

Summary Notes
Pacific States/British Columbia Oil Spill Task Force
Fall Coordinating Committee Meeting
October 7, 2010

PARTICIPANTS

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; Jon Neel, Washington Department of Ecology; Scott Schaefer, California Office of Spill Prevention and Response and Jean Cameron, Pacific States/British Columbia Oil Spill Task Force

JURISDICTIONAL UPDATES

(The following updates supplement those provided at the Annual Meeting on 10/6; videos of those presentations are available at <http://oilspilltaskforce.org/2010conference/index.htm>)

ALASKA Department of Environmental Conservation (DEC) (Bob Mattson reporting)

- Arctic issues are a major focus at this time, with the following initiatives underway or planned:
 - NOAA is developing an Arctic “Environmental Response Management Application” (ERMA) and is also looking at Natural Resource Damage Assessment issues for the Arctic;
 - The Canadian Coast Guard is conducting a Shipping, Ports, and Waterways analysis;
 - The CANUSNORTH Joint Response Team met and conducted a table top exercise in Anchorage;
 - A Spill Response workshop was held with Alaska Clean Seas and Navy SupSalv (logistics are the primary response concern since no infrastructure is in place to support spill response; the nearest deepwater port is Dutch Harbor); and
 - The National Research Council is conducting an “oil in ice” study.
 - The Alaska Legislature recently established a Northern Waters Task Force focused on offshore platforms and drilling issues.
 - With more vessel traffic moving through newly ice-free but uncharted waters, there have been multiple groundings in Canadian Arctic.
 - Work has begun to update the NW Arctic Subarea Contingency Plan to include Geographic Response Strategies and Potential Places of Refuge.
- Regarding the Aleutian Islands Risk Assessment:
 - The Consequence Analysis Report was due October 1st, and
 - The Risk Reduction Report is expected by October 27th.
- An Alaska Offshore Technical Team has been established in the Industry Preparedness Program. Bob noted that Alaska law does not have strong contingency plan regulations covering offshore platforms.
- The Spill Prevention and Response (SPAR) program is currently planning for agency costs associated with two proposed projects: the gas pipeline to the U.S. and a huge gold mine proposal above Bristol Bay (the Pepple Mine; for more information, see: <http://ngm.nationalgeographic.com/2010/12/bristol-bay/dobb-text>).
- DEC is hoping to get an increase in the fees that support the SPAR program (currently 5 cents/bbl of oil).

BRITISH COLUMBIA Ministry of Environment (MOE) (Graham Knox reporting)

- The MOE just completed its annual training for Emergencies Program Response Officers and Incident Management Teams.
- MOE is actively engaging with First Nations to train them on spill response regarding what to expect and their roles. MOE is providing response training as needed.
- MOE is currently experiencing low staffing levels in its response officers group.

CALIFORNIA Office of Spill Prevention and Response (OSPR) (Scott Schaefer reporting)

- Scott reported that about a dozen OSPR staff persons are expected to retire by the end of 2011; replacements are uncertain, considering the budget crises in California.
- Steve Edinger, the OSPR Administrator, will retire as of December 2nd of this year.
- Governor Schwarzenegger vetoed AB 234 which would have set oil transfer standards, but OSPR is developing regulations to address this issue. AB 234 would also have increased fees and addressed a funding shortfall for the agency.
- Interest on the Oil Spill Response Fund supports the Oiled Wildlife Care Network (OWCN); with interest rates earned by the State's Surplus Money Investment Fund (SMIF) now so low (0.6%), it's proving to be inadequate to adequately fund the OWCN, Scott reported.
- The LT Governor is actively reviewing offshore drilling issues. California State Lands issues state permits for offshore operations, but OSPR is the lead on spill response offshore. OSPR will be reviewing its partnership arrangements with the Bureau of Ocean Energy Management (formally MMS).
- Scott noted that over 60 CA Fish and Game staff rotated to the Gulf of Mexico to assist with the Deepwater Horizon response, working through a NOAA subcontractor.
- OSPR will co-host the Prevention First Conference with California State Lands in Long Beach on October 19 & 20th.

HAWAII Department of Health (DOH) (Curtis Martin reporting)

- DOH and the USCG recently signed a Memorandum of Agreement to allow dispersant use at night at the offshore mooring; application would be by surface vessels, not aircraft.
- DOH now has only two SOSCs. All state employees must take two furlough days per month.
- Funding for the Environmental Response Fund was reduced due to a recently determined exemption for aviation fuel.
- There have been fewer cruise ship calls in Hawaii.

