

**Pacific States/British Columbia Oil Spill Task Force
Winter Coordinating Committee Meeting**

January 9, 2008

**Hawaii Oil Spill Response Center
Honolulu, HI**

Attending: Curtis Martin, Hawaii Department of Health, Office of Hazards Evaluation and Emergency Response; Graham Knox, British Columbia Ministry of Environment; Mike Zollitsch, Oregon Department of Environmental Quality; Betty Schorr, Alaska Department of Environmental Conservation; Jon Neel, Washington Department of Ecology; and Jean Cameron, Pacific States/British Columbia Oil Spill Task Force.

Participating by Phone: Steve Sawyer, California Department of Fish & Game, Office of Spill Prevention & Response

JURISDICTIONAL UPDATES

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

- Curtis reported that 1,000 gallons of #6 oil spilled from an abandoned pipeline on a pier on Maui November 7th. The local electric company took responsibility for the cleanup.
- He also noted that there have been two incidents on Oahu lately involving sailboats that grounded on reefs; one was on October 1st and the other was on December 18th. After the pollutants were removed, both owners abandoned their boats, which subsequently broke up in the surf.
- HEER is expanding its dispersant partnership with the Clean Islands Council by building a storage hanger at the Barber's Point airport, across from the CG air station; this will facilitate faster activation of the dispersant equipment.
- He also noted that NOAA was working to improve their SMART monitoring equipment.
- CIC now has three trailers for oiled wildlife operations; one for medical treatment and stabilization, one to do laundry, and one to prepare food for the wildlife. The Superferry greatly improves their access to other islands, Curtis noted.
- He's anticipating more movements of cruise ships and ethanol tankers, he reported.

British Columbia Ministry of Environment, Graham Knox reporting:

- Regarding staff, Graham reported that D'Arcy Segoe has just started with the Environmental Emergencies program, replacing Stafford Reid, who retired in the fall. He also noted that Stafford has set up a consulting company and has been hired to do some work for the Ministry.
- Ministry staff participated in a Chevron exercise, and training for their Incident Management Teams and technical specialists is on-going. Locations are rotated throughout the Province so that local responders and stakeholders can be involved. The annual refresher for their Environmental Emergency Response officers will be in May.
- Several training courses at the ICS 200 & 300 levels will also include First Nations this year. Graham explained that he's working with Burrard Clean to develop a certificate/diploma

program for the oil spill training for First Nations. Burrard Clean is also interested in having the First Nations participate in their fisherman's response program.

- Graham reported that he and his staff are still dealing with the aftermath of both the Burnaby pipeline spill and the Robson Bight incident, where a full tank truck went off a barge and sank in an environmentally sensitive area. Regarding the Robson Bight incident, Graham noted that the Ministry had worked with other stakeholders to send a ROV down to assess the condition of the sunken tank truck. It was found to be fully intact, and its full load of fuel appears to be on board. The next decision will be whether to raise the truck, remove the oil in-situ, or leave in place and continue to monitor; funding for either removal action would be a problem, since the Responsible Party has declared bankruptcy.
- The Environmental Emergencies program continues its legislative review. This includes examining options for both funding the program and establishing a response fund which could cover the costs of such things as positioning caches of response equipment around the Province as well as providing training for local responders. This would be especially important for responding to orphan spills.
- The program continues to develop an oiled wildlife plan for British Columbia, in cooperation with key stakeholders like the wildlife rehab groups. The workgroup is currently getting input from federal agencies. Industry would like clear and consistent policies regarding both federal and provincially-listed species, Graham explained. The rehab groups need assurance of funding to invest in equipment and facilities.
- Graham reported that Environment Canada hosted a workshop focused on the legal issues associated with Unified Command and ICS; this was helpful in clarifying the Canadian Coast Guard's role. The Ministry will continue to work on this issue. The Minister met with the Canadian Coast Guard in Ottawa to discuss the Province's access to Unified Command (UC); one barrier to change is that many of the East Coast provinces are not seeking a place in UC. On the other hand, the Coast Guard has received complaints from tribes, local governments, and other federal agencies regarding their failure to interact with anyone other than the RP during a response.

Oregon Department of Environmental Quality, Mike Zollitsch reporting:

- Mike reported that spills in the last quarter had primarily been inland and river spills. The December flooding in Tillamook and Vernonia had caused minor spills; one logging company lost a small storage tank into a river and there was some leakage in that event. DEQ was primarily dealing with debris cleanup - and related solid waste issues - as a result of the storms.
- Mike participated in the recent Department of Homeland Security "TOPOFF" exercise which included simultaneous scenarios in Guam, Phoenix, and Portland. In the Portland scenario, a radiological bomb went off on the light-rail transit bridge over the Willamette River. Mike explained that the incident grew so rapidly that the ICS organization outgrew its initial location, and the Environmental Unit had to move to a different site. One "lesson learned" was that there was not enough radiological exposure sampling capacity for both people and the environment during the event. The EU and others at the Incident Command Post had a good "situational awareness," he reported, but the Governor's office did not, so how to keep

them informed was another lesson-learned. Another was the fact that EPA, the State, and counties all used different software to track the response.

- Similar problems regarding situational awareness and compatible software was a real problem during the December floods, Mike noted.
- Several contingency plans for Columbia River facilities are being changed to meet Washington's new regulations, so this is requiring DEQ reviews as well. Mike also noted that DEQ is coordinating well with Ecology on a number of issues
- Mike reported that the Emergency Response program is fully staffed now. There will be a fourth SOSOC soon, and DEQ is developing training matrices. The Eastern Region office is building an Emergency Management Team.
- Mike mentioned a concern that, since the National Response Corporation's Environmental Services (NRCES) runs response equipment for the Maritime Fire and Safety Association (MFSA), and since both Ecology and DEQ might also hire NRCES for a large response, the staff resources for the Columbia River region may not have the necessary depth to respond to a large spill event.
- The Emergency Response program is developing a proposal for the 2009 Legislature which would include funding for two SOSOCs to work with local governments on emergency planning.
- The program is also working with Oregon tribes to develop notification protocols for all types of emergency incidents.
- Mike noted that the NW Area Plan's wildlife plan is in process, and that they're hoping to utilize multiple trailers, which could be expanded to meet the needs of an incident.
- Titan Salvage will begin removing the stern of the *New Carissa* off Coos Bay this spring.
- Mike also noted that there's a large NPREP drill being planned for the northern California coast in May; DEQ will be involved since there will be Oregon/California cross-border elements. Sause Brothers Towing will serve as the RP.
- A new Columbia Region Harbor Safety Committee has been formed; it's roughly aligned with USCG Sector Portland and includes Grey's Harbor.

Washington Department of Ecology, Jon Neel reporting:

- Jon reported that the 2008 Washington Legislature is now in Session; the main item of interest to the Oil Spill Program is \$2 million in the Governor's budget to continue funding for the Neah Bay rescue tug.
- Jon also explained that the Program had engaged in a Strategic Planning session recently, and had identified the following topics for further development:
 - Wildlife rescue and rehabilitation;
 - Use of vessels of opportunity;
 - Volunteer Management;
 - Rulemaking on the financial responsibility upgrades now in statute; and
 - Oversight of the Oregon and Washington pilotage boards/standards.
- Jon inquired as to how the other agencies manage volunteer liability. Steve explained that California has a statute that allows the OSPR Administrator to accept volunteers into the state's workers compensation coverage. British Columbia also covers volunteers under the Provincial government's program, Graham explained. He also noted that, when the Ministry

maintained a volunteer training program years ago, they used a private carrier. The same was true for Oregon, when they maintained a volunteer training program; they no longer do so.

