

Summary Notes
Pacific States/British Columbia Oil Spill Task Force
Winter Coordinating Committee Conference Calls
January 14 & 22, 2010

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PARTICIPANTS

Larry Dietrick and Bob Mattson, 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; Phil Wiczynski, Florida Department of Environmental Protection (on 1/14); D'Arcy Seago and Laurie Boyle, British Columbia Ministry of Environment (1/14); Chip Booth, Washington Department of Ecology (1/14); Joy Lavin-Jones, California Office of Spill Prevention and Response (1/14); Sonja Larson and Nhi Hoang, Washington Department of Ecology (1/22); Laura Couvillon, TradeFair Group (1/22); and Jean Cameron, Pacific States/British Columbia Oil Spill Task Force

JURISDICTIONAL UPDATES

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

- ADEC has been dealing with 3 significant pipeline spills on the North Slope since the last Coordinating Committee meeting; two involved flow lines and the other a well line. Larry explained that flow lines carry a very corrosive mixture of oil, gas, and water from the wells to the separation facilities. He also noted that PHMSA doesn't regulate flowlines. ADEC has had authority to regulate flowlines since 2008; these spills are a good test of their regulations, and ADEC is conducting a detailed engineering review.
 - Larry also explained that winter spill cleanups are relatively simple, since the spilled material congeals in the cold, the snow acts as an effective absorbent, and the North Slope is flat - all of which makes containment and cleanup very manageable.
 - He also noted that BP has employed DNV to conduct the causal investigations.
- A large spill from an onshore tank occurred January 11th on Adak, which is in the Aleutian Island chain, accessible by a four-hour flight from Anchorage. ADEC and USCG responders are on-scene, and they have determined that a leaking underground tank released 142,800 gallons of diesel fuel as it was being filled from a tank ship. Most of the fuel was absorbed into the ground, but about 1,000 gallons leaked into the small boat harbor. To track this and other active responses in Alaska, see: http://dec.alaska.gov/spar/perp/response/sr_active.htm.
- Although not a spill, Larry also noted another recent response incident in Fairbanks, where a person was seriously burned making rocket propellants and/or bombs. An Air Force team emptied the structure of the chemicals and exploded them in the yard.
- Regarding the diesel spill from the Crowley tug *Pathfinder*, which grounded on Bligh Reef in Prince William Sound on December 23rd, Larry wondered how the crew could make such a mistake, since there are navigation lights on the reef, and since that tug makes regular runs in the area of the reef on either tanker escort duty or ice patrols. There is also some question as to why the Prince William Sound Vessel Traffic Service didn't notify the tug when it was off-course.
- The recent spills on the North Slope and elsewhere have precipitated a need to evaluate the need for increased state oversight and/or changes to the state's penalties. Alaska now has compensatory civil penalties for spills of both crude and non-crude products. After the *Exxon Valdez* spill, the penalty formula for crude was based on volume, but could also be increased in the case of gross negligence or violations of approved contingency plans. A judge can also add additional penalties. The problem with the most recent spills on the Slope is that the total volume includes a mixture of crude, gas, and water, which complicates the computation.
- Larry also noted that federal legislation to require two tug escorts for laden tankers in Prince William Sound for both single and double hull tank vessels is in the Coast Guard Authorization Act of 2010, which has passed the House but not the Senate.

- The risk assessment models used in Norway and the European Union (referred to as “Safety Assessment Plans”) are being reviewed as part of the risk assessment efforts in Alaska. For more information on the Oil and Gas Infrastructure Risk Assessment, see: <http://dec.alaska.gov/spar/ipp/ara/>.
- Regarding activities in the Arctic, Larry provided the Coordinating Committee with a summary of recent initiatives (http://oilspilltaskforce.org/docs/meeting_notes/Arctic_Initiatives_11_04_09.pdf). He noted that offshore drilling in the Beaufort and Chukchi Seas would undergo rigorous review by the Minerals Management Service. In terms of oil spill risks, he’s more concerned about unregulated shipping, but he doesn’t anticipate a significant increase in shipping in the near term. He also reported that Shell Oil is researching the efficacy and impacts of dispersant use in the Chukchi Sea.

British Columbia Ministry of Environment (BCMOE); Graham Knox reporting:

- Graham reported that the Ministry’s Environmental Emergencies Program had been dealing with routine incidents over the past quarter, with the exception of the bulk carrier Hebei Lion, which dragged its anchor in high winds and ran aground on a reef off Mayne Island in the Strait of Georgia on November 19th. The vessel was quickly towed free and there was no spill, but a great deal of interest was generated by a press release from the Washington Department of Ecology. A citizens’ group, the Islands Trust, has taken up risk issues associated with the designated anchorage area. It also raised questions regarding incident communications between the Canadian Coast Guard (CCG) and the Province, and between the CCG and the U.S. Coast Guard.
- The Emergencies Program has been making some changes to their Incident Management Team (IMT) structure; although they once had two separate IMTs, they’re now training together as a single team, and notifications will go to whoever is best positioned to respond. The Ministry is also training SCAT, Waste Management Teams and other standing specialist teams. The Program will hold its annual Incident Management Team training and program meeting January 26-27th.
- Other activities include preparations for emergency response during the Vancouver Olympics, and coordination with other provincial emergency programs. Graham noted success with a recent webinar meeting with the other provinces.
- Graham continues to work with the CCG to draft protocols covering coordination during incident response; they hope to adopt the final protocols by the first of April.
- His program is also working with railroads to train local fire departments to respond to oil and hazardous material spills.
- In addition, the program is working with Burrard Clean Operations, various wildlife rehabilitation organizations, and industry, lead by the Transport Canada’s Pacific Coast Marine Regional Advisory Committee, to draft oiled wildlife care protocols. Although the Canadian Wildlife Service (birds) and Fisheries and Oceans (marine mammals) have begun reviewing the draft protocol put out by the province, they have not been able to attend the meetings of the group on a regular basis.
- Graham also reported that government has asked the Ministry to lead the development of a provincial “Oceans Strategy” to include topics such as fisheries, economic development, coastal communities, and ocean health. A cross-ministry working group is developing positions to be reviewed by government; Graham expects that some of the Environmental Emergency Program’s work will be captured in the Oceans Strategy.

Washington Department of Ecology (Ecology); Jon Neel reporting:

- The Washington Legislature convened a 60-day session on January 11th. Jon reported that the State is facing a \$2.8 billion deficit, so budget issues will be front and center on the legislative agenda. The Governor is expected to propose eliminating some boards and commissions, combining and streamlining natural resource agency permitting, and consolidating regional agency offices.
- Ecology’s Spills Program is currently funded for the next 18 months, so no further cuts are expected. Jon is working on a legislative proposal focused on removing loopholes in the spills program’s current funding (*barrel tax*) mechanism; the proposal would eliminate credits for exported product and for oil imported by pipeline.

- Jon also noted that Ecology is working with WA Senator Cantwell on the U.S. Senate draft of the Coast Guard Authorization Act of 2010. They would also like the legislation to require the U.S. Coast Guard to work with the Canadian Coast Guard to conduct a new comparability study pursuant to the Cooperative Vessel Traffic System Treaty that would evaluate marine safety in the transboundary area.
- Jon provided the Coordinating Committee with a summary of response incidents, including the grounding of the Tidewater fuel barge *New Dawn* in July, 2009. Although this occurred prior to the last Coordinating Committee meeting, Jon drew attention to it because it led to a current legislative proposal that would require contingency plan holders to notify the state in the event of a threat of a spill, not just an actual release.