OREGON Department of Environmental Quality (DEQ) (Mike Zollitsch reporting)

- OR DEQ has a proposed rule out for public comment that would align emergency response program fees with recent legislation.
- The Emergency Response program is now fully staffed.
- OR DEQ worked with Portland State University and the Oregon Health Division to develop OR-IRIS, the GIS based Oregon Incident Response Information System which provides information on natural, physical and jurisdictional settings.
- The Oregon Legislature convenes in January; the state is facing a large deficit (Oregon's current General Fund Shortage is \$955 Million; the projected deficit for the next Biennium is \$3.5 Billion). The spills program is fee-funded.
- Mike noted that LNG facility bids have slowed and now look unlikely, especially the two proposed for the Columbia River. The proposed facility in Coos Bay is most likely to succeed, although there is opposition to a proposed pipeline to connect the facility to North/South pipelines serving California.

WASHINGTON Department of Ecology (Jon Neel reporting)

- Jon reported that Washington State is also facing a large deficit; nevertheless, he's hopeful that the 2011 Legislature will restore 8 FTEs which have been cut from the Spills Program. Those cuts, made last session, have reduced Spills Program's capacity to participate in drills, conduct inspections and review contingency plans.
- The Spills Program is developing guidelines for a Rapid, Aggressive and Coordinated Response as well as planning for a Worst Case Spill. Ensuring a Rapid, Aggressive and Coordinated Response is a strategic initiative. Jon provided and discussed handouts that outline the principles of such a response. He also provided draft handouts defining Incident Types (previously referred to as "levels"), Washington State Issues

for the Initial Unified Commnd meeting, a “Go/No Go” action checklist and a Debrief Topic Checklist. He further provided a list of assistant positions to consider when building a Liaison Group and a copy of Ecology’s Spill Response Contact List.

- In addition, John provided copies of an Interim Policy for a Crises Management Team (CMT) and Situation Room. This Interim Policy defines situations that would activate a CMT, its relationship with the SOS/Field Lead and key roles within the CMT.

ANNUAL MEETING & ANNUAL REPORT EVALUATIONS

- The Coordinating Committee members asked Jean to send them copies of all the PowerPoint Presentations.
- They thought all the panels went well and “there was good energy in the room.” They found the panel on Response Technologies to be the most informative.
- They suggested that we invite fewer speakers in the future in order to give each speaker more time.
- Curtis reported that Larry Lau, our Hawaii Task Force Member, who served as the Host, was pleased with the event.
- Jean thanked Curtis for successfully recruiting so many local people to attend.
- Jean will be working with BE THERE GLOBAL next week to get the videos posted on our website; she’ll also be sending “thank-you” notes to speakers and HDOH support staff.
- The Coordinating Committee was pleased with the 2010 Annual Report. They agreed to designate staff to help with proofreading in the future.
- Once the Coordinating Committee members update the Point of Contact information in Appendix C of the Annual Work Plan adopted at the Annual Meeting, Jean will send copies of that with the Annual Report to the five Governors and the British Columbia Premier.

2010-2011 WORKPLAN: THE PREVENTION OBJECTIVE

- Database Project
 - Jean provided copies of revisions to the Data Dictionary that had recently been adopted by the Data Workgroup, noting that Jack Barfield of Ecology had taken the lead to finalize these. She also noted that she needs to format the revised Data Dictionary and post it on the website.
 - The Data workgroup is in the process of submitting their data for the 1st half of 2010.
 - The Coordinating Committee agreed that there was no need for Investigator Training in 2011, since no new staff has been added. We will revisit this issue again for 2012.
- 2008 WCOVTRM Recommendations
 - Jean noted that her priorities for the coming year will be to maintain the Harbor Safety Committee page on our website and to work with the U.S. Coast Guard Pacific Area regarding CAIP trends as well as data on vessel compliance with the recommended offshore transit distances.
- Pipeline Regulations Table
 - Jean does not anticipate adequate funding to hire a contractor for this project during this fiscal year.
 - Graham suggested that his intern could collect the target information for Canada; Jean will send him the information needed to do so.
- Best Industry Practices
 - Jason Lewis had drafted a letter from AWO in response to our BIP recommendations for tugs and tank barges, but the final has not yet been received.
- POSPET
 - POSPET will hold its Fall 2010 meeting at Ecology’s offices on October 27th.
- Double Hull status of tank vessels
 - Jean reported that she’s advised John Veentjer of MISNA that we would like to receive 2010 data for tanker arrivals.
- Prevention Topics of Concern (only Topics of Concern with updates are listed below):
 - Cruise ship operations with regard to spills and other water pollution impacts
 - A number of cruise ships have had problems with oil leaks from Azipods.

