRONMENTAL PROBLEMS

- Chuck Donaldson and Jack Wylie attended a meeting of the Oil Spill Early Action Task Force on November 29th, in Tacoma, WA. This Task Force, formed by Washington Governor Gary Locke and Rear Admiral Jeffrey Garrett of the U.S. Coast Guard, is dealing with issues raised as a result of the Dalco Passage spill near Tacoma, WA on October 14, 2004. It is evaluating actions to be taken during the early stages of oil spills when meteorological conditions are adverse. The Task Force report will recommend improvements in early notification procedures, response policies, and response technology, including possible changes to the Northwest Area Contingency Plan in coordination with the Region Ten Regional Response Team. It is anticipated that many of these may be applicable to oil spill response in Oregon and in the shared waters with Washington.

## OTHER

- Wes Gebb, SOSOC in Western Region attended the Federal On-Scene Coordinator Readiness training in Phoenix, AZ. Many of the sessions addressed the NRP, NIMS, and ICS. The opening session included a quick overview of emergency responses in the ten EPA regions and included the DEQ photo for the recent Cow Creek response.
- The EPA Emergency Response Teams (ERT) provided the latest news on what's going on with new equipment at ERTs in Edison, NJ; Las Vegas, NV and Cincinnati, OH. The EPA Office of Research and Development (ORD), and the National Homeland Security Research Center (NHSRC) provided overviews of current activities to prepare risk assessment documents, safe building criteria, and water security guidance. The EPA Office of Emergency Management (OEM) and the National Planning and Preparedness Division provided overviews of the NRP annexes and the role of EPA for different types of incidents such as radiological and biological.
- The EPA made presentations on the opportunity for OSCs to explore how the removal and emergency program should be using ICS. "All EPA OSCs have received the ICS 200-300-400 level courses which provide a focus on system operations." EPA intends to focus on specific technology, tools and resources available for OSCs and Environmental Unit Leaders, aimed at new resources that will be helpful in improving the timeliness and quality of data management. Region 6 and 10 appear to be the lead players.

### Alaska Department of Environmental Conservation

- The Alaska Department of Environmental Conservation (ADEC) was unable to send a representative to the meeting. ADEC had been dealing with the oil spill from the grounded freighter *M/V Selendang Ayu* on the Bering Sea side of the island of Unalaska in the Aleutians. For daily situation reports and more information on this incident, visit DEC's incident website at: [www.state.ak.us/dec/spar/perp/response/sum\\_fy05/041207201/041207201\\_index.htm](http://www.state.ak.us/dec/spar/perp/response/sum_fy05/041207201/041207201_index.htm)

## III. STATUS OF SPILL PREVENTION PROJECTS

### Database Project

- Jean reported she had not yet received the analysis of the regional spill data from January to June of 2004, but that it would be emailed to the Coordinating Committee members when available (NOTE: This was done on January 24<sup>th</sup>.)
- OSPR will host the Investigator training course May 10-12, 2005 in Sacramento.
  - DNV will bill each member agency directly. If the course can be filled, the cost/person will be \$700.
  - OSPR plans to send 6 persons; Ecology will send 7, and HEER will send one. No word from ADEC.
  - Bud will work with Scott Schaefer to promote USCG attendance and will also promote the course to EPA at OSPR's OSC event.
  - Stan and Bud will work with Jean to draft an event notice for the Task Force website. Jean will also forward the notice to the Coordinating Committee and to Transport Canada.

### Prevent Oil Transfer Spills

- The Coordinating Committee briefly reviewed the transfer spill data, noting that ongoing “activity” data in the annual data analysis will help highlight trends regarding transfer spills.
- They then reviewed the draft table which Jean had compiled with their transfer regulations. They will submit some revisions and changes by Feb. 15. Jean will add a Table of Contents and a column for federal regulations. Stafford will forward the final comparison to Transport Canada and Canadian industry. Jean will post the final on the Task Force website.
- The 3<sup>rd</sup> step outlined in the Annual Work Plan for this project requires a review of training and certification standards for persons doing transfers. Since some of that is covered in the regulatory table and some will be covered by the Trucking Roundtable, Stan suggested that we hold off on this for now. Jean will also check with Larry Dietrick regarding this step.

