

SUMMARY NOTES
The Pacific States/British Columbia Oil Spill Task Force
2007 Annual Meeting, as incorporated into the
2007 Clean Pacific Conference
Seattle, WA
September 13-14, 2007



Task Force Members Left to Right: Laurence Lau, Hawaii; Lisa Curtis, California; Dick Pedersen, Oregon; Larry Hartig, Alaska; Jay Manning, Washington, Jim Hofweber, British Columbia.

September 13, 2007: Keynote Address and Presentation of the 2007 Legacy Awards

The following Task Force Members joined Jean Cameron, the Task Force Executive Coordinator, and Tom Fitzsimmons, Chief of Staff for Washington Governor Gregoire and the Keynote Speaker, to welcome participants to the Opening Session of Clean Pacific 2007, which the Task Force hosted:

- Jay Manning, Annual Meeting Host and Director of the Washington Department of Ecology;
- Larry Hartig, Commissioner of the Alaska Department of Environmental Conservation;
- Jim Hofweber, Director of the Environmental Management Branch of the British Columbia Ministry of Environment (alternate for Joan Hesketh, Deputy Minister);
- Dick Pedersen, Deputy Director, the Oregon Department of Environmental Quality;
- Lisa Curtis, Administrator, the Office of Spill Prevention and Response of the California Department of Fish and Game; and
- Laurence Lau, Deputy Director for Environmental Health, Hawaii Department of Health.

KEYNOTE ADDRESS: Tom Fitzsimmons, Chief of Staff for Washington Governor Christine Gregoire



- Mr. Fitzsimmons noted that "Clean Pacific" was both a good name for a conference and a good vision to strive for. He also noted that it was a timely event for the State of Washington, in light of the state's commitment to restoring Puget Sound by 2020.
- He explained that he had served as Washington's Task Force Member while Director of the Washington Department of Ecology earlier in his career, and noted that he "came to honor the work of all stakeholders" during that

experience, as well as the leadership provided by the various Task Force Members.

- Tom also explained that the Task Force had originated with a meeting between the State of Washington and British Columbia following the oil spill from the barge *Nestucca*. The *Exxon Valdez* had grounded the day after that first meeting, he explained. Christine Gregoire was Ecology's Director at that time, and as such, was one of the founders of the Pacific States/British Columbia Oil Spill Task Force.
- Noting that the goal of the Puget Sound partnership is to make all waters in the sound "fishable, swimmable, and diggable" (acknowledging the shellfish harvests from the Sound), he acknowledged that all West Coast states would share that vision for their waters.
- Tom also stated that it is the "Washington way" to engage all its citizens in reaching that goal, through education, training, and regulation as necessary. "We must all stay vigilant and focused," he commented.
- Tom noted recent achievements of the Department of Ecology's Spills Program, including revised Contingency Plan and Transfer regulations, installation of response equipment caches statewide with training for local responders, and the stand-by rescue tug at Neah Bay (he also noted the need for permanent year-round funding for the tug).
- He cited several major spill incidents which had occurred while he was Ecology Director - such as the pipeline explosion in Bellingham and the oil spill at Pt. Wells - and from which he'd learned how much risk to both people and the environment are represented by such incidents.
- Among other Lessons Learned, he noted that tank alarms must be maintained; that transfers should be pre-boomed when it is safe and effective to do so; and that the Dalco Passage spill had left a very long and visible sheen.
- From that last incident, the Lesson Learned was that citizens who live along Washington's shorelines want to help with spill response.
- Citizens place their trust with their environmental agencies, Tom noted, and are deeply affected by how those agencies respond - or fail to respond. Images of oiled wildlife or oiled shorelines capture their imagination and generate passionate expectations that government

agencies will strive to both do their best and improve their performance. He also pointed out that citizen advocates serve an important role, and that government is challenged to meet their expectations.