- Jon described a transformer leak from the Dalles Dam on December 23rd; 2,250 gallons of transformer oil leaked (see photo above). The Army Corps of Engineers was reluctant to call out a response contractor and did not provide accurate and timely information on the spill. It was difficult to coordinate press information. Jon explained that, if the state were to contract for the response, it might be difficult to recover costs from the Oil Spill Liability Trust Fund, since the dam is a federal facility.
- Washington State has an agreement with the Corps, but additional work is needed. Mike Zollitsch of Oregon DEQ asked that Oregon be included in future negotiations, and also explained that Oregon has enhanced response authority at a federal facility if PCBs are spilled.
- Jon reported that Ted Sturdevant has been named as the new Director for the Department of Ecology, following Jay Manning's appointment as the Governor's Chief of Staff. Mr. Sturdevant had served as Ecology's Government Relations Director, so it's been a smooth transition and no major policy changes are expected.
- Jon also explained that industry has not achieved consensus on a funding mechanism for the Neah Bay rescue tug, and the current funding provided by the State expires July 1, 2010. The tanker and barge operators have committed to funding 50% of the costs, and the dry cargo shipping interests have committed to funding 30%, leaving a 20% gap. Nevertheless, industry has begun soliciting contracts and has assured the Legislature of their intentions to maintain the tug.

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

- Mike was pleased that there were no significant incidents to report. However, ODEQ is concerned about response capability offshore of the Columbia River bar, since NRC moved the *Columbia Responder* to the Puget Sound area without notification. ODEQ, Ecology, and the U.S. Coast Guard are working together to evaluate the situation.
- Mike explained that USCG Sector Portland is reorganizing. CAPT Kaup, who is now at the air station in Astoria, will be the new Sector Commander; CAPT Fred Myer will serve as Deputy Commander. A Marine Safety Unit

will be established in Portland, and the Sector Command Center will be in Astoria. The reorganization will take several years.

- He noted that the Oregon Legislature will convene for a special session in February, when they may have to address a projected budget shortfall of \$800 million if two ballot measures fail in the 1/26 vote. Cuts are likely to affect most state programs.
- The Columbia River Harbor Safety Committee recently adopting bunkering guidelines, Mike noted, and gave credit to Diane Butorac of Ecology for her leadership on that project.
- Mike noted that DEQ recently hired Scott Smith to conduct their contingency plan reviews; Scott has a Coast Guard background, and also worked in other programs with ODEQ.
- Ernie Quesada is the new General Manager at the Columbia River Cooperative, Mike reported.
- He also reported that the NW Area Committee is revising the PIO chapter in the Area Plan with regard to the role of the RP's PIO. Subcommittees are also working on Volunteer and Places of Refuge issues.
- ODEQ hosted the NW Oil Spill Awareness Course on 1/5; 65 persons attended. The course is designed to provide information to key leaders and journalists regarding how oil spill response works; many of the attendees were representatives from local governments.

California Department of Fish & Game, Office of Spill Prevention and Response (OSPR); Scot Schaeffer reporting:

- The most noteworthy incident in California since the Coordinating Committee's September meeting was the fuel spill from the tanker *Dubai Star* on October 30th; 400-800 gallons of IFO 380, an intermediate fuel oil, spilled from a bunkering overflow while the vessel was at anchor in the Oakland area. While the spill is still being investigated it appears that the vessel failed to promptly make the required notifications. Also, the transferring unit did not deploy its boom as required by State regulations. Both of the Oil Spill Response Organizations performed well upon notification.
 - MSRC and NRC deployed oil spill clean up assets; a total of 54,900 feet of boom were eventually deployed, 24 response vessels were utilized, and more than 324 personnel were involved in the spill response effort.
 - A Local Government OSC representative from Alameda County was appointed to Unified Command according to revisions in the San Francisco Area Plan and was helpful in getting information out to local governments. Boom provided to local governments through OSPR's response equipment grants was deployed where needed.
 - The ICP was set up on Coast Guard Island, but there were some communications challenges. OSPR is advising all Area Committees to pre-identify initial command posts to meet needs during the first 3-4 days of a response. In selecting these ICP's, Area Committees should examine the need for power, phones and internet connectivity.
 - There were shoreline and wildlife impacts, and a new requirement for fishery closures was implemented.
- As a result of this spill, AB 234 (Huffman) has been introduced; it would require pre-booming of all persistent oil transfers.
- Scott noted that OSPR is training staff on ICS. Coast Guard Professional Qualification Standards will be used; IF there are no USCG PQS for the position, FEMA PQS will be used; if necessary, OSPR, will develop PQS for positions that do not have USCG or FEMA PQS established.
- OSPR is also reviewing staff capabilities to identify positions where there's a need for more trained personnel.
- Scott reviewed the issue of vessels losing power or experiencing reduced power as a result of switching to low-sulfur fuels as required by the California Air Resources Board (CARB) since July 1, 2009 for vessels operating within 24 nm of the California coastline. LOP incidents in the San Francisco Bay region averaged about 12/year from 2004-2008; of 54 LOP incidents reported to the USCG from January through October of 2009, 28 were related to low sulfur fuel use.
 - Not only have there been a number of power loss incidents in the San Francisco Bay area, but vessels are also changing their offshore traffic patterns to stay out of state waters. In the LA/LB region,

concerns include traffic congestion west/south of the Channel Islands and the lack of an IMO-designated TSS in that area, plus concerns regarding vessels transiting through the USN's missile range. The USCG, USN, VTS and shippers are developing a proposal for voluntary western traffic lanes. The U.S. Coast Guard is conducting a Port Access Routing Study, and the LA/LB VTS is advising vessels of incoming/outgoing traffic.

- o Scott noted that the Pacific Merchant Shipping Association has sued CARB over their authority to regulate vessels operating beyond state waters.
- Recent OSPR regulatory activities include:
 - o Updates to the COFR regulations In December which remove requirements that the original COFR be carried on board a vessel, and which add LPG/LNG carriers to the list of nontank vessel types;
 - o Regulations regarding independent drill monitors are in draft form; a public hearing will be held in February. See the draft regulations at: http://www.dfg.ca.gov/ospr/law/regs_rev.asp; and
 - o OSPR is updating regulations governing local government contingency plans.
- OSPR will offer its "Environmental Response to Oils Spills" (EROS) course in Monterey March 23-26th. Scott sent the Coordinating Committee information on this training event.

Hawaii Department of Health (HDOH); Curtis Martin reporting:

- Curtis reported a few minor spill incidents, including groundings of both a sailboat and a fishing vessel, and a five-gallon spill in Barbers Point Harbor.
- He noted that the Hawaii Legislature convenes 1/19 and will need to deal with a huge deficit. All staff persons are currently required to take two furlough-Fridays each month through the next fiscal year, and most agencies have already gone through one round of layoffs. The number of SOSCs has been cut by 50% - the state now has only two.
- Curtis also noted that USCG Sector Honolulu has proposed an amendment to the Oceana RRT to allow application of dispersants at night from surface vessels. This option would be used primarily, if not exclusively, at the offshore tank ship moorings off Barbers Point, Oahu. Clean Islands Council is equipped and prepared to conduct nighttime dispersant applications if all other environmental factors are favorable. This makes far more sense than waiting 9 hours for daylight to begin dispersant application, noted Curtis. In view of the existing pre-authorized use of dispersants in the Hawaii Area Contingency Plan, and the fact that the proposal has been endorsed by the Hawaii Area Planning Committee, this should move forward, but it has not yet been approved by the RRT.

Florida Department of Environmental Protection (DEP), Phil Wiczynski reporting:

- Phil reported that his program has mostly been dealing with "routine" spill responses. Their data show that fewer than 2,000 coastal and inland incidents were reported to the state of Florida during 2009. DEP's 24 emergency responders follow up on all of the incidents and respond on scene to about 1/3 of all reported incidents. The state maintains personnel on-call nights and weekends at 8 locations around the state to assess and respond as needed.
- The DEP enjoys a good working relationship with both the Coast Guard and EPA, Phil noted. EPA recently "out-posted" an OSC in Tallahassee, facilitating EPA's response capability and working relationships with a number of other state agencies. He also noted that there are five USCG Sectors with responsibilities in Florida, and three will be getting new Commanders this summer.
- Florida has been actively involved in various types of PREP exercises. A trend of late is to combine a PREP exercise with a AMSTEP maritime security exercise on two sequential days.
- The Florida Legislature will convene March – April. Like other states, the budget is the primary issue, with shortfalls of 5-10% projected.
- Phil noted that the offshore drilling debate continues; a bill has been proposed to allow drilling within Florida waters (3 miles along the Atlantic Coast and 10.3 miles off of the Gulf Coast. This will be an ambitious effort in

that Florida does not currently have state laws or rules dealing with offshore drilling in Florida waters, e.g. leasing procedures, exploration and production procedures, closeout, response preparedness, etc.