- Regarding the recent storms in the NW, Jon reported that the Lewis River flood in Chehalis, WA had required removal of a number of drums and 5-gallon buckets of toxic products, but no booming or recovery were possible.
- The Neah Bay rescue tug had been deployed twice as a result of recent coastal storms; in one incident a ship had lost steering as a result of large waves battering the vessel.
- Jon reported that the Washington Oil Spill Advisory Council (OSAC) is working on a long-term work plan which should be coordinated with Ecology.
- Ecology is hoping for additional funding in the 2009 legislative session to expand their program for cleaning up derelict vessels.
- Jon also reported that their program to place oil spill response equipment caches around the state is now complete. Twenty-one caches are in place and local responders have been trained. The equipment now belongs to the local governments, which has the liability and responsibility to maintain it.
- One such cache was used in Eastern Washington recently when a tank barge grounded in the Snake River, piercing the hull. The local government responders deployed boom according to the GRP for the area. Fortunately, it was a small release.
- Jon also discussed the fact that Washington law required plan holders to plan for a "reasonable worst case spill." He thinks it's important, however, to explain to public officials and the public that - although the regulators and the regulated industry are both committed to mounting an aggressive, rapid response - the likelihood of removing all oil right away or preventing any environmental impacts is low. It's important to clarify expectations and emphasize spill prevention, he commented.

Alaska Department of Environmental Conservation, Betty Schorr reporting:

- Besides reporting that it's dark and cold in Alaska right now, Betty also reported that a 90-day legislative session will convene in a couple of weeks.
- Betty also noted that the agency is experiencing considerable difficulty in both retaining and recruiting staff, especially engineers, since the state salaries can't compete with the private sector (industry and consultants).
- DEC has undertaken a major project to conduct a risk assessment of the Crude Oil Infrastructure, from the North Slope wellheads, down the TAPS pipeline, to the loading arms at Valdez, and also including Cook Inlet. The Legislature appropriated \$5 million for the project, half of which will come from the General Fund and half from SPAR's Prevention Fund. DEC is currently working with other state agencies to draft RFP's for the project. Governor Palin is very supportive, and wants the final report before the end of her term.
- DEC is also working with USCG District 17 and the National Academy of Sciences to develop the Scope of Work for the Aleutians vessel traffic risk assessment. In the meantime, Betty noted, the Mayor of Unalaska took the lead on a project with DEC, local pilots, and local tug operators to design towing packages that can be delivered to disabled vessels by helos or tugs. Training videos are available, she noted.

- Betty also reported that DEC's flowline regulations were effective January 1st, 2007 and are being phased in over a 3-year cycle. The maintenance and corrosion monitoring/mitigation regulations were effective 12/31/07.
- ConocoPhillips had a flowline leak on December 16th; SPAR expects that the initial spill volume report of 102 barrels will increase. This leak was on the upper side of the pipeline rather than on the bottom where corrosion damage is usually found.
- Betty also noted that she'd had a call from LT Castaneda at USCG Headquarters regarding their review of alternative compliance protocols for vessels visiting areas not covered in their approved contingency plans. Betty had noted that, in her experience, alternative compliance may set a lower standard, and if so, she would be opposed to any such change in the federal regulations.

California Office of Spill Prevention and Response, Steve Sawyer reporting:

- Steve noted that OSPR's response to the *Cosco Busan* spill in San Francisco had been the most consuming incident in the last quarter (see pages 9-13 for a thorough discussion of this event). However, there were 2,068 other spills reported in the last quarter of 2007, 216 of which were marine spills larger than one barrel.
- For instance, Greka Energy had several spills in the northern Santa Barbara County area recently. A state legislator from that area is among others proposing bills dealing with oil spills. One would increase the state's spill response fund from \$50 million to \$100 million.
- Steve also noted that 568 seabirds had been impacted by a red tide in the Monterey area during the *Cosco Busan* incident. Although the Oiled Wildlife Care Network was already overwhelmed with the *Cosco Busan* response, and OSPR's fund doesn't authorize them to deal with non-oiled wildlife, the Governor directed OSPR to clean the Monterey birds. These gaps between expectations, authorities, and funding will need to be addressed.

STATUS OF SPILL PREVENTION PROJECTS

Database Project

- Regarding the status of data for the first half 2007, Jean reported to the Coordinating Committee that California's data is still due. She also noted that Camille Stevens, who chairs this project, is also waiting for some clarifications from both Hawaii and Washington.
- As soon as all the data is in, Camille will produce a draft report and Jean will arrange for a Data Workgroup conference call to discuss it.

Pipeline Spills

- Jean reported that she is seriously behind schedule on all aspects of this Project, including the summary notes from the April 2007 Roundtable, and the matrix comparing state and federal regulations. (See further discussion on page 17 below).

WCOVTRM Implementation Analysis

- Jean reviewed the draft "Recommendations for Further Action" for this project with the Coordinating Committee. Noting that a number of these recommendations relate to Harbor

Safety Committees in U.S. ports, Betty explained that the Cook Inlet RCAC is working to develop a Harbor Safety Committee for that area.

- Jean reported that she had spoken with David Dupont at USCG Headquarters regarding the Notice of Proposed Rulemaking on Long Range Identification and Tracking of Ships, and had learned that it would only apply to vessels of 300 GT or larger on international voyages. So it will not help with tracking tugs/tows or coastwise vessel traffic. Moreover, LRIT information will be only a subset of the data currently provided by AIS, so it will not help us track laden tankers versus empty tankers, for instance. Mr. Dupont did report that IMO was likely to approve allowing LRIT data to be used for both Search & Rescue and environmental protection, so it may be part of a larger data set which the USCG could analyze for information on offshore vessel traffic.
- The next step in this project, Jean explained, is for her to post the draft final report and recommendations on the Task Force website for public comment, while also providing it to the Workgroup for review and comment.

Voluntary Best Industry Practices

- Jean reminded the Coordinating Committee that, during a survey of the West Coast Harbor Safety Committees done in early 2007 as part of the WCOVTRM project, we asked whether these Vessel Best Industry Practices had been adopted by the Harbor Safety Committees as Standards of Care. With the exception of Puget Sound, this had not been done. So we will continue to promote this concept with the Harbor Safety Committees. OSPR's efforts to promote adoption of HSC Best Maritime Practices will help, as will our outreach pursuant to the WCOVTRM "Further Recommendations."
- We have also requested that USCG Pacific Area & AWO convene the Pacific Area USCG/AWO Quality Steering Committee to consider the adoption of the Tug and Tank Barge Best Industry Practices through the AWO Responsible Carrier Program. The USCG/AWO QSC did meet on 9/19 to draft a new charter; Jean hasn't heard from Jason Lewis since, but once the group is again active, the Oil Spill Task Force will present these Best Industry Practices to the group for discussion.
- Jean also reported that she had recently provided an update on the BIP project to USCG PacArea for Headquarters in response to a Senate Staff inquiry.