#### Recommended Best Industry Practices as Standards of Care

- Stan Norman, project chair, recommended that we approach the USCG Pacific Area and ask them to contact Harbor Safety Committees in our US jurisdictions to establish the top five Best Industry Practices (BIPs) as Standards of Care for their ports/harbors.
- He also recommended that we ask the USCG Pacific Area to promote the top five tank barge BIPs through the USCG/AWO Pacific Area Quality Steering Committee.
- The Coordinating Committee agreed to Stan’s recommendations. Stan will draft a letter to CAPT Rob Lorigan, Chief of Marine Safety for the Pacific Area and Jean will coordinate the Committee’s review of the draft.
- The Task Force may seek industry leadership on this issue.

#### The Pacific Oil Spill Prevention Education Team (POSPET)

- Jean reported to the Coordinating Committee that POSPET has scheduled a Spring meeting on April 1<sup>st</sup> at Ecology’s building in Lacey, WA.
- The POSPET members agreed to continue use of the theme “Spills aren’t Slick.” Mary Ellen Voss of Ecology is working to redesign the outreach materials. Rob Hughes of OSPR has agreed to get printing quotes. The members will only print the decals this year.
- Jean noted that she has been compiling material for a POSPET page on the Task Force website, and will get it up in February.

#### Update on TAPS Conversions

- Jean had referred the Coordinating Committee to the 12/1 version of the TAPS tanker chart which Laura Stratton of Ecology maintains on their website (with a link from the Task Force site).
- Laura had explained that the only change in that version was that the *Polar Texas* was removed because it had reached its OPA 90 retirement date.
- Stan noted that all the old double hulls will eventually be replaced with the super-redundant double hulls and there will probably only be about ten tankers operating in the TAPs trade.
- Regarding the USCG’s Critical Area Inspection Program for the TAPs tankers, the Committee noted that the “art” of inspecting double hulls is evolving.

#### Spill Prevention Topics of Concern

- ***Cruise ship operations***
  - Stan reported that Washington State’s annual review of the cruise ship MOU was underway.
  - Jean will check on the status of EPA’s report as well as the implementation status of California’s bills passed in 2004.
  - Stan noted that NOAA’s policy on cruise ships in National Marine Sanctuaries (NMS) would be discussed at an upcoming NMS meeting.
- ***Oil spill prevention research and development***
  - Jean reminded the Committee of the NOAA/UNH oil spill research report which Leslie Pearson had forwarded 10/26, as well as MMS’s ROTAC report which she’d forwarded on 12/14.