- Tom also noted that continuous improvement requires partnerships, such as Washington's new Memorandum of Agreement with the U.S. Coast Guard. He also praised the partnerships represented by the Oil Spill Task Force.
- Tom Fitzsimmons' "Call to Action for Spill Prevention" was that citizens and advocacy groups should continue to ensure public vigilance, that industry must match that effort with "corporate diligence," and that we must act as an integrated team during spill responses. In order to achieve these mandates, we must renew and maintain friendships as well as build new partnerships, he concluded.

Presentation of the 2007 Legacy Awards



- The Pacific States/British Columbia Oil Spill Task Force proudly presented the 2007 Legacy Awards to the following individuals and teams:
 - **Dr. Mervin Fingas (retired), Environment Canada's Emergencies Science and Technologies Division**
 - **Chris Wilke, Clean Marina Washington**
 - **Chad Bowechop, the Makah Indian Tribe**
 - **David "DC" Carter, Pacific Environmental (PENCO)**
 - **The West Coast Joint Assessment Team**
 - **U.S. Coast Guard, Sector Los Angeles/Long Beach**

- Legacy Awards are given to industry, non-profit, or public agency organizations and individuals, or for team efforts. The Task Force gives Legacy Awards for projects, accomplishments, or leadership that demonstrates innovation, management commitment, and improvements in oil spill prevention, preparedness, or response resulting in enhanced environmental protection. Efforts to promote partnerships and involve the public are favored. Organizations, individuals, or projects nominated for the Legacy Award must be located in or operating in the Task Force jurisdictions of Alaska, British Columbia, Washington, Oregon, California, and Hawaii. Organizations or individuals representing a regulated industry must demonstrate a satisfactory history of compliance with state, provincial, and federal oil spill regulations.
- For information on the award-winning efforts of the 2007 recipients, and for individual photos of the winners, please go to http://www.oilspilltaskforce.org/awards_2007.htm.

September 14, 2007: Jurisdictional Updates

Dale Jensen, Manager of the Spills Program at the Washington Department of Ecology, served as the Annual Meeting Host for the opening General Session on Friday, 9/14/07. Dale moderated the Session as each of the following Task Force Members presented the following Jurisdictional Updates:

Larry Hartig, Commissioner of the Alaska Department of Environmental Conservation (ADEC)



- Commissioner Hartig opened by noting that ADEC had been a founding member of the Oil Spill Task Force, and plans to continue that membership. He then introduced Larry Dietrick, Leslie Pearson, and Betty Schorr, Alaska's member and alternates to the Task Force Coordinating Committee.
- He referenced Tom Fitzsimmons' point about public trust, and noted that ADEC's Division of Spill Prevention and Response program (SPAR) is "extremely prepared." There are a number of items on their

plate for future action, however.

- These include a comprehensive risk assessment of the crude oil infrastructure from the North Slope to Valdez, as well as a risk assessment of the increasing vessel traffic through the Aleutian Islands, and an assessment of spill risks in Cook Inlet.
- While the recent spills from transfer lines on the North Slope resulted in minimal environmental impact, Larry noted, they had a significant economic impact when BP shut

down the lines for 10 days. The subsequent revenue loss represented 8% of the state's annual General Fund budget.

- ADEC will contract for these risk assessments and seek recommendations which are "implementable" he stated, noting the agency's responsibility for management and oversight.
- Regarding the Risk Assessment for the Aleutians, Commissioner Hartig explained that ADEC is working with the U.S. Coast Guard on the initial project scoping and evaluation of traffic patterns. He predicted that this traffic is likely to increase as the Arctic seas open up as a result of Global Warming.
- Commissioner Hartig also described the work which ADEC has done with local stakeholders in Dutch Harbor to develop emergency towing packages (more information is available at <http://www.dec.state.ak.us/spar/index.htm>).
- He noted that ADEC is working with the TAPS operators and concerned citizens in Prince William Sound on the question of tug escort requirements for double hull tankers, since the current federal regulations only apply to single hull tankers, which are being phased out.