- Regarding the volunteer issue, Florida has received extensive support from Volunteer organizations including Emergency Support Function 15 (Volunteers and Donations), VOADS (Volunteer Organizations Active in Disasters), CERTs (Citizen Emergency Response Teams) and other organizations. This information is being compiled for inclusion in the various Area Plans.
- Phil also noted that Florida's Emergency Operations Center was activated to assist with the response to the earthquake in Haiti; the state has urban Search and Rescue Teams ready to go. Some earthquake victims have been airlifted to Florida hospitals. Florida currently has three emergency response databases activated, for 1) Haiti; 2) the cold weather; and 3) the upcoming Super and Pro Bowl games.

STATUS REVIEW OF SPILL PREVENTION PROJECTS

TASK I: Database Project

- Regarding the data report in our 2009 Annual Report, Jean noted that the increase in both the volume and the number of spills from 2006 to 2008 correlates with equipment failure as the primary cause, plus facilities and pipelines as the primary sources (see pages 21, 25, and 26 of the 2009 Annual Report at: http://www.oilspilltaskforce.org/docs/ostf_2009_web.pdf). This suggests problems with aging infrastructure, she noted, and recommended that the Task Force member agencies focus their spill prevention efforts on this issue.
- She reported that the Data Workgroup was to report spill data for January through June of 2009 by December 11th, but so far Camille Stephens of ADEC, who compiles the reports, has only received reports from Washington and Hawaii.
- Jean asked Mike Zollitsch, who compiles the Oregon data, if it would be easier if data were only compiled once each year; he thought not, and suggested that quarterly might be better, since the amount of data needing analysis and compilation would be smaller. Jean will raise this with the Workgroup on a conference call after the 1st half data is ready for their review.
- Jean asked the Coordinating Committee whether, considering the budget reductions facing most agencies, they expected a diminished capacity to investigate and collect data in the near future; they responded that this was possible, but was hard to predict.
- None of the Coordinating Committee members anticipated a need for Investigator training this year; we'll reevaluate this in 2011.
- Jean reviewed spill data presented by U.S. Coast Guard CAPT David Fish at the Clean Pacific Conference (see pages 5 & 6 of his presentation at: http://www.cleanpacificexpo.com/pdf/paper_archives/71231.pdf), which focused on "Spill Volumes by Coastal Area, All Sources, 1988-2008," noting that the West Coast numbers were far below those from the East Coast and Gulf and Rivers, with the exception of a spike in 1989 (presumed to be the *Exxon Valdez* spill). The Coordinating Committee also reviewed pie chart graphs of "Gallons of Oil Spilled by Coastal Areas Since OPA-90" and "Total Commerce by Coast Area, 2007." The West Coast represents 8% of the total volume spilled and 14% of total commerce.

TASK II: 2008 West Coast Offshore Vessel Traffic Risk Management (WCOVTRM) Recommendations

- Jean reported that she had presented information on the WCOVTRM project to the California Harbor Safety Committees at their Summit, which was sponsored by OSPR in November, and referred the Coordinating Committee to her trip report.
- She also reported that a Harbor Safety Committee webpage is now up on our website, as recommended by the WCOVTRM Workgroup (<http://www.oilspilltaskforce.org/harborsafety.htm>). Besides links to each West Coast Harbor Safety Committee website, it also includes information on Best Maritime Practices (BMPs), plus a link to a BMP PowerPoint developed by OSPR staff. Jean also explained that she had included WCOVTRM

information in her emails to the Puget Sound and Lower Columbia Region HSCs when she notified them of the web pages' availability.

- One of the 2008 WCOVTRM Recommendations had been that the American Waterways Operators (AWO) Pacific Region should update the 2002 inventory of ocean-going tugs on the West Coast. As reported to the Coordinating Committee in 2009, AWO suggested that such an inventory would only be a snapshot in time, and recommended instead that each U.S. Coast Guard COTP maintain access to tug dispatchers in his/her Sector in order to access rescue tugs. Jean shared this recommendation at the California meeting and also included it in her emails to the Puget Sound and Lower Columbia Region HSCs. She recommended that OSPR, Ecology, and Oregon DEQ follow-through with their HSCs on this issue.
- Two 2008 WCOVTRM Recommendations focused on implementation of protocols included in the MOU between the Washington Department of Ecology and USCG District 13, specifically the harmonization of spill data and development of metrics for dispatching the Neah Bay rescue tug. Jon Neel reported that both were still "works in progress." He explained that Ecology tracks deployments of the tug, and also noted that there had been fewer COTP orders for the rescue tug lately.
- Although not specified in the WCOVTRM 2008 recommendations, our 2009-2010 Annual Work Plan specifies under this Task that *Task Force member agencies should work with their local USCG Districts to facilitate usage of emergency towing packages on the model of those developed for the Aleutian Islands*. When asked for an update on the implementation status of this item, Mike Zollitsch reported that the towing package will be placed at the USCG Air Station in Astoria. Scott Knutson of USCG District 13 has since explained that the towing package purchased was for vessels <50,000 GT, and training is being planned. Curtis reported that this was also considered for Midway, but there were no long-range helicopters to deliver the package.
- Scott Schaefer noted that Sector Commanders consider requiring tug escorts in San Francisco and LA/LB for any vessel larger than 300 GT that has experienced a mechanical problem in another U.S. port. Most of the recent propulsion casualties are a result of California's new fuel switching requirements. Such casualties are recorded in the MISLE database, so the information can be coordinated with Advance Notice of Arrivals. The USCG requires that either the class society must confirm that the problem has been resolved, or the vessel must take a tug escort. Scott will send the Coordinating Committee a copy of the D11 guidance on this.

TASK III: Pipeline Regulations Table

- Jean reported that no action has been taken so far during this work year on this project.
- Regarding risks to Alaska's TAPS pipeline from reduced flow, Larry Dietrick explained that the TAPS line was designed to carry 2 million barrels/day, but is running at about 6 thousand barrels/day at this point, as production on the North Slope wanes. This means that temperatures drop as travel time through the line increases, so more waxes drop out of the crude oil; this requires more frequent pigging to keep the line clear. Larry also reported that Alyeska has converted the pipeline pumps to electric and thereby increased their efficiency. He also explained that the TAPS operators hope to get another life cycle out of both the North Slope and the TAPS pipeline; they met a 42% recovery goal in 1997, and now think they can reach a 70% recovery goal with new technology.
- Larry explained that any oil developed offshore in the Beaufort or Chukchi Seas would be piped ashore and then into the TAPS line for delivery to Valdez.

TASK IV: Advocate for Best Industry Practices

- Besides promoting information sharing among West Coast Harbor Safety Committees on their "Best Maritime Practices" (see above), our 2009-2010 Annual Work Plan calls for us to "work with the American Waterways Operators to determine the extent to which our recommended Best Industry Practices for tank barge towing operations are covered by AWO's Responsible Carrier Program."
- Jean reported that the AWO/USCG Pacific Regional Quality Steering Committee has not convened since February, 2009, and that Jason Lewis of AWO Pacific Region, has not provided this comparison, as proposed at that time. Mr. Lewis has suggested another meeting in February of 2010, but it was not yet confirmed.

TASK V: POSPET

- Jean reported that the fall 2009 POSPET meeting was held 9/30/09, hosted by the Washington Department of Ecology in Lacey, and that the summary notes of the meeting had been sent to the Coordinating Committee and were also posted on the website. The POSPET webpage on the Task Force website is under "Spills Aren't Slick" at <http://www.oilspilltaskforce.org/pospet.htm>.
- POSPET meets twice a year: in the spring to share ideas and collaborate on the summer outreach program, and again in the fall to recap what worked and what didn't. POSPET's spring 2010 meeting will be on April 28th, also in Lacey. The group agreed last fall that they'd like to improve their outreach to boaters at the dock, so the Task Force will pay travel expenses for Vivian Matuk, who works for both the California Department of Boating and Waterways and the California Coastal Commission, to give a presentation on their successful "Dockwalkers" program.
- Three new members have joined POSPET since the fall meeting: Rachel Lord, Outreach and Monitoring Coordinator for the Cook Inletkeeper in Homer Alaska; David Freed, Program Coordinator for the Washington State University Extension program in Clallam County; and Todd Hass, Outreach/Education Specialist at the Washington Department of Ecology.