POSPET

- Jean reviewed highlights from the POSPET members' updates at the 10/16/07 meeting; these notes are available at <http://www.oilspilltaskforce.org/pospet.htm>.
- The POSPET page on our website is *Spills Aren't Slick*, and it now features Washington's Clean Marina program.
- Jean is currently surveying POSPET members regarding how many *Spills Aren't Slick* brochures, decals, and signs they will need for 2008.
- POSPET's spring meeting is scheduled for 3/20/08, probably in Lacey, WA.

TAPS Conversions

- CAPT Laura Stratton at Ecology reports that there are no changes to the TAPS report since April 2007. Only two TAPS tankers are not double hulls: the *SeaRiver Baytown* is a double bottom vessel and the *SeaRiver Long Beach* is a single hull.¹
- The Coordinating Committee also noted the crack in one of two anchors on the *Alaskan Navigator* in December. This was one of the anchors made in the Netherlands and used to replace defective anchors from China in 2006. According to the Seattle PI article, "The other three Dutch anchors were inspected and found to be sound."

Roundtable on Green Ports

- The Coordinating Committee discussed a draft agenda which Jean had provided, and also brainstormed possible speakers. Each Coordinating Committee member will provide Jean with contacts from key ports in their jurisdictions.
- The Coordinating Committee also identified constituencies which they would like to see invited to participate in the discussion.
- This event is planned for April 8th in conjunction with the Coordinating Committee's 4/9-4/10 meeting. Los Angeles/Long Beach is the preferred location. OSPR has agreed to host, per the Annual Work Plan, so Steve Sawyer and his staff will work with Jean to confirm a location and meeting logistics.

Spill Prevention Topics of Concern (only those topics with updates are noted below)

- Cruise ship operations with regard to spills and other water pollution impacts
 - Jean referenced emails previously sent to the Coordinating Committee regarding efforts in Alaska to subcontract for "Rangers" to monitor cruise ship operations, and a 12/20 notice that EPA seeks comment on their Draft Cruise Ship Discharge Assessment report.
- Waste oil dumping by deep draft commercial ships
 - Jean noted ongoing DOJ prosecutions in the news as well as aggressive efforts by Transport Canada, especially regarding use of their RADARSAT and oil detection aircraft
- Vessel and Facility Oil Transfer regulations
 - Jon reported that implementation of Washington's regulations is going well, although Ecology has identified instances of non-compliance where operators are using the "safe and effective" excuse when it's not applicable.
 - Mike noted that some transfer operations on the Columbia River have been moved into Oregon waters to avoid the WA regulations. He also noted that response organizations on the River are doing more pre-transfer booming, thus gaining valuable experience.
- Salvage capabilities and regulations (refers to emergency stabilization, firefighting, and lightering)
 - Jean encouraged the Coordinating Committee to review her 11/7 report on the ASA.
 - She noted that the USCG is predicting that the final Salvage & Firefighting regulations will be out by 12/2008.
 - She also recommended Salvage as a topic for the 2009 Roundtable.
 - See pages 4-5 above for information re: the Dutch Harbor tow packages.

¹ Subsequent to this meeting, it was reported that the *SeaRiver Baytown* has been moved to the Gulf of Mexico; with this change, 16 tankers are currently participating in the TAPS trade and all but one, the SEARIVER LONG BEACH, has a double hull.

- Liquefied Natural Gas shipping and terminal operations
 - Graham reported that British Columbia's emphasis on reducing its "carbon footprint" had discouraged proposals for LNG facilities in the Province.
 - Mike noted that Clatsop County, Oregon, had approved the Bradwood LNG proposal. He also noted that all the LNG facility proposals in Oregon involve constructing new pipelines.
 - Steve reported that the California State Lands Commission had denied two LNG applications in California, but there are still two proposals for the Malibu area as well as two near the Gulf of the Farrallons.
- Double hull tug escort requirements
 - Betty explained that the tug escort requirements for tankers in Prince William Sound, as enacted in OPA 90, apply only to single hull tankers. Since the State of Alaska has no tug escort requirements (instead, the escorts are included in the tankers' Prevention Plan for Prince William Sound), DEC is concerned that the shippers will not continue to use tug escorts once they're all double-hulled. DEC has discussed this with local Coast Guard representatives, who recommend establishment of a Regulated Navigation Area (RNA) to require tug escorts for all tankers, specific to PWS. DEC is therefore watching the Massachusetts case very closely.
 - Jon explained that the federal escort requirements for single hull tankers in Puget Sound call for two escort tugs, whereas the state's regulations, which were in place before OPA 90, only require one. Therefore, without the federal regulations covering the TAPS fleet, the number of capable tugs in Puget Sound is likely to decrease (at the same time that the value of environmental resources is increasing). The current Puget Sound Risk Assessment will consider this issue, he explained.
- Towing vessel inspection regulations
 - Jean reported that these regulations haven't even surfaced in the USCG report to API's Spills Advisory Group.
- Federal preemption issues
 - Jon noted that, in the Massachusetts v. USCG lawsuit, neither the Coast Guard nor industry had appealed the higher court's remand of the case to the lower court. He also reported that the State of Massachusetts had sited inconsistent application of the tug escort standards between their state and the West Coast.
- Status of SB 1892
 - Jon explained that Senator Cantwell's bill, SB 1892, the USCG Authorization Act for 2008, was not a funding bill for the USCG; instead, it would mandate policies and actions by the agency. He also noted that it includes some elements that the USCG wants. There is a USCG Authorization bill on the House side which is very different, he explained. No floor votes have been taken on either, so the final outcome of this process is unknown.

STATUS OF SPILL PREPAREDNESS/RESPONSE PROJECTS

Increase U.S. Limits of Liability

- Jean reported that she had undertaken no new action re: petitions for facilities.
- Regarding nontank vessel limits of liability, she reported that, according to an Associated Press article published December 18, 2007, "Clean-up costs for last month's oil spill in San Francisco Bay are on track to exceed the \$61 million federal insurance liability limit, the U.S. Coast Guard said Tuesday. As of last Saturday, \$54.7 million has been spent to respond to last month's 58,000-gallon spill, with clean-up costs averaging about \$770,000 per day, the agency said."

- Jean noted that Senator Boxer (D-CA) had introduced S. 2429 to amend the Oil Pollution Act of 1990 to equalize the limit on the liability for oil tankers and cargo vessels.
- Jean also noted that the USCG report to the API Spills Advisory Group meeting on 12/13 stated that "The tax revenue was reinstated in April 2006. As of September 2007, the OSLTF balance was \$943M. While there are some large claims pending, the OSLTF's health is improving and the balance will continue to rise."

Track ICS changes to guidance and forms

- Jean reviewed an email exchange she'd had with Kristy Plourde at the USCG Training Center re: Task Force concerns that the unique nature of oil spill response would be lost in a more generic "FEMA FOG," as well as the Task Force's recommendation that a standing committee with state and industry representation work with the National Integration Center on oil spill forms and ICS guidance.
- She also reviewed her notes on a panel on this topic at the Clean Gulf Conference, noting that Ms. Plourde stated then that the USCG is evaluating how the USCG "fits into the National Response Framework."

Maintain the IVRP & other Comparative Tables

- Jean reported that she had undertaken no new action on this project.

Maintain OILS 911

- The Coordinating Committee received a YTD report on usage of the OILS 911 spill reporting system from July 1, 2007 through the end of November. During that period, 45 calls were placed in British Columbia, 7 in Washington, 8 in Oregon, and 140 in California.