- Stafford noted that he's advocating that Environment Canada (EC) target research on oily waste disposal. Stafford supports "land farming" that involves composting the waste. He'd like EC to study the feasibility and costs of this approach, what infrastructure is needed, and how mobile it could be.
- **Pipeline spill prevention:** No updates were provided.
- **Offshore Lightering:**
  - Chevron's offshore lightering occurs about 25 nm off California, between Los Angeles and San Diego, west of the main traffic routes.
  - The crude is primarily Middle Eastern crude brought in on VLCCs. Bud is trying to get information on the volumes being transferred to the smaller tankers.
  - He explained that the VLCCs do not file contingency plans with the state, since they don't enter state waters. The lightering operations are outside both the state's and the USCG's jurisdiction, although the state might have some leverage with regard to risks to state waters. The operations are voluntarily stopped when seas exceed 12 to 15'.
- **Oil spill risks from sunken vessels:** No updates were provided.
- **Waste oil dumping:**
  - Stan reported that settlement monies in Washington are going towards restoration.
  - He also noted that USCG MSO Portland had identified another case of illegal waste oil dumping.
- **Salvage capabilities and regulations:**
  - Jean provided a handout from the International Salvage Union with salvage statistics from 2003.
  - She alerted the Committee that the American Salvage Association (ASA) will hold its national conference November 1-3<sup>rd</sup>, and provided them with a copy of the draft agenda.
  - Jean also reiterated ASA's "Key Initiatives" as approved at their fall board meeting. These include a number of cooperative initiatives with the US Coast Guard, including reviewing a list of US salvors and training Strike Teams. ASA is also implementing the Salvage Safety Standards adopted in 2003.
- **Liquefied Natural Gas shipping and terminal operations:**
  - The Coordinating Committee discussed how to define "in ballast" with regard to residual LNG cargo. Stan noted that Ecology would defer to the Prince William Sound standard for oil residuals.
  - Bud noted that the San Francisco Harbor Safety Committee (HSC) had declined to endorse a bill in the last session that would have required escort tugs for LNG and chemical tankers; the HSC felt that the risks associated with such vessels would not be reduced by escort tugs.
- **Tug/barge inspection programs:**
  - Jean noted that Sections 409 & 415 of HR 2443 gave the USCG authority to inspect tugs smaller than 300 GT and to develop work hour recommendations.
  - She had already reported to the Committee re: the status of research by the USCG on Crew Endurance Management, and that a report on the CEM study is due to Congress in 2005. No work hour regulations would be adopted prior to that step.
  - With regard to inspection of towing vessels, Jean plans to attend a public hearing on this in Oakland Feb. 2<sup>nd</sup>, and will be relying on input and advice from Norm Davis of Ecology as she develops draft Task Force comments on this issue.

### III. STATUS OF SPILL PREPAREDNESS/RESPONSE PROJECTS

#### Places of Refuge Area Plan Annex

- Jean referred the Committee to her Midterm report to the Task Force Members for a Places of Refuge Project summary, and noted that the final project report and Places of Refuge Area Plan annex are available on the Task Force website. The Coordinating Committee reviewed and discussed the final Annex, noting that they will monitor implementation of POR Area Plan Annex in each jurisdiction.
- They reported that their Members had approved the resolution; Jean requested that their signatures be mailed to her as soon as possible so she could post the final on the web.
- Stan noted that Washington State would probably not apply the Places of Refuge pre-planning to any areas east of Port Angeles in Puget Sound or east of Astoria on the Columbia River.
- Jean also reported that she'd forwarded a copy of the Places of Refuge annex to USCG District 1, since they're planning a Place of Refuge element to the CANUSLANT exercise in June.

#### Drill/Exercise Agreement

- The Coordinating Committee discussed their recommendation to the Task Force Members that the 1995 protocols for giving credit for drills or exercises in other member jurisdictions be dropped in favor of case-by-case decisions.
- Jean noted that she still needed approvals for this step from the Task Force Members in Alaska, BC, and California.
- She'll draft a final statement for the website and send it to the Coordinating Committee for their review.

#### 2005 Roundtable on spills from trucking

- Jean reported that she'd talked with a representative of the Federal Motor Carriers Safety Administration and had reviewed the federal regulations. The Committee noted that they're interested in both cargo and fuel spills.
- The Coordinating Committee discussed the draft Roundtable agenda and decided to hold the event in Portland on either March 23<sup>rd</sup> or 24<sup>th</sup>. Mike Zollitsch will work with Jean to confirm a location and date, and will recruit a DEQ person to serve as keynoter. Jean will moderate the Roundtable. Stafford will work w/Jean to identify and invite Canadian authorities and industry representatives to be on the panels.
- Jean asked the Coordinating Committee members to determine who from their agencies would participate, and to send her list of stakeholders to be invited. The Coordinating Committee also advised her to ask the trucking industry representatives whether insurance companies should be invited. They also wish to invite industry to set up display tables and "poster sessions" during the break.
- Jean will discuss the Roundtable's title with the participants, will invite speakers, finalize plans, and post information on the website.