TASK VI: Share Information on Vessels of Concern and Monitor the Double Hull status of tank vessels

- The Coordinating Committee received an update on the TAPS report from Laura Stratton on 11/9/09 which noted that the double hull tanker SEARIVER AMERICAN PROGRESS has recently returned to TAPS service.
- Jean also called their attention to a news article on 12/7/2009 stating that South Korea's government plans to reduce the ratio of port calls by single-hulled tankers to 15% in 2010 before imposing a ban in 2011.
- She reported that she has not yet contacted MISNA to determine if they can report on the double-hull status of non-TAPS tankers calling on West Coast ports.
- ADEC's notification to Oregon DEQ regarding the transit of the *APJ Suryavi* following a power loss at sea was noted.

TASK VII: Monitor Prevention Topics of Concern

- Cruise ship operations with regard to spills and other water pollution impacts
 - It was reported in November that ADEC was recruiting experts in existing and emerging cruise ship wastewater treatment technology.
- NPDES for vessel wastewater discharges
 - Jean referred the Coordinating Committee to her notes from the Clean Gulf conference on this topic.
- Oil spill risks from sunken vessels
 - Scott noted that California Assemblyman Sam Blakeslee has formed a team to assess the environmental dangers posed by the *Montebello*, an oil tanker torpedoed by a Japanese submarine off the coast of Cambodia in World War II. Experts from various state and federal agencies will assess the state of the wreck, determine what additional research needs to be done, and recommend next steps. The assessment report should be released this summer. The team has an initial budget of \$100,000 from OSPR; part of this money will be spent on sonar scans of the wreck to learn more about its condition and the surrounding ocean floor.
 - Jean noted that this type of incident was becoming more frequent, and referred the Coordinating Committee to her summary notes from the California Statewide Area Committee Coordinating Meeting on 1/12/2010.
- Vessel and Facility Oil Transfer regulations
 - Chip Boothe, Manager of the Prevention Section at the Washington Department of Ecology, joined the Coordinating Committee during their 1/14 conference call to review Washington's oil transfer regulations, which are available online as follows:
 - ♣ Class 1 Oil handling Facility requirements (transfers involving tank vessels):
http://www.ecy.wa.gov/programs/spills/Class1_facilities/Facilities_Class1.html

- ♣ Class 2 Facilities (Mobile tank trucks):
http://www.ecy.wa.gov/programs/spills/mobile_facilities/MobileFacilities.html
- ♣ Delivering Vessel Transfer Requirements and Guidance:
<http://www.ecy.wa.gov/programs/spills/rules/173-184.html>
- Washington's regulations require pre-booming of certain high-rate oil transfers when it is "safe and effective" to do so; otherwise, alternative measures are required to be taken prior to transferring oil over water. Ecology can also approve an "Equivalent Compliance Plan" submitted in lieu of the entity providing alternative measures.
- Ecology believes that "safe" is self-explanatory, and defines "effective" according to three weather criteria: wind, current, and sea state. Conditions, boom and deployment equipment will be site- and time-specific to transfer locations, depending on whether they're located in open or sheltered waters and the prevailing weather conditions encountered.
- Chip noted that most boom manufacturers classify a boom's effectiveness threshold as the point at which oil begins to entrain; often this occurs in currents of one knot or less; most companies submitting Safe and Effective threshold reports for Ecology approval use the manufacturers rating as their proposed effectiveness threshold for water current. On the other hand, Ecology has taken the position that any contained oil is better than oil in the environment, so pre-booming in any water current in which the boom can be safely deployed and does not fail (i.e., all oil entrains underneath the boom) is considered the more appropriate threshold for this particular effectiveness criteria.
- Washington regulations require that boom be on-scene and ready to be deployed within one hour, even if a transfer is not pre-boomed. This is a key part of "alternative measures" requirements.
- If an oil transfer is being done while a vessel is at anchorage, and full encirclement booming would likely be ineffective due to currents, catchment booms could still often be pre-deployed in a U-shape trailing downstream from the vessel. Booming vessels in areas subject to shifting tidal currents may obviously require more tending than a vessel subject to a relatively constant river current direction.
- Where pre-booming is required by Washington regulation the boom must be placed around an entire vessel or facility waterfront area that forms part of the transfer operation, or the deliverer may pre-boom that portion of the vessel and area transfer that will provide the maximum containment of any oil potentially spilled. Using the maximum containment methodology, effective pre-booming may actually be achieved by deploying deflective booming "downstream".
- Most WA refineries provide their own boom as well as personnel and boats to deploy it. Also, NRC provides most pre-booming services for other oil deliverers in the Puget Sound area.
- If tidal currents are predicted to shift during the transfer period, this should be taken into consideration in the transfer plan. Similarly, if bad weather is predicted during a transfer, a deliverer may pre-boom initially, then remove the boom as needed before the weather changes.
- Advance Notices of Transfers must be filed with Ecology for any oil product transfer over water.
- Ecology accepts that the Persons in Charge (PICs) must retain ultimately discretion to determine what's safe, and the PIC is required to notify Ecology when a decision is made not to boom; this can be done electronically and should be a real-time notice, not an advance notification.
- Chip reported that Ecology is seeing excellent overall compliance with the oil transfer rules and specifically with pre-booming with approximately 80% of all regulated high rate transfers being pre-boomed. The Boom Reporting Forms submitted for those instances where operations were not pre-boomed reflect by and large a good-faith effort by industry to apply their S&E threshold values.
- Ecology has not tracked pre-booming costs for regulated entities, but projected costs for the rule implementation in their economic analysis. Those costs have been substantially validated by anecdotal reports of initial capital costs exceeding several million and an annual operating cost of at least \$1 million by the most complex installations at refineries, to less than \$2000 annual cost for affected marinas with fueling services for non-recreational vessels.
- Chip explained that Washington's regulations are imposed on any person/entity delivering oil in bulk over water, including mobile facilities (tank trucks). Some deliverers have Booming Agreement contracts by which receivers assume the pre-booming responsibility for their transfer operation. As noted above, all of WA refineries provide pre-booming resources for oil transfer operations at their facilities whether they are deliverer or receiver. Some assess a fee for these services to calling vessels.
- Small operators, like tank trucks, must provide enough boom to surround the operation or a minimum of 500 feet as an alternative measure.