- Oil spill risks from sunken vessels
 - NOAA is sponsoring a workshop in Virginia Oct. 19-20 on corrosion issues associated with sunken vessels.
 - Bob Mattson noted that the Oil Spill Liability Trust fund spent \$12 million to remove oil from the *Princess Kathleen* near Juneau. No one knew how much oil was on board when the project began; 123,000 gallons were removed.
 - Scott Schaefer reported that California spent \$150,000 to map the *Montebello*, which is in 900 feet of water, six miles off the coast. They plan to develop a contingency plan for a spill rather than attempting any removal operations that might cause a sudden release.
- Waste oil dumping by deep draft commercial ships
 - We regularly track the U.S. DOJ news releases on indictments.
- Vessel and Facility Oil Transfer regulations
 - Scott reported that OSPR hosted two public workshops to get input for their booming regulations. He thinks that they'll require booming for all transfer operations where the current is less than 1.5 knots.
 - Section 702 of the USCG Authorization Act states that federal regulations on this topic do not preclude state law or regulations which are "at least as stringent."
- Spills from trucks and railroads
 - Graham noted that the Ministry's "voluntary" approach towards working with railroads to improve their spill response planning hasn't made much progress.
- Tug escort requirements
 - Jon noted that language in Section 711 of the new USCG Authorization Act allows states to establish Tug escort requirements.
- Federal preemption issues
 - See notes above regarding the 2010 USCG Authorization Act
- Vessel traffic trends and risk assessments or studies
 - Jon noted that Section 711 of the USCG Act requires that, within one year the USCG Commandant - in consultation with the Secretary of State - is strongly encouraged to negotiate with the Government of Canada to update the comparability analysis which serves as the basis for the Cooperative Vessel Traffic Service agreement between the United States and Canada for the management of maritime traffic in Puget Sound, the Strait of Georgia, Haro Strait, Rosario Strait, and the Strait of Juan de Fuca. According to the bill language, the updated analysis shall consider:
 - Requirements for laden tank vessels to be escorted by tug boats;
 - Vessel emergency response towing capability at the entrance to the Strait of Juan de Fuca; and
 - Spill response capability throughout the shared waters, including oil spill response planning requirements for vessels bound for one nation transiting through the waters of the other nation.

The Commandant is required to consult with the State of Washington and affected tribal governments in conducting this analysis and must submit recommendations to Congress within 18 months.

THE PREPAREDNESS/RESPONSE OBJECTIVE

- Review U.S./CN Transboundary Spill Issues
 - Jean reported that the Transboundary Project Workgroup and Subcommittees worked over the summer via conference calls to review and approve draft recommendations for each section of the Report.
 - She needs to complete the Introduction and format the full report; she hopes to finalize it and post it for public comment in November.
 - The Coordinating Committee recommended that coastal provinces in Eastern Canada be notified when the Public Comment draft is available.
 - Jean briefed RADM Blore (USCG District 13) on the project in June and plans to brief RADM Colvin (USCG District 17) in November. When Jas Rehal replaced Susan Steele as Regional Director for the Canadian Coast Guard this summer, Jean offered to brief him on the project, but he never responded.
- Increase U.S. Limits of Liability
 - Scott noted that California has unlimited liability for vessels.
- Track changes to the Incident Command System

- We will closely monitor any proposals to change ICS based on experiences from the Deepwater Horizon spill. We are concerned that the media and public's lack of understanding of how Unified Command works may result in changes to that structure. We are particularly interested in how states interface with the National Incident Commander and other management levels during a Spill of National Significance.
- Update the IVRP and Expand to Nontank Vessels
 - No action at this time.
- Maintain OILS 911
 - Jean reported on the July 2009- June 2010 usage (371 calls) as well as usage YTD (July – September 2010 = 38 calls).
- Consider Mutual Aid Issues
 - The Coordinating Committee agreed to the following process for reviewing our 1996 Mutual Aid Agreement in light of our experience with the Deepwater Horizon Spill of National Significance (i.e., if every member jurisdiction is sending equipment to assist with a SONS, perhaps the “not to exceed” thresholds for equipment released should be reconsidered.)
 1. Each member agency will consult with OSROs, industry and the Coast Guard in their jurisdiction in the process of considering the need for changes to their current standards in the 1996 Agreement.
 2. Jean will review the protocols in the Agreement to determine whether any changes are needed.
 3. The Coordinating Committee will discuss these “findings” during their January 2011 conference calls (i.e., their next quarterly meeting), reviewing where they stand on Steps 1 & 2 above and any issues which have arisen.
 4. They will finalize draft changes to the 1996 Agreement at their April meeting and will also consider whether similar changes are needed to the 1993 Agreement. The final draft of these changes will then be sent to the Task Force Members, who will be convened by conference call with the Coordinating Committee to discuss them.
 5. Our goal is for the final revised Agreements to be adopted at the 2011 Annual Meeting in August.
- Maintain an R&D Workgroup
 - Jean will work with Judd Muskat of OSPR, the R&D Workgroup Chair, to convene a conference call in December.
- Monitor Topics of Concern (only Topics of Concern with updates are listed below):
 - Volunteer planning and management
 - Scott noted that volunteers helped with early morning pre-beach cleanup surveys during the Deepwater Horizon reponse; they were registered through the states. BP also hired and trained local unemployed residents as “Qualified Community Responders” to help with beach cleanup. Scott also noted the importance of having OSHA represented at the command post to assist with volunteer training decisions.
 - Oil spill drill programs
 - It was noted that EPA has begun unannounced drills on facilities; these are called “Government Initiated Unannounced Exercises” (GIUEs).
 - Mike reported that Oregon will be participating in three federal response plan exercises.
 - Applied response technologies and regulations
 - We will track any changes to EPA’s policies regarding pre-approvals of dispersant use
 - Oil Spill research and development, including BAT and BAP
 - ADEC’s Industry Preparedness Program is planning five BAT conferences.
 - Oil Spill Response Organization (OSRO) certifications, mergers, mutual aid, and response capabilities
 - Scott reported that OSPR is considering setting standards for Incident Management Teams.
 - Coordination of inter-jurisdictional wildlife care
 - Scott noted that the Oiled Wildlife Care Network will be reviewing its MOA with U.S. Fish and Wildlife Service.
 - Development of remote sensing capabilities, application of RADARSAT and implementation of 24-hour response operations where it would be safe and effective
 - Curtis reported that MSRC is installing infrared and dispersants on all their vessels in Hawaii, in order to participate in the night-time operations now allowed under the MOA noted on page 2 above.
 - Contingency plan regulations and preparedness/response issues re: nontank vessels
 - Scott noted that OSPR is getting around 270 updates to c-plans for nontank vessels each month, so they’re considering going to the streamlined plan model used by DEC.