The Cosco Busan Spill Incident

Steve Sawyer of OSPR provided the following discussion outline on talking points and lessons learned from the *Cosco Busan* oil spill:

- The incident:
 - Steve began by explaining what happened on 11/7. After leaving the pier in Oakland, the pilot advised VTS that he intended to pass under the Bay Bridge through the "Delta - Echo span" (the section between the Delta and Echo support towers).
 - The vessel was traveling at 11 knots in dense fog that severely reduced visibility. VTS noticed that it was traveling west parallel to the bridge; when they contacted the pilot to ask his intentions, he made an abrupt turn to the right to head for the bridge. Unfortunately, at this point he was too close to the Delta Tower, so the *Cosco Busan* allided with the bridge tower, damaging the tower fender and ripping open fuel tanks on the left side of the vessel.
 - Steve noted that the pilot, John Coda, had reported that the radar was functioning alright before the vessel left the pier.
 - The Coordinating Committee discussed the pilot's liability; it was noted that masters and owner/operators are required to indemnify pilots.

- Reporting:
 - After the pilot notified VTS that he'd hit the bridge, the vessel was moved to Anchorage 7; in the course of subsequent spill notifications, the pilots and crew estimated that around 140 gallons had been spilled.
 - It wasn't until late afternoon - after Roy Mathur, an OSPR technical specialist, went on board, surveyed the damaged tanks, and worked with the Chief Engineer to determine the actual amount of fuel lost - that it became known that the spill volume was approximately 58,000 gallons.
 - Unfortunately, the Coast Guard CAPT Uberti of Sector San Francisco had given the media the 140 gallon number in a press conference held around noon, so this much larger number came as a shock to the public.
 - The combination of the delay in knowing the volume spilled and the fog (which prevented overflights) meant that the spill trajectories were lacking crucial information. In the meantime, strong tidal currents were moving the oil around the bay, so that shoreline impacts began to be seen by the public.
 - Also, since the ship had come out of Oakland, the California Office of Emergency Services (OES) initially only notified its contact list for the East Bay area; as a result, neither the City nor the County of San Francisco received the initial notification from OES.
- The Liaison nightmare and Local Governments:
 - There are 6 counties, 30 cities, plus local, state, and federal parks and land managers around the San Francisco Bay. Besides local governments, there are numerous state agencies with overlapping authorities, such as the Water Boards, the California Coastal Commission, and the Bay Conservation and Development Commission. Thus the Liaison was dealing with multiple jurisdictions.
 - The OSPR staffer who was trained in this role was out due to a death in the family, and her replacement was quickly overwhelmed.
 - An EPA representative took over as Liaison on Day 4 of the response, but coordination with OSPR didn't work well. A Councilman from Pacifica City stepped in on Day 10 and did a superb job, according to Steve. There were up to ten persons dealing with liaison duties at one point, he noted.
 - Steve explained to the Coordinating Committee that it also took about a week to get the Multi-Agency Coordinating Committee working smoothly.
 - With all the media attention focused on this spill and the subsequent response, representatives from local governments were under pressure to take action. Steve and other Coordinating Committee members noted that there are always "squeaky wheels" in addition to rivalries among jurisdictions.
 - Steve reported that he's now dealing with many local governments to coordinate lawsuits and Natural Resource Damage claims.
 - Another local government role now is to determine whether local beaches can be re-opened; this is not a function of the Unified Command.

- Steve did note that USCG Admiral Bone, Commander for the 11th District, was extremely useful in interacting with media and elected officials so that the Unified Command could focus on directing the response.
- Volunteers:
 - The Area Plan prohibits the use of volunteers for oil cleanup based on the hazardous nature of the work, for which OSHA requires "hazwoper" training.
 - OSPR does maintain a volunteer training program focused on the Oiled Wildlife Care Network; this program has a phone number for volunteers to call.
 - Residents of the Bay Area were eager to help with cleanup once oil showed up on their beaches, so this number was quickly overwhelmed with thousands of calls, Steve explained. And, of course, it wasn't intended to handle beach cleanup volunteers, only wildlife volunteers.
 - After a few days of public frustration and outcry - during which time the media was accusing the state of "keeping citizens from protecting the environment" - these citizens were going on the beaches without training and proper protective gear, putting oil in their garbage cans, and scaring off oiled birds that needed to come ashore. So OSPR held a "public information" workshop to explain the situation to the public; it was inaccurately portrayed as a "volunteer training" workshop, so the public who showed up were even more frustrated and angry when they received explanations of the hazards instead of training.
 - OSPR then coordinated with local governments to provide a 4-hour hazwoper course; volunteers who participated were provided with protective gear, and local governments agreed to organize and supervise them on removal of oil and oiled debris on local beaches. Steve explained that 1200 to 2000 volunteers took this training, but they didn't all show up or go where they were told to go, so he did not feel that it was well-managed. He also explained that OSHA can make an exception to the 24-hour hazwoper training requirement for volunteers, but any such volunteer cannot work on another spill response until s/he has received the 24-hour training.
 - Steve expects that OSPR and the Area Committee will establish a program for such "convergent volunteers" that will be coordinated by either the Volunteer Program in the Governor's Office or OES, which will work with local governments.
 - Regarding the on-water cleanup work done by local fishermen, they were not volunteers, since they were paid for it. Steve noted that Clean Bay Coop (now MSRC) had a program at one time to train local fishermen for spill response, but that it had lapsed.
- Dealing with politics, the press and managing perception:
 - Investigators have now determined that the actual amount of bunker fuel spilled by the *Cosco Busan* was 53,567 gallons. Approximately 20,000 gallons were recovered, which represents a 37% recovery rate. Since 20% is the general expectation, this means that the response was remarkably successful.
 - However, due to early frustrations based on not knowing the spill volume up front, which, combined with delayed overflights, meant that trajectory predictions that

would have supported early booming of some sensitive sites did not happen - combined with the lack of notifications to the San Francisco side of the Bay, combined with volunteer frustrations, all led to a great deal of media scrutiny and focus on negative aspects of the response. Such high-level media and citizen attention attracted attention by local, state, and national politicians as well.

- Such negative publicity snowballs, Steve noted, with the result that eventually no one trusts any aspect of the response. "We spent as much manpower dealing with outside perceptions as with the actual response," he explained. Steve felt that the Joint Information Center (JIC) had never gotten ahead of responding to negative news coverage, when they should have been putting out some of the "good news" of the response.
- Investigations:
 - There are numerous investigations underway at both the state and federal level. Federal investigations include the National Transportation Safety Board (NTSB), the U.S. Department of Justice (DOJ), the USCG's Incident Specific Preparedness Review, the Inspector-General of the Department of Homeland Security, and USCG civil and criminal investigations.
 - At the state level, Steve explained that OSPR has put its own incident investigation on hold in order to work with the U.S. DOJ. He's also coordinating with the City of San Francisco and the Harbor Safety Committee on their investigations.
 - Steve did note that the federal government's attempt to "arrest" the *Cosco Busan* had been settled for a bond in excess of \$79 million, which is the value of the vessel.
- Natural Resource Damage assessment:
 - Steve noted that the Natural Resource Damage Assessment (NRDA) aspect of the response had been well-coordinated and was going well.
 - NRDA activities are ongoing, and include representatives from OSPR, U.S. Fish and Wildlife, NOAA, the National Park Service, and local public lands managers.
- Subsequent legislation:
 - Hearings have been held by both U.S. and California legislators. Bills have been introduced in the U.S. Congress which would require:
 - VTS to direct vessel traffic instead of simply monitoring it, and improve funding for VTS;
 - Pilots to carry laptops with access to local navigation information; and
 - Nontank vessels to have the same limits of liability as tank vessels.
 - At the state level, a bill has been introduced which would establish a 2-hour response time for San Francisco Bay (the current response minimum is 6 hours for on-water spills, and 2 hours for transfer spills).
 - Considering the media visibility of this spill and the fact that it's an election year, Steve expects to see more legislation introduced in Sacramento.