#### IVRP matrix & OILS 911

- No updates were necessary to the Integrated Vessel Response Plan (IVRP) Guidelines over the past quarter.
- Jean reported that July through November 2004 usage data shows that 183 spill reports were made using the OILS-911 number. The breakdown by jurisdiction is as follows: British Columbia, 91; Washington, 7; Oregon, 8; California, 77.

#### Discuss USCG Contingency Plans for Non-tank Vessels

- Jean reviewed the meeting which she and Carlton Moore had in late October with USCG CAPT Joe Saboe on this topic, and noted that the Office of Response planned to undertake "a listening process" with states. In addition to the West Coast states, Texas, Louisiana, Florida, and Maine already have plan requirements in place. The Coordinating Committee members reported that no contacts had been made with them up to that point.
- Jean also noted that CAPT Saboe anticipates that rulemaking will eventually take place, but plans to issue a NVIC to provide initial guidance to the non-tank vessel operators, since the law requires plan

submittal by August 9, 2005. He had also noted that he'd like to issue the final Salvage/Firefighting regulations in conjunction with the non-tank vessel regulations, and include salvage/ff requirements for the non-tank vessels.

- Regarding the issue of inadequate federal Certificates of Financial Responsibility requirements for non-tank vessels, the Coordinating Committee advised Jean to draft a statement regarding the need for the USCG to defer to approved state non-tank vessel contingency plans as well as the need to increase COFRs for non-tank vessels. Jean will send this to the Committee for their review. Once finalized, it will be forwarded to appropriate legislators by either the Task Force or each Member, as they wish.

#### Preparedness/Response Topics of Concern

- **Drill programs:** No updates were provided.
- **COFR requirements, state and federal:** See above
- **Response technologies, including research and development:**
  - The NW Area Committee's annual ad hoc equipment meeting took place on January 13<sup>th</sup>. The meeting "provides vendors, inventors, scientists and/or companies a fair and impartial opportunity to demonstrate their product's effectiveness and compliance with regulations before an oil spill occurs."
  - Also, see R&D discussion on page 8 above.
- **OSRO certifications, mergers, mutual aid, and response capabilities:**
  - The Committee reviewed topics which they wished to discuss with Steve Benz of MSRC when they met the following day.
  - Stan noted that Dale Jensen, Ecology's Spill Program manager, was speaking with members of MPA's Board of Directors about their concerns with the \$10 million "retainer" which MSRC requires under their agreement with the US Coast Guard before deploying their response resources.
  - Bud explained that OSPR has an orphan spill agreement with MSRC which includes an indemnity clause; this precludes the need for a retainer.
- **NRDA initiatives and activities:**
  - Jean reported on the 12/9 JAT meeting which she'd attended in San Ramon, CA, noting that attendees represented ChevronTexaco, NOAA, USFWS, WA FWS, Conoco/Phillips, and OSPR.
  - Attendees had been given a tour of ChevronTexaco Crises Management Center and a presentation on Chevron's Corporate Emergency Response teams.
  - A presentation on LNG/LPG tankers was also given, and Jean provided a copy of the material for the Coordinating Committee's review.
  - Jean noted that the JAT had sent a letter to the SONS organizers regarding the importance of including NRDA in drills, and that she had forwarded a copy to the Coordinating Committee on 12/21.
  - She also reported on the agency updates given at the meeting and noted that Marty Cramer of ConocoPhillips was taking the lead to assemble Ephemeral Data Collection Guidelines.
- **Applied response technologies:**
  - Bud reported that the USCG District 11 is evaluating the idea of replicating Hawaii's ADDs pack agreement in California, now that dispersant pre-approval plans are finalized for state waters. If the state could buy the ADDs pack and an OSRO would maintain it, the USCG would provide aircraft.
- **Coordination of inter-jurisdictional wildlife care:**