- Track planning for Potential Places of Refuge and applications of POR decision-making guidelines
 - Bob reported that DEC will begin planning for Potential Places of Refuge (PPOR) for the NW Arctic and the North Slope. The PPOR planning for SE Alaska has been completed.
- Lessons learned from the Deepwater Horizon SONS
 - Scott noted that, prior to the Deepwater Horizon spill, the Area Committee in Mobile, Alabama had dropped Sensitive Site Plans.
 - Regarding the issue of local government involvement in planning and response, Scott noted that OSPR has given boom and training to 26 local governments. Jon noted that Ecology has provided trailers filled with response equipment to local governments as well and would like to get funding for per diem costs so local government representatives can attend Area Committee meetings.
 - The Coordinating Committee would like to send a letter to the National Response Team focused on key aspects of OPA 90 which should not be lost or changed based on experiences with the Deepwater Horizon event.

THE COMMUNICATIONS OBJECTIVE

- Plan for 2012 Clean Pacific Conference
 - Jean noted that she's still waiting for a confirmed 2012 date from the Trade Fair Group (NOTE: Subsequently, the event has been confirmed for May 15-17, 2012 at the Long Beach Convention Center).
- Conduct Stakeholder Outreach
 - Jean reported that she'll be attending the Clean Gulf Conference in Tampa October 19-20 and then the co-located API Spills Advisory Group meeting on October 21st.
 - She'll be attending the POSPET meeting in Lacey on 10/27 and the West Coast Joint Assessment Team meeting in Portland on Oct. 28th.
 - As noted above, she'll be doing a briefing on the Transboundary Project for USCG District 17 in Juneau on November 9th.
- Maintain the Task Force Web Site
 - Jean plans to post the Annual Meeting videos on our website instead of summary notes, but she will post a brief description of the meeting and photos with the video links.
- Track and comment on Federal Policy initiatives
 - We're waiting to comment on the draft Towing Vessel regulations when they're released.
- Maintain the Legacy Awards Program
 - Jean has posted a statement on our website noting that these are now given at the Clean Pacific Conferences and not at our Annual Meetings.
- Maintain Partnerships with Federal Officials
 - We will meet with the U.S. Coast Guard and EPA on May 27th, following the International Oil Spill Conference in Portland. Mike Zollitsch will reserve a meeting room at DEQ in Portland.
 - Graham will invite the Canadian federal officials to meet with the Coordinating Committee on April 14th, following our Spring Quarterly meeting in Victoria.
- Expand Outreach to other Coastal States/Provinces
 - The Coordinating Committee recommended setting up a conference call with our coastal state/provincial points of contact in order to discuss the Deepwater Horizon response. Jean will ask the Gulf of Mexico contacts when they'd be available when she sees them in Tampa.

ADMINISTRATIVE TOPICS

- Jon Need provided copies of Amendment 5 to Jean's current contract, which extends it to 6/30/11. The Coordinating Committee will discuss a one year extension to 6/30/12 at their January 2011 meeting.