- Chip noted that most bunkering in Puget Sound is done by Olympic Tug and Barge (a Harley Marine Services subsidiary), which has hired NRC to pre-boom their oil transfer operations. The boom deployment teams typically stay on-scene to tend the boom and respond to spills that may occur. Olympic also carries at least an additional 500' response boom on board their bunker barges for use in an actual spill emergency
- There are no specific drill requirements associated with the pre-booming operations within WA's oil transfer regulations, but oil handling facilities are required to exercise their procedures for preventing spills during a particular abnormal operations event. Ecology also has authority to conduct unannounced inspections of any transfer operation.
- For more information on the Washington program, see *Focus on Oil Transfers- 1st anniversary report*: <http://www.ecy.wa.gov/biblio/0908009.html>
- Salvage capabilities and regulations
 - Jean referred the Coordinating Committee to her notes from the Clean Gulf conference on this topic.
- Liquefied Natural Gas shipping and terminal operations
 - Mike Zollitsch noted that FERC has approved the Bradwood Landing proposal 35 miles up the Columbia River, but Oregon Governor Kulongoski asked FERC to reconsider.
- Tug escort requirements
 - As noted in the Alaska Jurisdictional report above, federal legislation to require two tug escorts for laden tankers in Prince William Sound - for both single and double hull tank vessels - is in the Coast Guard Authorization Act of 2010, which has passed the House but not the Senate.
 - Mike Zollitsch noted that the USCG has proposed three escort tugs, plus docking tugs, for any LNG tankers delivering to terminals on the Columbia River.
- Federal preemption issues
 - The Coordinating Committee noted that the U.S. Coast Guard is not challenging the Massachusetts law which requires an escort tug for all tank barges, whether double or single-hulled.
- Vessel traffic trends and risk assessments or studies
 - **Aleutians Risk Assessment**
 - ♣ The first draft reports from the Aleutian Island Risk project are now available for review. These reports are intended to provide a high-level understanding of relative risks, taking into consideration types of vessels and hazardous substances and locations where discharges are most likely to occur. Results of these studies, and the upcoming Consequence Analysis (due in April), will allow the Advisory Panel and Management Team to perform a preliminary ranking of risk reduction measures. See: <http://www.aleutiansriskassessment.com/>.
 - **Alaska Oil and Gas Infrastructure**
 - ♣ Larry Dietrick explained that this risk assessment will be done from the top down, with industry required to conduct their own audits and submit them to government. See the first bullet on page 2 of this report.
 - **Loss of Power incidents associated with Low-sulfur fuel requirements**
 - ♣ See the discussion of Loss of Power incidents in California associated with low-sulfur fuel requirements on pages 4-5 above. Scott Schaefer also noted that most problems seem to occur within a mile of the dock.
 - ♣ Jon noted that this had not become an issue in Puget Sound yet, although fuel-switching upon entering ports has historically resulted in some incidents. The Puget Sound Harbor Safety Committee had published guidelines to vessel operators regarding such incidents in 2002.
 - ♣ It was noted that cruise ships are opposed to the low-sulfur fuel requirements on the basis of both cost and availability.
 - ♣ It was also noted that the low-sulfur fuels are contributing to engine burnout since they don't have the lubrication value of more traditional fuels.
 - ♣ Jean reported that the United States and Canada have submitted a proposal to the IMO that would designate an area off our coasts in which stringent international emission controls would apply to ocean-going ships. When adopted, this control program would dramatically reduce air pollution from

ships and deliver substantial benefits to large segments of the population, as well as to marine and terrestrial ecosystems. A fact sheet with an overview of the proposal is available at:

<http://www.epa.gov/oms/regs/nonroad/marine/ci/420f09015.htm>

- ♣ The Coordinating Committee further noted a 12/28/09 news article which stated that, starting in 2011, the EPA will require U.S.-registered ships to have technology on board to reduce those emissions, or to burn cleaner fuel. However, most large ships aren't registered in the U.S., so the rules only cover about 10 percent of the vessels that call at American ports.

STATUS REVIEW OF SPILL PREPAREDNESS/RESPONSE PROJECTS

TASK I: Review U.S. /CN Transboundary Planning and Response Issues

- Jean reported that she's revising the first draft Transboundary Project report to incorporate comments received in October. Seven Project Workgroup members submitted comments; no comments were received from any U.S. or Canadian federal agencies.
- She has made major revisions to the Finance section in order to incorporate information from District 13's Finance Workshop last July, and also to improve the flow of information and eliminate redundancy in the various original reports. She anticipates that the Command Section will also need major revisions, as will the Introduction.
- Jean reiterated the need for descriptive information from Alaska, British Columbia, and Washington regarding the two border areas. She also indicated that she plans to include information from Jon Neel and Craig Dougans' Clean Pac presentation on the 1988 *Nestucca* spill, as well as a reference to the Gulf Islands grounding incident in the Introduction.
- Dave Byers, the Project Chair, approved Jean's plan to revise each section one at a time; first each Subcommittee will review Jean's revisions, then it will be sent to the full Project Workgroup and invited reviewers. Review and comment may not seem so overwhelming one section at a time.
- Regarding the CANUSDIX exercise in late September, Graham will send a draft of the summary report of the event. He noted that the U.S. and Canadian Coast Guards established a joint command post which was referred to as a "jurisdictional review team." He also noted that the Canadian Coast Guard is exploring the use of ICS rather than RMS due to a number of benefits, including the fact that training is accessible on-line and would be more cost-effective.

TASK II: Advocate for Increases in U.S. Limits of Liability

- On January 6th the USCG adopted as a final rule their July 1, 2009 Interim Rule adjusting Limits of Liability for vessels and deepwater ports. The revisions for vessels were as follows:
 - Section 138.230: Limits of liability**
 - (a) Vessels. The OPA 90 limits of liability for vessels are--
 - (1) For a single-hull tank vessel greater than 3,000 gross tons, the greater of \$3,200 per gross ton or 23,496,000;
 - (2) For a tank vessel greater than 3,000 gross tons, other than a single-hull tank vessel, the greater of \$2,000 per gross ton or \$17,088,000;
 - (3) For a single-hull tank vessel less than or equal to 3,000 gross tons, the greater of \$3,200 per gross ton or \$6,408,000;
 - (4) For a tank vessel less than or equal to 3,000 gross tons, other than a single-hull tank vessel, the greater of \$2,000 per gross ton or \$4,272,000;
 - (5) For any other vessel the greater of \$1,000 per gross ton or \$854,400.
- The adjustments for tank ships and nontank vessels were only a little less than those recommended in the National Pollution Funds Center's 2009 Report to Congress. However, the NPFC's recommendations for tank barges were the greater of \$7000/GT or \$29,100,000 for single hull tank barges and \$7000/GT or \$36,900,000 for double hull tank barges. These suggested Limits of Liability were "to achieve an equal cost share" with the

Oil Spill Liability Trust Fund, based on past claims. See:

http://www.uscg.mil/npfc/docs/PDFs/Reports/Liability_Limits_Report_2009.pdf

- Jean noted the following statement on pages 31359-31360 of the 7/1/2009 rule, and expressed the hope that DOT, EPA, and DOI would move forward with CPI adjustments without petitions from the Task Force as outlined in our Annual Work Plan:

As explained in the CPI NPRM, to ensure future consistency in inflation adjustments to the limits of liability for all OPA 90 oil spill source categories, the Coast Guard has coordinated the CPI adjustment methodology with DOT, EPA, and DOI. In addition, the Coast Guard, DOT, EPA, and DOI have agreed to coordinate the CPI inflation adjustments to the limits of liability for facilities (i.e., for MTR onshore facilities regulated by Coast Guard, NMTR onshore facilities regulated by DOT, NTR onshore facilities regulated by EPA, and offshore facilities regulated by DOI), as part of the next cycle of inflation adjustments to the limits of liability. This phased approach will allow adequate time for the additional interagency coordination necessary to ensure consistency in implementing the CPI adjustments to the OPA 90 limits of liability for all onshore and offshore facilities.

TASK III: Track Changes to the Incident Command System

- Jean referred the Coordinating Committee to notes in her October activity report regarding an effort to develop a job description for the Environmental Unit Leader, which were initiated during a conference call on October 23rd. Heather Parker at USCG D13 is taking the lead on this project. Jean explained that the Task Force ICS workgroup members are participating, as well as representatives from other states. Randy Imai at OSPR is maintaining the website where documents are posted.
- Jean also reported that she has advised the ICS Workgroup regarding FEMA's proposed changes to ICS Forms.
- It was noted that EPA is developing their own ICS handbook, and concern was expressed that every federal agency would have a different ICS guide. However, it is hoped that eventually there will be one U.S. federal ICS handbook, with various agencies adding their own appendices.
- Regarding incorporation of Local Government OSCs into Unified Command as outlined in the San Francisco Area Plan, either the FOSC or the LGOSC can request it. The decision-making protocols are in the San Francisco ACP at: http://www.dfg.ca.gov/ospr/response/acp/TOC_Sector_SF_Sector_acp.html. The selection of the LGOSC must take place separate from the incident response and all affected local governments must agree on the person chosen. That person should have training and should be prepared to commit the time necessary and be able to identify a backup LGOSC.

TASK IV: Update the Integrated Vessel Response Plan and Expand to Nontank Vessels

- No action to update the IVRP is planned until the U.S. Coast guard nontank vessel regulations are final; at that point we will need to revisit acceptance agreements among all member and federal agencies in order to expand the plan to nontank vessels.
- Jean noted that current regulatory updates are covered by the revised Contingency Plan table, which is available on our website.
- Sonja Larson of the Washington Department of Ecology noted that Polar Tankers and SeaRiver Maritime utilize the Integrated Plan format for their tank vessels.