- Other:
 - Steve is hopeful that this event and the associated publicity will result in positive attention from the Governor's office for OSPR, such as improved funding for staff and inland responses, and a reversal of the loss of media and legal staff to Fish & Game.
 - He said that the claims process worked well.
 - Steve also noted the importance of placing a strong person in the role of Planning Chief.
 - Currently, "Hot Shot" teams are checking beaches for any re-oiling; this will continue periodically through April.

The U.S./CN Transboundary Oil Spill Planning and Response Project

- Jean presented the draft Scope of Work for the Project to the Coordinating Committee, noting that Dave Byers - who has agreed to serve as project Chair - had provided input, as had Bob Mattson from ADEC and Graham Knox from British Columbia.
- Key points in the draft Scope of Work include:
 - I. Project Organization
 - Establish a Project Steering Committee of key stakeholders; they would convene this spring (the 3rd week of April is our target) to review existing plans and protocols, adopt a multi-year workplan, and charter subcommittees to address the Issues and Topics. This project is intended to focus solely on marine spills.
 - Each working subcommittee would be chaired by a Steering Committee member and supported by the Task Force Executive Coordinator. Experts and other stakeholders who are not on the Steering Committee may participate on subcommittees.
 - Subcommittees will submit draft reports and recommendations to the Steering Committee; a final Project Report will be compiled and presented to key groups as well as posted on the Task Force website for public input before it is finalized.
 - II. Issues and Topics to be addressed:
 - A wide range of issues and topics has been identified in the draft Scope of Work; these are currently organized under the headings of Command, Planning, Operations, Logistics, and Finance/Administration.
 - The Steering Committee may add/remove topics, and can also approve additions by the Subcommittees.
 - III. Stakeholder Groups to be invited to participate would include, but are not limited to:
 - U.S. and Canadian federal agencies, key agencies from British Columbia, Alaska, and Washington, other Coordinating Committee member agencies as possible, public land managers, tribes and first nations, OSROs, wildlife rehab groups, environmental organizations, and industry representatives.

Consultants with experience in planning or responding to transboundary events will also be involved.

- Jean reported to the Coordinating Committee that the U.S. Coast Guard and the Canadian Coast Guard recently finalized and approved the Beaufort Sea Annex (CANUSNORTH) of the Canada - United States Joint Contingency Plan.

Spill Preparedness/Response Topics of Concern (only those topics with updates are noted below)

- Oil spill drill programs:
 - Jean reported that the USCG reported at API's SAG meeting that the 2007 SONS exercise featured an inland aspect, focused on long-term response and recovery, and also exercised the JFO/MAC. The Lessons Learned report is almost done.
 - Mike Zollitsch reported that the Humboldt Bay exercise May 14-15 would include SCAT and liaison training. It will include a Places of Refuge element, and will also test two command posts (OR and CA). DEQ would like to take their communications trailer to their command post on the Southern Oregon coast.
- Applied response technologies and regulations:
 - Jean noted that the USCG's final rule on response and dispersant capacity will be published in February.
 - She also reported that MSRC is adding another C-130 in Arizona and another spotter plan in Mississippi.
 - Jean gave the Coordinating Committee a map of dispersant stockpiles in the U.S. and world-wide. The map was developed by ExxonMobil and handed out at the API meeting. Bill Lerch of ExxonMobil had also noted that industry is developing mutual aid agreements covering their dispersant stockpiles.
- Spill Response research and development:
 - Jean gave the Coordinating Committee copies of a Pacific Maritime article about OSPR's use of GIS technology in spill planning and response.
 - She also reported that OSPR had sponsored a workshop in December to develop a cost model for evaluating effectiveness of spill response strategies.
 - Noting that the industry sponsor of the NPREP '08 HumBay exercise is proposing to use a tracking buoy, Mike Z. asked what experience other Coordinating Committee members have had with them. Jon noted that Ecology has used tracking buoys in three drills.
- Mutual Aid experiences and issues:
 - Jean reviewed recent updates to the Task Force's 1993 Mutual Aid Agreement and reminded the Coordinating Committee members to let her know if the contacts listed were up to date.
 - She also reminded them to review their jurisdictional protocols in the 1996 Mutual Aid Agreement.
- OSROs:
 - Mike reported that the NW Fire Fighters had been certified for inland spill response, including shoreline and booming.
- Natural Resource Damage Assessment (NRDA) initiatives, issues, and activities, including NRDA assessments and collections:
 - Jean noted that Senator Boxer (D-CA) had introduced S. 2429 to amend the Oil Pollution Act of 1990 to provide for the investment of amounts in the Damage Assessment Restoration Revolving Fund.
 - Jean also explained that the JAT is still interested in refining NRDA/ICS references in both its Guidelines and the USCG's IMH.

- Jon and Mike both noted that their JAT representatives would like to see NRDA included in more drills.
- Development of remote sensing capabilities, application of RADARSAT, and implementation of 24-hour response operations where it would be safe and effective:
 - Jean reported that she'd heard that the USCG has backed off of RADARSAT; she will explore this further when meeting with the USCG the next day.
 - She also reported that, Bill Conner, Chief of NOAA's Emergency Response Division, had stated at the API meeting that the National Response Team is developing an inventory of federal agency remote sensing capabilities.
- Contingency plan regulations and preparedness/response issues re: nontank vessels:
 - The USCG report to API stated that the NPRM for nontank vessel contingency plans is due this year, with the final rule projected for 2010.
 - The Coordinating Committee discussed a December 18th hearing by the Senate Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard on oil spills from nontank vessels. Jean indicated her disappointment that Admiral Allen's speech had included negative comments on states' contingency-plan regulations for nontank vessels.

STATUS OF ADMINISTRATIVE & COMMUNICATIONS ISSUES

Clean Pacific Conference

- The Coordinating Committee reviewed the Clean Pacific 2007 survey replies which TradeFair Group had provided. They noted stakeholder groups who should be encouraged to participate more fully, how participants learned about the event, top issues for future conferences to cover, suggestions for improvement, and comments.
- Jean also shared some impressions and information from attending Clean Gulf 2007. She noted that the conference bags were nicer than those we bought for Clean Pacific, but also noted that some of our A/V concerns (speakers load their own PowerPoints, no timers, and no lazer pointers) were the same. Jean also recommended that we consider including federal agencies in the general sessions, as is done at Clean Gulf.