- Stafford reported that the Ministry would like to establish an internal wildlife care management team, and that Environment Canada is developing procedures for dealing with oiled marine mammals. Jean noted that she has copies of the Task Force's recommended protocols for oiled mammals if needed.
- **Foreign flag response vessels:**
  - Jean reminded the Coordinating Committee that the Task Force had been instrumental in getting an amendment to OPA 90 in 1996 that allowed a US FOSC to use foreign-flag response vessels when an adequate number of US-flagged vessels are not available and when the foreign country extends a reciprocal protocol to the US, which Canada does. She reported that the USCG Office of Response is leading a coordination effort with Customs and MARAD to allow for expedited approval of foreign-flagged vessels for emergency response and national security reasons.
- **The US Oil Spill Liability Trust Fund:**
  - Jean asked the Committee what their recommendations would be as the Oil Spill Liability Trust Fund is reviewed by Congress this year. They recommended that the cap be reset at \$2.5 billion, with inflation adjustments. Better yet, set it at \$3 billion and designate \$0.5 billion for prevention investments (such as stand-by tugs on the UK model or addressing the spill risks from sunken vessels). They also recommended including a mechanism for assessing costs to non-tank vessels.
- **Administrative penalty question:**
  - Bud noted that the information which Jean had collected on the Task Force member agencies' administrative penalty regulations had been useful to OSPR and that no more information was needed at this point.

#### **IV. COMMUNICATIONS PROJECTS AND ADMINISTRATIVE ISSUES**

##### Midterm Report to Task Force Members

- The Coordinating Committee noted that Jean's Midterm report to the Task Force had been well received and seemed to be what they wanted.

##### 2005 Annual Meeting date, location, theme

- The 2005 Annual Meeting will be on July 27<sup>th</sup>. ADEC is hosting and will decide whether the meeting will be in Anchorage or Juneau. Jean will post information on the website as soon as a location and block of rooms are confirmed.
- The Coordinating Committee discussed possible themes and particularly liked the idea of focusing on response and preparedness issues associated with non-tank vessels, such as the status of USCG rulemaking, the US federal COFR level for non-tank vessels, and vessels in "innocent passage." Jean will work with the Committee to develop and announce the theme.

##### 2005 Legacy Awards

- The Committee approved the 2005 Legacy Award announcement for the web. Jean will get it posted in early February.

##### OSPR proposal re: Mexico

- Jean reported that Carlton Moore, OSPR's Administrator and our California Task Force Member, had noted that there was no oil spill agency equivalent to the Task Force member agencies in the state of Baja. Only the Mexican Navy is authorized to deal with oil spill issues. He'd asked that the Coordinating Committee discuss the possibility of the Task Force inviting the Mexican Navy to join as an "associate" member.
- The Coordinating Committee was concerned that an "Associate" status for the Mexican Navy would set an awkward precedent for US & Canadian federal agencies, which are not currently invited to be members of the Task Force. They suggested that the Mexican Navy be treated the same as US and

Canadian federal agencies, meaning that they would be invited to the Task Force's public meetings and the Coordinating Committee would endeavor to meet with them periodically, just as they do with the USCG, EPA, and the Canadian federal agencies.

- Jean will attend the MEXUS Joint Response Team meeting in San Diego February 10<sup>th</sup> to make a presentation on the Task Force and the Places of Refuge Area Plan annex.

#### EC Activity Report

- Other than her work on the projects discussed above, Jean reiterated that she had represented the Task Force at API's Spills Advisory Group meeting in October; her trip report had previously been submitted to the Coordinating Committee.
- She noted that she planned to brief VADM Johnson, Commandant of the Pacific Area, on 2/1 and to attend the USCG towing vessel hearing in Oakland 2/2.
- Jean noted that she had been reappointed to the USCG's Navigation Safety Advisory Council (NAVSAC) through 2006, but that the USCG had not staffed the council since Margie Hegy resigned in April of 2004, so it had not convened since March of 2004.