TASK V: Maintain and Extend Usage of the OILS 911 Spill Reporting Number

- Jean reviewed the OILS 911 usage over the fiscal year-to-date; from July 1 to December 31, 2009, 13 calls were made in British Columbia, 54 in Washington, 2 in Oregon, and 73 in California, for a total of 142.
- Jean also reminded the Coordinating Committee members to contact the managers of the emergency reporting agencies in their jurisdictions to explain how the system works so they can avoid the error made by the Washington system manager, who changed phone companies without realizing that this was part of a regional system.

TASK VI: Monitor Mutual Aid Issues

- The Coordinating Committee discussed a suggestion made by Larry Dietrick in 2004 that each member agency maintain lists of personnel resources - including technical experts - in the same format; this could be a handy reference for purposes of mutual aid, but would need maintenance. The Coordinating Committee felt that such lists could be submitted on an as-needed basis, customized to the needs of the agency requesting mutual aid.
- Scott Schaefer noted that OSPR often needs more depth in its SCAT Team resources during a response, so the Coordinating Committee members will send him lists of SCAT-trained personnel in their agencies. Sonja Larson mentioned that U.S. Navy Region NW (which includes California) may also have SCAT-trained personnel.
- Jean and the Coordinating Committee discussed FEMA's Emergency Management Assistance Compact (EMAC) and how it differs from our 1993 Mutual Aid Agreement. It's a compact among the 50 U.S. states, so it wouldn't automatically include British Columbia, and it focuses primarily on response to disasters and the movement of large assets. Our Mutual Aid Agreement is specific to oil spills. Graham noted that British Columbia's Provincial Emergency Program has disaster assistance agreements with adjacent states.
- Jean noted that two articles in the EMAC deal with Licenses and Permits and Liability, which are topics not addressed in our Mutual Aid Agreement. She'll forward copies to the Coordinating Committee for their consideration.

TASK VII: Conduct a Social Media workshop

- Jean is working with Todd Hass at the Washington Department of Ecology on plans for this workshop. Todd plans to use Webinar as format. They're aiming for the week of April 19-23, so Jean will contact the designated representative from each agency to schedule a time and date.
- Graham recommended including Dan Bate, the Canadian Coast Guard Communications officer, and Todd has identified Collin Bronson at USCG D13. Scott had earlier recommended Dan Dewell at USCG D11. Mike recommended including Mark MacIntyre from EPA.

TASK VIII: Establish a R&D Workgroup

- Oil Spill research and development, including BAT and BAP
 - Jean worked with the Workgroup Chair, Judd Muskat of OSPR, to recruit workgroup members and schedule a conference call, which was held 12/16. Participants included Dianne Munson, Alaska Department of Environmental Conservation; Laurie Boyle, British Columbia Ministry of Environment; Myola Martinez, Washington Department of Ecology; Don Petit, Oregon Department of Environmental Quality; Judd Muskat and Joy Lavin-Jones, California Department of Fish and Game, Office of Spill Prevention and Response; Joe Mullin, U.S. Minerals Management Service; Kurt Hansen, U.S. Coast Guard; Steve Lehman and Ruth Yender, NOAA; Dr. Bruce Hollebhone, Environment Canada; and Dr. Nancy Kinner, Coastal Response Research Center;
 - Summary notes of the call are currently under review by the Workgroup; once finalized, Jean will send them to the Coordinating Committee, the Workgroup, and post them on our website; the notes will include links to oil spill R&D project information.
 - The Workgroup also discussed how to improve state access to information; Steve Lehmann suggested that RRTs should provide access to the National Response Team's work. He also noted that field testing new technologies at drills and responses – what he called the *Science of Opportunity* – would be a way that states can contribute.
 - The R&D Workgroup plans to hold conference calls twice/year.
 - Jean also reported that she's exchanged emails with Jill Bodner from Genwest and with Judd Muskat regarding states' interest in learning more about GIS mapping technologies available during a spill response, as well as about electronic information transfer during a response. Ms. Bodner indicated

that a number of new GIS tools will be tested at SONS 2010. Judd was considering GIS for Oil Spill Response as a topic for OSPR's 2011 Technology Workshop.

- Development of remote sensing capabilities, application of RADARSAT, and implementation of 24-hour response operations where it would be safe and effective
 - This topic was discussed on the R&D Conference call, specifically during updates from OSPR and MMS.
 - The Coordinating Committee also noted that USCG Sector Honolulu has proposed an amendment to the Oceana RRT to allow application of dispersants at night from surface vessels; see details on page 5 above.

TASK IX: Monitor Preparedness/Response Topics of Concern

- Volunteer registration and tracking software
 - Jean reported that California has dropped development of volunteer registration software for now, since there were too many agencies to accommodate.
 - She referred the Coordinating Committee to her report on the San Francisco Area Committee's work on a Volunteer Management Plan, which is available at the U.S. Coast Guard's Homeport website (go to the Homeport link on our website under the Links tab; then click on the Ports and Waterways Page, then on Area Contingency Plans, then go to page 2 and click on the Draft Non-Oiled Wildlife Volunteer Plan).
 - The NW Area Committee has a Subcommittee working on volunteer management planning.
- Oil spill drill programs
 - Scott noted that OSPR has previously focused its drill requirements on OSROs, but is considering drilling oil transfer operations as well.
 - Sonja Larson reported that Ecology is focusing on deployment exercises more than table-top drills, due to reduced staff resources.
 - Scott also noted that District 11 has requested guidance from CG Headquarters on the topic of cutting back on NPREP drills in the Northern California area; OSPR would not support a reduced number of drills in the San Francisco Bay area.
- Applied response technologies and the new USCG regulations
 - The USCG's Final Rule on Removal Equipment Requirements and Alternative Technology was published 8/31/09, became effective 9/30/09, and the compliance date is 2/22/2011. Jean noted that there were no requirements for In-Situ burn equipment; the Task Force's comments had not opposed such a requirement, but did oppose any offsets in requirements for mechanical equipment. The Final Rule noted that the mechanical requirements had not been increased, since the number of spills is down; although the USCG did note on page 45011 that "the amount of mechanical recovery equipment is still inadequate to address fully the worst case threat...." The rule requires dispersant capability in areas where dispersant use is pre-authorized. It also requires aerial observation capability in all areas. The issue of remote area requirements is addressed on pages 45007 and 45012 the final rule (<http://frwebgate5.access.gpo.gov/cgi-bin/TEXTgate.cgi?WAISdocID=94840530901+0+1+0&WAIAction=retrieve>)
 - Jean referred the Coordinating Committee to CAPT Lloyd's update on the rule as relayed in her report on the API Spills Advisory Group meeting 11/17.
- Oil Spill Response Organization (OSRO) updates
 - Todd Paxton has replaced Doug Lentsch at CISPRI. Ernie Quesada replaced Tim Archer as the new General Manager at the Columbia River Cooperative.
 - As noted on pages 4-5 above, NRC recently moved the *Columbia Responder* out of the Columbia River area and up to Puget Sound. ODEQ, Ecology, and the U.S. Coast Guard are working together to evaluate the situation, focusing on the loss of a response resource and the lack of notification. MFSA – whose plan must be approved by both Oregon and Washington - subcontracts with NRCCS for responses on the Columbia River and covers offshore areas through MSRC and P&I club contracts. The P&I clubs, in turn, contract with MSRC and NRC for USCG vessel response plan coverage.

- Local Government OSCs in Unified Command (also see ICS, page 12 above)
 - OPR not only provides equipment grants to local governments, but also requires local contingency plans. OPR provides training and funding to facilitate local government involvement in Area Committee meetings and planning.
 - Jon noted that Washington State will accommodate a local government representative if one requests to participate in a response.

- NRDA initiatives, issues, and activities, including assessments and collections
 - OPR's policy regarding coordination of NRDA within ICS was provided to the Coordinating Committee last spring.
 - Jean sent the Coordinating Committee notes on the October 2009 JAT meeting in her October activity report.