Stakeholder Outreach

- Jean reported that she had done the following outreach since the Coordinating Committee's last meeting: spoken at the American Salvage Association Conference, staffed the POSPET fall meeting, met with representatives from Massachusetts DEP, attended the Clean Gulf Conference, participated in the 12/11 JAT meeting by phone, and attended API's Spills Advisory Group meeting 12/13.
- In addition to her work on the *Cosco Busan* ISPR Team, upcoming events between now and the next Coordinating Committee meeting will include POSPET on 3/20 and the Green Ports Roundtable on 4/8.
- Most Coordinating Committee members indicated that their agencies would be sending representatives to attend the International Oil Spill Conference (IOSC) conference 5/5 - 5/8. Jean reported that the IOSC schedule-at-a-glance is available on the IOSC website; an advanced program with more details is being finalized and will be available soon. The next conference in the triennial cycle will be Interspill 2009, which will be held in May '09 in Marseilles, France.

- Jean also noted that she will chair a panel on Prevention at the Harbor Safety Committee Conference Seattle 5/12-5/14, and that she'll be asking member agencies to participate.

Outreach to East Coast States/Provinces

- In late October Jean met with Janine Commerford, Assistant Commissioner for the Bureau of Waste Site Cleanup at Massachusetts' Department of Environmental Protection (MassDEP), and with Richard Packard, Chief of their Oil Spill Prevention and Response Program.
- Mr. Packard had been added to our clipping service and their link is on our website. He's also provided Jean with contact information for other NE programs. Jean hopes to contact them and arrange a meeting of state representatives at the IOSC.

Task Force website

- Jean reported that all postings are current.

2008 Legacy Awards program

- The Coordinating Committee debriefed the 2007 Awards ceremony; they were all pleased with how eloquent the recipients had been.
- Jean reminded them to begin thinking about possible nominees for 2008.

2008 Annual Meeting location & date

- Graham reported that the Ministry of Environment, our 2008 Annual Meeting host agency, is looking for meeting locations in Victoria.
- Jean reminded the Coordinating Committee that the Task Force Member briefing will be on the afternoon of 9/17, the Annual Meeting itself will be all day on 9/18, and the Coordinating Committee will meet on 9/19.
- The Coordinating Committee agreed that the Annual Meeting theme should focus on lessons learned and key issues from recent spills, such as handling convergent volunteers and matching response realities with public perceptions.

Upcoming Coordinating Committee meeting dates & locations

- Steve will work with Jean to secure a location and hotel rooms for the April 9-10th Coordinating Committee meeting in conjunction with the Green Ports Roundtable. The LA/LB area is our first choice.
- Alaska DEC will host the July 8-9 Coordinating Committee meeting; no final decision has been made regarding locations, but Anchorage was favored.

Mid-year budget report

- Jean provided a 6-month budget report, noting that travel expenses are running high, whereas Goods/Services are running low.

Report on the Incident Specific Preparedness Review (ISPR) Project and workload issues

- Jean reviewed *Cosco Busan* ISPR charter, noting that she had signed a confidentiality statement regarding the information from ISPR Team interviews and discussions. She also reported that the Team members included representatives from the Pacific Merchants Shipping Association, the City of San Francisco, NOAA, OSPR, the California Coastkeeper Alliance, and the San Francisco BayKeeper. The USCG provides support staff and office space for the ISPR team on Coast Guard Island; Carlton Moore, retired USCG RADM Reserves and retired OSPR Administrator, is serving as Chairman of the Team.
- The ISPR report on the 1st two weeks of the response is due to the U.S. Coast Guard 1/11; it will go to VADM Wurster and the Chief of Staff for the USCG. They'll review it for two weeks prior to its release to Congress, the media, and the public.
- Per the charter, "a report concerning the remainder of the response and long-term stakeholder issues is due by 5/7/08.
- Jean has asked the Team to develop a workplan and schedule for the second phase. However, she expects it will still be tough to fit into her schedule in April and May, when we'll also have the first Transboundary Project Steering Committee meeting, the Green Ports Roundtable, the spring Coordinating Committee meeting, the IOSC, and the HSC conference. The Coordinating Committee agreed with her recommendation to "back-burner" the pipeline project and updates to the comparative tables.

**Pacific States/British Columbia Oil Spill Task Force Coordinating Committee
Meeting with U.S. Coast Guard PACAREA and District Representatives**

January 10, 2008

Hawaii Oil Spill Response Center

Honolulu, HI

Attending: Curtis Martin, Hawaii Department of Health, Office of Hazards Evaluation and Emergency Response; Graham Knox, British Columbia Ministry of Environment; Mike Zollitsch, Oregon Department of Environmental Quality; Betty Schorr, Alaska Department of Environmental Conservation; Jon Neel, Washington Department of Ecology; Stephen Danscuk, Pacific Area Prevention Division; CDR Scott Schaefer, District 11; Captain Frederick Tucher and CDR Randall Farmer, District 14; Scott Morse and LCDR Herrador, Sector Honolulu; and Jean Cameron, Pacific States/British Columbia Oil Spill Task Force.

Participating by Phone: Steve Sawyer, California Department of Fish & Game, Office of Spill Prevention & Response; LCDR Gary Koehler, District 17; and CDR Andy Palmiotto, District 13.

PACIFIC Area and District updates

DISTRICT 17, LCDR GARY KOEHLER REPORTING:

- CAPT Hudson, D17's Chief of Prevention, will be leaving this summer. CAPT John Kenyon will be his replacement. CAPT Scott Robert will be taking over as Commander at Sector Juneau and CAPT Herbert Hamilton will assume command of Sector Anchorage. The Captain of the Port for Valdez will also change this summer.
- LCDR Koehler reported that the USCG is partnering with other federal and state agencies, as well as tribes in the Arctic area to refine deployment operations to cover their multiple missions, such as SAR, spill response, and Maritime Domain Awareness in the Arctic. They're also working with the National Science Foundation to deploy scientists on their overflights and other potential science opportunities.
- Sector Anchorage continues to engage with Shell for potential 2008 drilling in the Arctic area.
- The USCG is processing the 3-year recertification for the Prince William Sound RCAC; a notice has been published requesting public comment.
- LCDR Koehler and Betty Schorr reported that the National Academy of Sciences is developing a Scope of Work for a vessel traffic risk assessment to be done for the Aleutians; the final report is due June 2008.
- LCDR Koehler also noted that the DeLong Mountain terminal serving the Red Dog mine in Western Alaska could potentially see more vessel arrivals, dependent upon the Aqqaluk Project outcome and expansion of mining at the Aqqaluk deposit located adjacent to the existing main deposit.

DISTRICT 11, CDR SCOTT SCHAEFER REPORTING:

- Personnel moves: CAPT Paul Gugg will assume command of Sector San Francisco January 22nd. CAPT Uberti is retiring on January 25th. CAPT Tom Cullen will transfer to Sector San

Francisco this summer and serve as the Deputy Sector Commander. CAPT Patrick Gerrity is scheduled to take over as Deputy Sector Commander in LA/LB.

