

Oil Spill Task Force

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September 21, 2005

Docket Management Facility
US Department of Transportation
400 Seventh St. SW
Washington, DC 20590-0001

Re: (USCG- 2005-21610)

Non-tank Vessel Oil Spill Response Plans, Notice and Request for Comments, published June 24, 2005, Federal Register

Dear Madam/Sir,

These comments are submitted on behalf of the Pacific States/British Columbia Oil Spill Task Force, whose membership includes the oil spill regulatory agencies of Alaska, British Columbia, Washington, Oregon, Hawaii, and California. The states of Alaska, Washington, Oregon, and California all have laws requiring that non-tank vessels submit oil spill contingency plans or show that they are covered by umbrella response plans covering the ports and waterways in our states. The oil spill regulatory agencies in these states review and approve vessel, fleet, or umbrella plans.

Plans are required for non-tank vessels of 300 gross tons (GT) or larger in Washington, Oregon, and California; the threshold for Alaska is 400 GT. British Columbia is covered by the Canadian Shipping Act, which requires that all ships of 400 GRT or more and all tankers of 150 GRT or more, in waters under Canadian jurisdiction, shall have a SOPEP and a Declaration that they have an arrangement with a certified response organization (RO). For more information on the specific requirements of each jurisdiction, their websites can be accessed from links on our website: www.oilspilltaskforce.org.

On our website you will also find a project report published by the Pacific States/British Columbia Oil Spill Task Force in 2003 titled "Recommended Contingency Plan Elements." Based on a decade of experience with both facility and vessel contingency plans, the Task Force member agencies made recommendations in this report regarding which plan elements are most essential, as well as how to coordinate submitted plans with Area Plans.

Alaska British Columbia California Hawaii Oregon Washington

On page 4 of the report it is stated that "a streamlined plan for vessels, initially non-tank vessels, followed by tank vessels at the next appropriate planning cycle, is a long-term goal of the Task Force member agencies." The report goes on to outline the contents of such a plan, as described in regulations adopted by the Alaska Department of Environmental Conservation (ADEC). We strongly urge the US Coast Guard to consider using the Streamlined Plan approach for non-tank vessels. It emphasizes the need for vessel information, initial spill reporting protocols, contracts with OSROs, salvors, and Incident Management Teams, and identification of a Qualified Individual. ADEC offers the streamlined plan as an alternative to submittal of a full contingency plan, and considering the number of non-tank vessels calling on US ports, we feel that the US Coast Guard would be wise to do the same.

It is also noted on page 3 of the report that "a plan approved by other agencies will be accepted if the contingency planning standards of the other agency are equivalent or higher than that of the reviewing agency." We urge the US Coast Guard to extend the same courtesy to all US states which require non-tank vessel plans, should their planning standards meet or exceed those adopted by the US Coast Guard. This would be a courtesy to non-tank vessels visiting US ports as well.

We strongly recommend that the US Coast Guard Office of Response to utilize the recommendations in the report above, and we also urge you to work with Transport Canada and the Canadian Coast Guard as appropriate to coordinate contingency plan requirements for vessels transiting through traffic separation schemes in transboundary areas such as the Straits of Juan de Fuca and the St. Lawrence Waterway.

Please contact me if you have any questions regarding these comments. We look forward to commenting on the draft rules when they are published.

Thanking you for your consideration of these comments on behalf of the member agencies of the Pacific States/BC Oil Spill Task Force, I remain,

Sincerely yours,

Jean Cameron

Jean R. Cameron
Executive Coordinator

cc: USCG CAPT Paul Gugg
USCG CAPT Steve Hanewich
Rob Turner, Transport Canada Marine Safety Manager