- West Coast marine populations threatened by oil spills
 - NOAA has extended the comment period to March 3rd on its proposed designation of critical habitat for the Cook Inlet beluga whale. See: <http://edocket.access.gpo.gov/2010/pdf/2010-384.pdf>. Larry noted that there was a lot of concern about this in the Cook Inlet area. (Subsequently, NOAA issued a notice stating that it intends to prepare a recovery plan for Cook Inlet beluga whales. Comments and information should be submitted by March 29. 75 Fed. Reg. 4528 (<http://edocket.access.gpo.gov/2010/pdf/2010-1769.pdf>))
 - He also noted that listing polar bears as Threatened or Endangered would generate specific restrictions on offshore leases, and is likely to complicate litigation involving those leases.
 - NOAA has proposed rulemaking to protect Orcas in the Northwest; the Notice of Proposed Rulemaking was published on July 29, 2009, and is available at: <http://www.regulations.gov/search/Regs/contentStreamer?objectId=09000064809fd5de&disposition=attachment&contentType=pdf>. The comment period was extended to January 15, 2010. There will be insufficient time to finalize these rules for the 2010 boating season, so the goal is to finalize prior to the 2011 boating season.
 - NOAA also proposes to revise the critical habitat for the leatherback sea turtle to include two adjacent marine areas; one totaling approximately 46,100 square miles stretching along the California coast from Point Arena to Point Vicente, and one 24,500 square mile marine area stretching from Cape Flattery, Washington to the Umpqua River. Comments on the proposal should be submitted by March 8. See: <http://edocket.access.gpo.gov/2010/pdf/E9-31310.pdf>

- Preparedness/Response Lessons Learned
 - Larry reported that FEMA conducted household hazardous waste cleanups for residences impacted by the floods in the Yukon.
 - Scott reviewed a number of Lessons Learned from the *Dubai Star* spill response, as follows:
 - ♣ There's no such thing as a minor spill in San Francisco Bay!
 - ♣ Incident Command Posts with adequate communications capability need to be pre-identified for the first 2-3 days.
 - ♣ One to two persons are needed just to keep stakeholders advised; this begins with emails from the Sacramento office and is then augmented by a Liaison Officer at the ICP assigned to provide information to local governments.
 - Jon noted that a Liaison Officer will schedule briefing conference calls each day with local governments and other stakeholder groups in Washington. Besides a status update on the response, this also provides an opportunity for the stakeholders to provide their feedback and perspectives.
 - ♣ OSPR's OSCs are now managed by the Enforcement Branch at Fish & Game, and not all F&G Enforcement staff persons have spill response experience, so coordination on assignments to response and training is critical.
 - ♣ In the future OSPR will expect staff assigned to a spill to stay there for at least one week (7 days).
 - The Coordinating Committee discussed the issue of "overtime" pay for staff assigned to a spill response. Ecology offers it as "responder pay." Neither Oregon nor Alaska offer overtime pay, but endeavor to provide comp time.
 - ♣ Scott also noted a need for each party in Unified Command to coordinate the messages on their websites.

- Larry explained that ADEC maintains one website for the Unified Command (UC); it provides Sitreps, photos, and all key information. UC sends a photographer to the response site for daily photos. The media have found it very useful. UC is the single source and must approve all information. Other agencies and the RP may also maintain information on their own sites, so coordination is required. The website operation is orchestrated and coordinated by a dedicated team. Daily deadlines are in place for posting information and everyone in Alaska is comfortable with this model.
 - Regarding the grounding of the Tidewater fuel barge *New Dawn* in the Columbia River last July, Jon Neel noted that one Lesson Learned was that the operator was not necessarily required to notify Washington in the event of a threat of a spill as opposed to an actual release. Washington is proposing legislation to require contingency plan activation in the event of a threat of a spill. Oregon law requires reporting a threat of a release. USCG regulations require reporting casualties “as soon as practicable.” Operators are not required to report potential spills or near-misses in Alaska, but DEC would like to change this. DEC can access the state response account for an “imminent or substantial threat,” and the Commissioner has authority to issue emergency orders to deal with the substantial threat of a release. ADEC has developed a letter to vessel owners who experience a casualty within 200 miles of Alaska; the letter strongly advises them to take measures necessary to avoid impacting state waters. This provides the State with grounds to charge vessel owners with negligence if they fail to take necessary measures.
- Review USCG’s proposed contingency plan regulations for nontank vessels
 - Jean reviewed key points from the Task Force comments on the USCG’s proposed nontank vessel response plan rules. These comments are available at: http://www.oilspilltaskforce.org/docs/comments/NTV_NPRM_Comments.pdf.
 - One of the issues of concern raised by the proposed rules was response capabilities in remote areas, for which the USCG is proposing “Alternative Compliance.” Larry reported that USCG D17 has established a workgroup to develop Alternative Planning Criteria for Western Alaska. Curtis reported that a similar workgroup has been established for American Samoa.
- Track planning for Potential Places of Refuge and applications of POR decision-making guidelines
 - The NW Area Committee and the LA/LB Area Committee are both working on this. The San Francisco Area Committee has already identified a number of potential places of refuge in the Bay area.
 - Jean noted that Alaska Senator Mark Begich has proposed a number of bills, including S. 1561; this bill covers a variety of initiatives, including turning St. George Island in the Pribilof Islands in the Bering Sea into a year-round harbor of refuge; Larry commented that there are not deep-draft harbors in the Bering Sea.
- Status of the Oil Spill Liability Trust Fund
 - Jean reviewed the following highlights from the 2004-2008 OSLTF Report, which is available at: http://www.uscg.mil/npfc/docs/PDFs/Reports/OSLTF_Report_FY04-FY08.pdf.
 - ♣ “In 50% of spills the FOSC is unable to identify the source of the spill or a RP” (page 4);
 - ♣ “The prospect of successful cost recovery for a project involving an onshore facility is also generally low” (page 4);
 - ♣ A discussion is provided on page 6 regarding “the significant number and cost of spills from facilities”;
 - ♣ “The highest dollar value claims were received from RPs who asserted that they paid incident costs in excess of the limit of liability” (page 10); and
 - ♣ The largest category of claimants to the OSLTF is states, which submit removal cost claims for oil spills for which they are the sole responders” (page 14).
 - Jean also reviewed highlights from the 2009 OPA Liability Limits Report to Congress, which is available at: http://www.uscg.mil/npfc/docs/PDFs/Reports/Liability_Limits_Report_2009.pdf.
 - ♣ 51 incidents since 1991 have resulted in costs in excess of liability limits; fishing vessels represent 37% of incidents in excess of Limits of Liability (19 incidents); nontank vessels represent 39% (20 incidents); single hull tank barges represent 16% (8 incidents), double hull tank barges and single hull tank ships each account for 4% (2 incidents each)(pages 3 & 4);

- ♣ She also reviewed the suggested increases to limits of liability for various vessel types in order to achieve an equal cost share (page 12); see page 11 above for a comparison with recently adopted increases for vessel limits of liability.
- The 2010 Spill of National Significance (SONS) Drill
 - The drill will be 3/24-3/25; the scenario involves a large spill off Portland, ME, NH, & MASS. Jean referred the Coordinating Committee to notes from USCG CAPT Lloyd's presentation on the drill at the API Spills Advisory Group meeting in November.
 - According to a USCG publication, "the focus of the SONS 2010 will be on implementing the new SONS Response Policy, the first to define the roles and responsibilities for the NIC, as well as to exercise regional and local oil spill response policy and procedures." This policy is under internal review, but Jean has asked for link when it's finalized.
 - The SONS 2010 website is <http://www.sons2010.com/go/site/2221/>.
 - Steve Edinger, OSPR Administrator, will attend as an observer. Scott Schaefer, OSPR Deputy Administrator, will attend as an evaluator for the USCG.