- At the District level, CDR Patrick Mcquire will take over as Chief of the Prevention Division, CAPT Kevin O'Day will serve as Chief of the Response Division, and CAPT Kelly Hatfield is slated to take over Planning. These assignments are tentative and the final assignment slate should be out soon.
- CDR Schaefer is updating District 11's Memorandum of Agreement with the State of California. The project team will also include representatives from OSPR and State Lands.
- He thanked Curtis Martin and Clean Islands Council for agreeing to allow Hawaii's Airborne Dispersant Delivery System Package (ADDSPAC) to be brought to California as a backup to MSRC's dispersant C-130 located in Arizona.
- He noted that D11 notifies the Department of Interior of any spill larger than 100 gallons. Interior representatives have also sought a seat on the Unified Command. The D14 representatives noted that they were encountering similar requests. There is an ongoing issue as to the appropriate role of the RRT in a spill response beyond approval of Applied Response Technologies.
- CDR Schaefer presented a PowerPoint on the *Cosco Busan* incident which included animation of the vessel's route from the pier in Oakland to the allision with the Bay Bridge. This AIS video is available on the internet. The PowerPoint also included NOAA's spill trajectory for the first few days, and photos of the spill and the vessel. He noted that, as of Jan. 3rd, the response costs had reached approximately \$62 million; the *Cosco Busan's* federal COFR is \$61.8 million. The State of California's COFR is \$300 million. Although a number of birds died in the spill, there were minimal impacts on threatened and endangered species, Scott reported.
 - As part of their duties, D11 staff provided written updates to Coast Guard Headquarters 4 times a day. This updates were also provided to OSPR and OES.
 - He noted that O'Briens, which represented the RP in Unified Command, hired very knowledgeable consultants to serve as the Incident Commander and section chiefs.
 - He reported that over 95% of D11 officers have received their ICS 300 level training.

DISTRICT 14, CAPT FRED TUCHER REPORTING:

- CAPT Tucher will retire this year; CAPT William Marhoffer will replace him as Chief of the Prevention Division. CAPT David Swatland will be the Chief of the Response Division. Captain Barry Compagnoni has relieved Captain Vince Atkins as Commander, Sector Honolulu. Rear Admiral Brice O'Hara will be transferring to Coast Guard Headquarters to run all Coast Guard operations; Rear Admiral Manson Brown will relieve her as District Commander this summer.
- CAPT Tucher explained that the Hawaii Superferry had required much USCG attention, primarily dealing with vessel and port security issues associated with protests on other islands.

- D14 has also been focusing on fisheries enforcement in the new National Monument area. CAPT Tucher explained that masters on U.S. fishing vessels are required to be U.S. citizens and that violations of this requirement subjects the vessel to possible civil penalties as well as loss of its document and fisheries endorsements. Besides enforcing these requirements, the USCG continues to investigate reports of dumping oil and plastics in violation of MARPOL requirements.
- CAPT Tucher then reviewed the case of the *M/V Tong Cheng*, a Chinese-flag bulk carrier that requested emergency entry into the port of Honolulu in January 2007 after suffering a serious hull fracture in the number 2 cargo hold during heavy weather. The *M/V Ton Cheng* carried both bulk cargo in her holds and containers on her deck. The vessel was bound for Cuba via the Panama Canal. There were a number of challenging issues, CAPT Tucher explained, including:
 - A threat of an oil discharge; the *M/V Ton Cheng*, which was at risk of breaking up, had 120,000 gallons of heavy bunker fuel on board; due to effective response measures, there was no discharge.
 - The safety of the crew - all 21 PRC crewmembers returned home safely.
 - The vessel was kept far offshore in the company of a Coast Guard cutter while the Unified Command and national interagency process evaluated various response options. The vessel was allowed to proceed to anchorage after U.S. Navy and contracted divers installed temporary soft patches on the hull. More permanent repairs were then made to allow it to transit to Barbers Point. A spill response vessel monitored the ship once it was in Hawaii waters.
 - Curtis Martin explained that the vessel's fuel was tested for dispersant effectiveness, and they had a helicopter and bucket on stand-by.
 - The U.S. State Department and Customs and Border Protection were engaged because the vessel was foreign-flagged and carrying cargo bound for Cuba. US law places restrictions on the ability of shippers to transship cargo bound for Cuba through the United States.
 - The USCG's draft instruction on Places of Refuge were used during this case and worked well.

DISTRICT 13, CDR ANDY PALMIOTTO REPORTING:

- CDR Palmiotto explained that CAPT Willam Devereaux's assignment as Chief of the Prevention Division has been extended. CAPT Douglas McCrimmon will take over as Chief of the Planning Division. CAPT Suzanne Englebert will assume command at Sector Seattle and CDR Frederick Myer will replace CAPT Gerrity at Sector Portland.

USCG PACIFIC AREA, STEVE DANSCUK REPORTING:

- CAPT Douglas Wisniewski is the new Chief of Staff at PACAREA, Steve reported. He also reported that CAPT Gugg was leaving as Chief of the Prevention Division; CAPT John Bingaman, currently at D11(dp), will replace him as of approximately April 7th; CDR McFarland

will be "Acting" until then^[S1]. The Prevention Division will remain the point of coordination for the Oil Spill Task Force.

- Steve noted that several California congressional representatives had introduced legislative proposals in Congress which would affect the Coast Guard; all are a result of the *Cosco Busan* spill. These include bills to increase nontank vessel COFRs (liability limits), expedite nontank vessel contingency plans, and require VTS to direct vessel traffic.
- Steve also mentioned the *T/V Hebe Spirit* spill in South Korea, where approximately 72 million gallons of oil was spilled. Some of the Far East Activities Office staff from D14 are helping with the response. He noted that the issue of outfitting volunteers with proper PPE gear and training is an issue there just as it was with the *Cosco Busan*.
- Another issue in the Pacific Area has been monitoring illegal oil dumping. An illegal bypass was spotted on an Egyptian vessel in Portland by CG inspectors. The Egyptian ambassador was involved in this case.
- Steve reported that the AWO/USCG Pacific Region Quality Steering Committee had met in September and was drafting a new charter.
- He explained that the USCG is reorganizing; Pacific and Atlantic Areas will no longer function as such after 2009. Instead, they will serve as Operational Command and Force Readiness Command. The Districts and Sectors will report to the Operations Command, while the Force Readiness Command would develop tactics, techniques and procedures, and provide prepared and trained deployable forces for operations. This is still being clarified at the macro level, Steve noted.
- He also reported that the USCG is trying to improve and increase their focus on their "legacy" marine safety issues. A new position has been created at Headquarters: the Assistant Commandant for Marine Safety, Security, and Marine Stewardship.
- The USCG is addressing the issue of continuity at the Sectors by hiring more civilians and putting more emphasis on training vessel inspectors. They're also reviewing the staffing and training standards for the Sectors.

Task Force Member Agency Updates

- Please reference the Jurisdictional Updates on pages 1-5 of this report; this information was also shared with the U.S. Coast Guard representatives.
- In addition, Jon Neel of the Washington Department of Ecology provided copies of the new Memorandum of Agreement between D13 and the State of Washington, their Shared Strategic Work Plan, and a web guide to the related Protocols. He explained that Ecology meets quarterly with D13 and the Sectors to implement the Work Plan. He also noted that Chip Boothe, former COTP for Puget Sound and Chief of Prevention for the District, had been hired as a consultant to assist with development of the MOA and supporting documents. He has since been hired as Manager for Ecology's Prevention Section. Jon also provided copies of a D13 press release from 1/4/08 noting that they had closed or restricted access to several bar crossings in the NW due to heavy weather.
- Betty Schorr of the Alaska Department of Environmental Conservation asked the USCG representatives whether the USCG could notify the state when vessels request passage into State waters for the purpose of force majeure or for any other emergency situation. They

saw not reason why not, and recommended that notification protocols be negotiated with District 17. (PLEASE NOTE: Since this discussion, LCDR Gary Koehler has reported that District 17 is adding a call to ADEC's Oil Spill Response number to the force majeure emergency response checklist.)