#### Budget status/interagency contract issues

- Jean provided the Coordinating Committee with a six-month budget report that showed the following balances for the 2004-2005 fiscal year: \$34,248 in Personnel Services; \$7,618 in Travel and Conferences (she noted that the IOSC expenses would be incurred in the second half of the year); and \$8,786 in Goods and Services, which will have to cover ongoing expenses as well as the Roundtable expenses and layout of the annual report. She also reported that DEQ would not be printing the 2005 annual report, so the budget will have to cover that or defer the printing costs into July.
- Jean then went through her Performance Evaluation with the Coordinating Committee, asking for recommendations as to how she could further "exceed expectations" in various categories.
- Stan reported that Ecology will extend her contract for another 2-year period. Stan will work with Jean and the Coordinating Committee to establish the new budget for 2005-2007.

#### Spring meeting logistics

- The Committee confirmed April 20-21 for their Spring meeting and agreed to meet in Victoria, since MWLAP will be hosting.
- Stafford will work with Jean to arrange a meeting with Canadian federal officials on the 21<sup>st</sup>.

#### Mutual aid and coordination during *Selendang Ayu*

- Bud reported that thirty-five OSPR staff had volunteered to go to Unalaska to help with the oil spill there. Only Randy Imai, a wildlife specialist, had been requested by the Unified Command.
- Stan reported that Dodge Kenyon had been asked to assist in the investigation of the incident, since he's familiar with the vessel's engine design.
- Stafford Reid commented that ADEC's incident website was a good management tool, since it provides information that can help responders, vendors, and volunteers.
- Bud noted that OSPR intends to replicate the format of the website for its own use.

#### USCG comment re: Massachusetts ANPRM

- Jean reported that Carl Moore and the OSPR legal staff had been very helpful in drafting the Task Force's comments on the USCG ANPRM on Buzzards Bay. Those comments are posted on our website at <http://www.oilspilltaskforce.org/docs/comments/CommentsBuzzardsBayRNA.pdf>.

#### IOSC

- Jean noted that the International Oil Spill Conference website is available for conference registrations and hotel reservations.

- Jean reported to the Committee that she'd be co-chairing a session on Recent Case Studies with papers on the Foss spill from both the USCG & DOE, plus two papers on wildlife operations. She'll also be co-presenting a paper on the Places of Refuge project with John Bauer of ADEC.

## V. COORDINATING COMMITTEE MEETING WITH THE CHIEFS OF MARINE SAFETY, US COAST GUARD PACIFIC AREA DISTRICTS

Attending: The Coordinating Committee as noted on page one, plus USCG Captain Paula Carroll, D14; USCG CAPT Chip Boothe, D13; USCG CAPT John Davin, D17; CDR Scott Schaefer, D11; and CDR Frank Shelley, Pacific Area.

Discussion covered the following topics:

- The Oil Sill Task Force's 04-05 Projects were reviewed (see above).
  - It was requested that the transfer spill regulations table be posted on the Task Force website when completed.
  - Security plans have doubled the number of drills required under NPREP, so the USCG is looking into ways to combine the drill requirements of both programs.
  - Regarding oil spill R&D by the USCG, CAPT Carroll noted that information on their projects can be accessed from [www.RDC.uscg.gov/](http://www.RDC.uscg.gov/)
- Places of Refuge Implementation:
  - CDR Shelley noted that CAPT Lorigan will be distributing the final Places of Refuge Area Plan Annex template to the West Coast districts with copies to LANT Area and the Office of Response.
- West Coast response organizations:
  - CAPT Boothe noted that the Area Maintenance and Logistics Command would deal with the retainer required by MSRC, not a district office.
  - Regarding non-tank vessel coverage, it was noted that some P&I clubs are joining MPA in order to have access to MSRC's response capabilities.
- Status of MOUs/Protocols with States:
  - OSPR and D11 are updating the protocols for their MOU.
- Status of Pending Regulations:
  - The USCG extended the current salvage regulations to 2007; no action has been taken on the proposed rulemaking.
  - No updates were available on other rulemakings.
- Federal and state tug escort requirements and studies:
  - A study was completed by Glosten and Associates for the state of Washington which compared the risks associated with a double hull super-redundant tanker without an escort with a double hull single-screw with an escort; the study is available on their website. Ecology is reviewing the results now. State tug escort regulations in Washington only require one tug; OPA 90 requires two for Puget Sound.
  - OPA 90 only requires tug escorts for single hull tankers in Prince William Sound, and no more single hull tankers are expected to sail there after 2007. The state gives tanker operators contingency plan credits for escorts, although they do not require them. CAPT Davin noted that the USCG and the State of Alaska would collaborate to develop "the next iteration" of a tug escort policy for Prince William Sound.
  - It was noted that the concept of a stand-by tug to be stationed at Unimak Pass in the Aleutians is being driven by the Alaska Legislature. The state is contracting for a traffic volume study.
  - The costs of spills in Alaska and Philadelphia will be addressed when the USCG reports to Congress this year on the state of the Oil Spill Liability Trust Fund.
- Task Force Member Agency Updates (see pages 1-6 above).

- PAC Area Updates:
  - The USCG has six months to produce nine new plans to implement HSPD-13 (Maritime Security Policy). Maritime security will be extended beyond the EEZ.
  - FEMA will be doing training presentations in LA/LB April 26<sup>th</sup> and Seattle on April 21<sup>st</sup> on the new National Response Plan; FEMA is in charge of the overall program, but presentations will be made by all DHS partners involved, including the Coast Guard.
  - D14 has been participating in the Southern Pacific Regional Environmental Program, wherein the US, Australia, New Zealand, France, and the Pacific Islands cooperate to develop spill response plans and improve response capabilities.
  - D14 recently had an interesting experience with a derelict ferry, the *Ajman Two*, which was being towed from Mexico to the Far East for scrapping under a North Korean flag. With no 96 hour Advance Notice of Arrival, and during US Navy exercises, it had to get security clearance to come ashore for fuel. Then it was delayed by weather, and then grounded and had to be lightered.
  - D13 reported on the Governor's Early Action Task Force, which was established in response to the Dalco Passage spill and co-chaired by CAPT Boothe and Dale Jensen of Ecology. The Task Force just completed its report with recommendations to both the state and the USCG. CAPT Boothe planned to present the USCG's responses at the NW Area Committee meeting.
  - D11 reported that the Mexican US Joint Response Team will meet February 10<sup>th</sup>.
  - D11 is working with the state to acquire an ADDs pack and maintain it under an agreement similar to that in place in Hawaii (see page 12).
  - CAPT Davin provided a dramatic PowerPoint presentation on the *Selendang Ayu* grounding and oil spill on Unilaska, noting that costs estimates for the response were at \$10 million at that time.
  
- USCG Leadership Changes and COTP/Sector Realignment:
  - RADM Jeff Garrett will be replaced in the 13<sup>th</sup> District by RADM R.R. Houck.
  - Paul Gugg, now at MSO Buffalo, will replace CAPT Lorigan as Chief of Marine Safety for the Pacific Area. CAPT Lorigan will become the Chief of Staff for District 11. Dan Neptune will take over as Chief of Staff for the Pacific Area.
  - New Captains for the Port have been named for Honolulu and Guam.
  - CAPT Steve Metrick will be the new COTP for Seattle and CAPT Pat Garrity will be the COTP for Portland. CDR Bill Whitson is retiring and CAPT Boothe will extend for one more year.
  - There are five sectors in D13, but only two COTPs. VTS will be integrated into a "sector" and the title of "marine safety office" will no longer be used.
  - Jerry Swanson will be the new Chief of Marine Safety for D11. CAPT Bill Uberti will take over as COTP for San Francisco.
  - Steve Hudson will replace CAPT Davin as the D17 Marine Safety Officer. COTP assignments will also change for Valdez and Anchorage.