STATUS REVIEW OF COMMUNICATIONS PROJECTS & ADMINISTRATION ISSUES

A. STAKEHOLDER OUTREACH/EXTERNAL COMMUNICATIONS

TASK I: Debrief 2009 Clean Pacific Conference & Plan for 2011

- Laura Couvillon, Show Director with the TradeFair Group, joined the Coordinating Committee's conference call to discuss the 2009 Clean Pacific Delegate Survey and the Room Count for each session. She said that the survey responses were the most favorable ones received from all their 2009 shows. Laura particularly noted that 94% felt that "Clean Pacific met the need for constructive dialog between industry and stakeholders."
- The Coordinating Committee noted that some delegates hadn't realized that the Super Sessions on the first day were included in the Conference fee, or had not scheduled travel to accommodate this extra day.
- Laura noted that some sessions had been recorded, including the opening General Session. She'll send that to Jean to forward to the Coordinating Committee if they're interested.
- The Coordinating Committee discussed the U.S. Coast Guard's role in these regional "clean" conferences, and Laura reported that CAPT Lloyd at USCG Headquarters felt that participation should be from the regional Coast Guard sectors/districts rather than from HQ. Jean observed that HQ speakers are likely to be recruited for sessions, nevertheless.
- The TradeFair Group will send a delegate to the Task Force's 2010 Annual Meeting in Honolulu on 10/6. Laura also explained that the Program Committee for the 2011 Clean Pacific will be recruited this fall, since their first meeting will be in January 2011.

TASK II: Stakeholder Outreach

- Since the Clean Pacific Conference last September, Jean:
 - Made a presentation at OSPR's Harbor Safety Committee Summit in November;
 - Attended API's Spills Advisory Group in November and gave a briefing on the Task Force;
 - Attended the Clean Gulf Conference in November; she has Clean Gulf "handouts" from Louisiana and Texas, which she'll bring to the Coordinating Committee's April Meeting;
 - Presented a PowerPoint for the Aleutian Risk Assessment webinar in November; and
 - Attended California's Statewide Area Committee Coordination meeting January 12th and gave a presentation on the Clean Pacific conferences, the tug *Pathfinder* spill in Prince William Sound, and resources available on the Task Force website.
- Upcoming events include:
 - A possible meeting of the AWO/USCG Regional Quality Steering Committee in Seattle February 18th; she's waiting for confirmation.
 - Presenting a paper on the Task Force's Mutual Aid Plans at the Clean Atlantic Conference May 18-19;

- Possible attendance at CANUSLANT in Nova Scotia in early June if there are items on their agenda which would be useful to our Transboundary project; in addition, Environment Canada's AMOP conference will be co-located with the CANUSLANT meeting.
- API scheduled their next Spills Advisory Group meeting for Washington, DC on June 17th; there's been a change of API staffing for this group, however, so this may be rescheduled.
- The 2010 Annual Meeting
 - Confirmed dates are: the Executive Session will be the afternoon of 10/5; the Annual Meeting will be all day on 10/6; and the Coordinating Committee meeting will be all day on 10/7. Jean noted that Curtis will see if our 10/5 meeting can be held at Clean Islands Council in order to include a tour of their command center.
 - We've coordinated the Annual meeting with APICOM's meeting, which will be 10/7-10/8 in Hawaii.
 - Jean is working with Curtis Martin on the logistics; he'll get quotes from local hotels, but the Task Force will do the contracting, using supplemental funding from the Hawaii Department of Health for the 2010-2011 year.
 - The group discussed whether to host a buffet luncheon or to spend the money on an international keynote speaker, such as someone from the Australian Maritime Safety Authority, the Balkans, or the Sullom Voe oil terminal on Shetland Island. Curtis is also polling local stakeholders to get their recommendations.
 - Jean recommended a theme dealing with Planning and Response for Remote Areas, which could include remote area issues in the new salvage, nontank vessel, and response regulations. She noted that Hawaii and District 14 deal with remote areas in the NW Island Chain and American Samoa, Alaska deals with remote areas in the Aleutian Islands and the Arctic, and the mainland states and British Columbia deal with remote areas along their coastlines as well as inland. Jean asked the Coordinating Committee members to consider remote area issues in their jurisdictions in preparation for Annual Meeting planning session in April.
 - Since our Annual Meeting is rather late this year, the Coordinating Committee agreed that the Annual Report should be produced this summer and made available online. A small number will be printed for member agencies, the annual meeting, and distribution to libraries and stakeholders.

TASK III: Maintain the Task Force Web Site

- Jean reported problems with our webmaster over the past few months, involving long delays in posting material and failure to submit invoices.
- Recent activity includes:
 - An updated events calendar was submitted 1/7; it has not yet been posted;
 - The Harbor Safety Committee page was added in December;
 - Updates to POSPET page were made;
 - Links to agency incident web pages were added, although the WA link is not functioning (the webmaster has been asked to fix this);
 - Minor corrections were made to the Legacy Award Honor Roll and the Annual Work Plan;
 - The September Coordinating Committee notes were posted; and
 - Our comments to the USCG on the Nontank Vessel NPRM were posted.

TASK IV: Track and comment on Federal Policy Development

- The U.S. Coast Guard has published a number of final regulations lately, as noted above. These include the final salvage and firefighting regulations, final response equipment regulations, and final regulations on limits of liability for vessels and deepwater ports. They also published – and we commented on – proposed regulations for nontank vessel response plans.
- Jean has also provided the Coordinating Committee with information on EPA's SPCC regulations and the vessel discharge regulations.

- Graham reported that the Canadian Auditor General is auditing the federal marine pollution regime, including spill prevention, planning, and response. The Auditor General is currently in the scoping phase for the report, and was busy meeting with stakeholders in British Columbia, including Provincial agencies. The final report is expected to be released in the fall of this year.

TASK V: Maintain the Legacy Awards program on a biennial basis

- No action is expected on this Task this year, although Jean will post a special statement on the website regarding our decision to go to a biennial schedule.

TASK VI: Maintain partnerships with U.S. and Canadian Federal Agencies

- The Coordinating Committee will meet with representatives from the U.S. Coast Guard in the Pacific Area (including Area, Districts, and Sectors) on April 14th in Seattle. We will also invite EPA and the Canadian Coast Guard to send representatives or join by conference call.
- Graham noted that the Ministry is currently working with the Canadian Coast Guard on ways to improve their working relationships; these will likely include a provision for regular meetings.

TASK VII: Expand our Network of Contacts with Coastal States & Provinces

- Jean reported that her personal outreach had primarily been with the Gulf of Mexico contacts so far, since she attended Clean Gulf last fall. She's looking forward to meeting more East Coast contacts at the Clean Atlantic Conference.
- She still needs to confirm Points of Contact for Delaware, Maryland, North Carolina, and Georgia. We also need a new point of contact for Nova Scotia, since Gerald Chishom retired, and she needs a mail code for Robert Eno in Nunavut.

B. INTERNAL COMMUNICATIONS

TASK I: Continuous Improvement of Communications among Member Agencies

- Jean thanked Larry for notifying DEQ regarding the status of the *APJ Suryavi* once it was repaired and headed for Portland.
- The Coordinating Committee requested that Attachment C in the Annual Work Plan (Points of Contact for Task Force Projects and Topics of Concern) be copied into a separate document and made available on our website by its title.
- Regarding the April 13-14 Coordinating Committee meeting logistics:
 - Most members confirmed that they were able to travel to the meeting, although Graham noted that British Columbia's fiscal year begins 4/1, so it's too soon to predict what his travel budget will be.
 - The Washington Department of Ecology is scheduled to host the meeting; Jon will work with his staff to decide whether we'll meet in Lacey or Seattle.
 - Our regular Coordinating Committee agenda will be addressed on April 13th, and our meeting with federal agencies will be on April 14th.
 - Jean will distribute a draft agenda as soon as possible.

ADMINISTRATION ISSUES

- Jean had provided the Coordinating Committee with copies of the Task Force's financial reports from July through December; there were no questions or comments.
- Prior to adjourning, the Coordinating Committee discussed the pros and cons of meeting by conference call. Although interactions are more challenging without body language, conference calls offer the advantages of being able to break our discussions into 2-hour blocks over two days. Conference calls also allow other staff members from each agency to join the call. As webinars are becoming more popular, the Coordinating Committee advised checking into that technology to facilitate the calls; it does require technical staff support for the meeting facilitator.