Task Force's 2007-2008 Annual Work Plan projects

- Jean Cameron reviewed the projects which the Task Force is undertaking during their 2007-2008 workyear. Please see pages 5 to 17 above for more information. The Work Plan is available at www.oilspilltaskforce.org.
- As part of that review, Jean also summarized the draft "Recommendations for Further Action" which were developed as part of the 5-year review of the implementation status of the West Coast Offshore Vessel Traffic Risk Management Project which the USCG Pacific Area had co-chaired with the Pacific States/British Columbia Oil Spill Task Force. Please see page 6 above for more information.

The meeting participants then discussed a number of issues of common concern, as follow:

The status of RADARSAT and POPEIE

- Jean explained that the Task Force was encouraging the Coast Guard to use the same RADARSAT system used by Transport Canada to spot oil slicks offshore, and to then pursue such spottings aggressively to determine whether ships were dumping oil illegally. CDR Vic Blalack had advised her in April of 2007 that the USCG was moving ahead with this. Jean had asked Steve Danscuk for an update; Steve explained that he was still waiting for word from Headquarters on the status of this.
- Jean also explained that the Task Force had given District 11 an award for its development of a tool called the "Probe for Oil Pollution Evidence in the Environment" (POPEIE) which could retrieve oil samples from orphan slicks; these could then be compared with fingerprints of on-board oil to track responsible vessels. This would be a good tool for use with the RADARSAT program. CDR Schaefer reported that USCG HQ was no longer providing funding for the POPEIE program, so D11 is managing it. There are fewer than a half dozen on land, Scott indicated. He reported that one had been dropped into a spill off San Diego, but the transponder hadn't worked so they were unable to locate it for retrieval. The Direction of this program seems unclear.

Impact of new dispersant regulations on the West Coast

- Jean provided copies of the U.S. and world maps of dispersant stockpiles; the map was provided to the API Spills Advisory Group on 12/13 by ExxonMobil. The group discussed dispersant capability on the West Coast.
- Curtis explained that the USCG in Hawaii has an agreement with D11 to fly the ADDSPAC empty on a C-130 to California. The ADDSPAC would be empty due to weight issues and would be loaded with dispersant in California. A crew would also fly commercially, so they would arrive ready to deploy without having any prior flight time on the clock. He indicated that D11 and OSPR would need to arrange for a spotter plane and to train that crew to work with the C-130 crew. He also noted that these pilots need to recertify every 6 months for

this work. Curtis also advised D11 to use helicopter applications first to test efficacy; this can be done while a C-130 is being loaded, he explained.

- CDR Schaefer reported that the California Area and Regional Contingency Plans are being updated to reflect current dispersant resources including the MSRC C-130 in Arizona and the Hawaii ADDSPAC.
- He also pointed out that the Task Force's 1996 Mutual Aid Agreement, which establishes minimum levels of response equipment for each jurisdiction, does not address dispersants. The Coordinating Committee agreed to review this issue for their jurisdictions.
- Graham noted that Environment Canada and the Department of Fisheries and Oceans do not agree regarding dispersant use, so it's generally only used as a shoreline cleaning agent in British Columbia. Burrard Clean Operations has a small stockpile.

Escort requirements for double hull tankers

- Betty Schorr explained DEC's concerns that the current federal regulations requiring tug escorts for tankers transiting Prince William Sound only apply to single hull tankers. All but one of the current fleet are now double hulled, although they continue to use the tug escorts. There are no state regulations requiring tug escorts, although the shippers have included the escorts in their state-approved Prevention Plans. DEC has discussed this with local Coast Guard officers, who advise that establishing a "Regulated Navigation Area" (RNA) would be more likely to succeed than changing national regulations. Although an RNA would require publishing a Notice of Proposed Rulemaking in the Federal Register, the group generally agreed with this recommendation. On the question of whether state regulations would be preempted, the group generally felt they would not be, as long as the regulations applied in state waters only.
- Jon Neel explained that Washington State has had tug escort regulations since 1976, requiring one escort tug for all laden tankers transiting east of Port Angeles in Puget Sound. OPA 90 then added federal regulations which require two escort tugs for laden single-hull tankers; the Federalism section in these regulations stated that the state regulations were not preempted. So the state regulations apply to double hulls, but Ecology's concern is that, once all the TAPS tankers are double-hulled, the population of tugs in Puget Sound could be significantly reduced, leaving fewer to respond to vessel casualties.
- It was acknowledged, however, that the federal regulations covering single hull tankers in Puget Sound would stay in place and would apply to any foreign-flag single hull tankers calling there (only U.S. flag tankers are allowed to serve the TAPS trade, which is the only oil trade out of Prince William Sound).
- Jon noted that Ecology contracted in 2005 for a study on tug escorts by Glostien Associates; the next step in that study will be a review of Human Factors. The Puget Sound Risk Assessment will also evaluate tug escort needs.
- Steve Sawyer reported that California's tug escort requirements for tankers were adopted in the 90s; federal preemption has never been an issue.
- Jon noted that laden tankers outbound from Vancouver, British Columbia and passing through Haro Strait must meet the tug escort regulations east of Port Angeles.

Compatibility issues between state and USCG response software

- CDR Schaefer explained that the USCG uses the web-based Homeland Security Information Network (HSIN).
- EPA and FEMA use the web-based EOC (Emergency Operations Center). Anyone working on a response, whether from the Incident Command Post or the field, can log in to update information and report the situation status.
- In California, OES uses REMS (Response Emergency Management System). OSPR uses Incident Action Plan software.
- Mike reported that in Oregon, the state OEM uses OpCenter.
- Web EOC is used by the Coast Guard and the State in Alaska.
- Industry response teams usually have their own system.
- There is no compatibility between these systems, thus limiting information exchange. This lack of compatibility can interfere with communications during an emergency; the larger and more complicated the response, the more this issue is magnified.
- It was noted that the National Response Team is working on this issue.

NRDA & ICS

- Jean reported that the Trustee/Industry Joint Assessment Team would like to meet with USCG representatives to discuss how NRDA coordination is represented in ICS guidance documents, and asked who from D11 and D13 would be appropriate contacts. CDR Schaefer offered to be the D11 point of contact (to find the best representative); Scott Knutson was recommended for D13.

Should we establish a formal Quality Steering Committee between the Pacific States/BC Oil Spill Task Force and USCG PACIFIC AREA?

- Steve Danscuk had discussed this with CAPT Gugg, who thinks we should move ahead on this idea, even if the future of the Area is uncertain at the moment.
- Since there's no precedent for a USCG QSC with states, perhaps what we should develop is a Memorandum of Understanding to be signed by the states, Pacific Area, and the Districts.
- Curtis recommended that a Canadian version could be implemented after we complete the Transboundary Project.
- Jean asked Steve to explore this idea further within the Coast Guard, especially with Headquarters. Jean and Steve will be the POCs to carry this concept forward.

The meeting adjourned around 2:30 pm. Steve Danscuk then joined the Coordinating Committee members in touring Clean Islands Council's mobile wildlife rescue/treatment facilities (see photos, following page).



From left to right: Jon Neel (WA), Graham Knox (BC), Brian Parscal of the Clean Islands Council, Betty Schorr (AK), Steve Danscuk of USCG Pacific Area, Curtis Martin (HI), and Mike Zollitsch (OR)



Clean Island Council's Wildlife Trailers: the Food Preparation Unit is on the left, and the Wildlife Treatment Unit is on the left.