## **VI. COORDINATING COMMITTEE MEETING WITH STEVE BENZ OF MSRC**

The Coordinating Committee members attending this meeting met with Steve Benz, Judith Roos-Norell, and Mike LaTorre of the Marine Spill Response Corporation (MSRC) on January 14<sup>th</sup>, following their meeting with the USCG representatives. Summary notes of the discussion follow:

- Mr. Benz noted that 2004 had been MSRC's busiest response year by far, primarily due to the hurricanes that hit the Gulf and East coasts. He explained that MSRC had responded to 4 east coast spills, 8 on the west coast, and 35 in the Gulf of Mexico and Caribbean areas; 13 of these were responses as a result of Hurricane Ivan. At one point they deployed 5 "Responder" class vessels and 137 MSRC personnel, not including vessel crews, in the Gulf. He noted that there had been no reportable injuries or even first aid incidents during this period.

- He also remarked that their response to the pipeline spill in the Suisun Marsh was a success for MSRC for several reasons. First, it involved a response by the merged MSRC/Clean Bay organization, and secondly, it was in a marsh environment. He also noted that Kinder-Morgan, the RP, was a former Clean Bay customer, not a national MPA member, but rather a Transitional Member for Northern California only. The new arrangement that MSRC has developed to accommodate such clients worked well. Bud Leland of OSPR stated that everyone was satisfied with the cleanup operations.
- Mr. Benz went on to explain that the California Region MSRC now includes Clean Bay and Clean Coastal Waters, and that Steve Ricks is the Regional Vice President. The California Region has staffed two new offices, in San Diego and Eureka. The new organization has received its OSRO rating from OSPR.
- MSRC is also developing mobile communications expertise and equipment to assist clients during any emergency. No retainers or MPA membership is required for access to these services.
- Regarding the merger in Puget Sound, Clean Sound and MSRC now have an agreement “in principle” and are in the process of due-diligence reviews of human resource and accounting records. A Memorandum of Understanding has been signed with Burrard Clean Operations of British Columbia in order to continue transboundary response cooperation. Mr. Benz said that the operations sites would be the same after the merger and that the only reductions would be in administrative and non-response supervisory staff, not in response personnel.
- He noted that there are two Clean Sound Coop members who are not MPA members, but they will be covered under the 10-year transitional status arrangement if they do not join MPA on a national basis.
- The merger should be final by April 1<sup>st</sup>. This will create a larger Pacific Northwest MSRC region, which will include Washington, Oregon, and Hawaii. Richard Wright of Clean Sound will serve as the Regional Vice President. Mike LaTorre, MSRC Vice President, will be managing operations for OSRL out of Southampton in the UK.
- Regarding the issue of the \$10 million retainer required to contract with MSRC, Stan Norman explained that it is a huge barrier for the State of Washington, which cannot approve a BOA with an indemnity clause like the State of California provides. Ecology has relied on Clean Sound for spill response services. Mr. Benz noted that MSRC is working with Dale Jensen of Ecology and the MPA Board of Directors to address this issue.
- Mr. Benz reported that MSRC is investing in new skimmers and “work boats.” He noted that In-Situ burn kits are in place in Hawaii, Washington, and California. Louisiana is their “hub” for dispersant operations.
- Regarding the issue of non-tank vessel coverage, Mr. Benz explained that 11 of the 12 major P&I clubs have signed contracts with MSRC for coverage of their member vessels. Only the American Club has not joined. This provides MSRC coverage for more than 95% of the non-tank vessels visiting US ports.