Jim Hofweber, Director Environmental Management Branch of the British Columbia Ministry of Environment (MOE)



- Jim introduced Graham Knox, British Columbia's member of the Task Force Coordinating Committee.
- Jim explained that the British Columbia Ministry of Environment has a "modest" spills program compared to some of the other Task Force member agencies, so they rely on mutual aid and coordination with the other Task Force agencies, if necessary.
- MOE has two Incident Management Teams, 17 response officers throughout the Province (who also have other duties in their field offices), and only 3 staff at Headquarters in Victoria. They have

also trained 60 staff persons from other programs to serve as specialists during a response, if needed. The program's total budget is \$1.3 million/year.

- Jim described a few recent spill incidents in the Province. In one, an excavator hit a crude oil pipeline, sending a geyser of oil into the air and polluting a residential neighborhood as well as the marine waters of Burrard Inlet.
- In another recent event, a logging outfitter overloaded an apparently ill-maintained barge, which capsized and lost its load in a provincial ecological reserve area where orcas use shallow rocky beaches as "rubbing" areas. A tank truck on the barge was estimated to have lost approximately 2,600 gallons of diesel, and some orcas were observed swimming through

the slick. Jim expressed a hope that the impacts on this exposure could be tracked, since each whale is identified and tracked.

- He noted that rail accidents are frequent; one collision this summer caused a spill into the Fraser River.
- He also noted the *Westwood Annette* spill, as well as a tug grounding on a small island that had a navigation light on it. He speculated about the nature of that "human error"!
- Regarding future initiatives, Jim noted that the Province has over 15,000 miles of coastline, most of which is very remote, with no response infrastructure in place. The Ministry is reaching out to the First Nations along the coast to train them as first responders. Unified Command/ICS training will also be provided. The Ministry is considering storing response equipment in these areas.
- In consultation with key stakeholders, the Ministry has drafted an Oiled Wildlife Plan. This is currently being circulated for comment to a broader group of stakeholders and other agencies.
- In another initiative, staff and contractors are conducting a review of gaps in the Ministry's legislative authorities, including the authority to conduct Natural Resource Damage Assessments. They're also interested in enforcement authorities regarding foreign-flag vessels that pollute provincial waters.

Dick Pedersen, Deputy Director, the Oregon Department of Environmental Quality (ODEQ)



- Dick opened his remarks by congratulating Mike Zollitsch, who has served as ODEQ's member of the Task Force Coordinating Committee for ten years.
- Dick then reported that 2,300 spills had been reported in 2006; this was an average of 6 each day. Mike and other dedicated staff in both the regions and at headquarters gather information on these reports and send responders to the scene as necessary. A number of fishing and recreational vessel spills have generated responses. There are also

numerous truck accidents in Oregon; since many rural roads follow watersheds, there are often impacts on local rivers and streams.

- He noted that the Willamette River is a major resource in western Oregon, the Port of Portland serves both the Willamette and the Columbia River, and there is a major superfund site on the Willamette.
- Dick also noted additional concerns for responders in remote areas including buried pipelines, fiber-optic cables, cultural and historical resources.

- Dick explained that the State of Oregon settled lawsuits with the owners of the *New Carissa*, a bulk carrier that grounded off Coos Bay in 1999 and subsequently broke apart. The stern section has settled into the surf zone, so \$19 million of the \$22 million settlement will be used to remove and dispose of the stern.
- He also explained that 12% of the U.S. stockpile of chemical weapons is stored in Umatilla, Oregon. Under DEQ's supervision, the U.S. Army is incinerating these weapons. The nerve agents have now all been destroyed, he noted.
- Dick also mentioned that there are five active proposals to construct LNG terminals in Oregon, three of which are being processed by the Federal Energy Regulatory Commission (FERC). One of these three is proposed for Astoria, one for further up the Columbia River, and one for Coos Bay. There are also associated proposals to construct pipelines from these terminals which would connect with existing gas pipelines in the State. Based on action by the 2007 Legislature, DEQ now has authority to require spill contingency plans from LNG tank vessels.
- He also noted that the 2007 Legislature had approved one new FTE position to enforce the state's ballast regulations.
- As part of their emergency preparedness, ODEQ staff has developed a "business continuity plan," he noted. Dick also reported that DEQ and other state, federal, and local agencies would be participating in the large TOPOFF exercise in October.

Lisa Curtis, Administrator, the Office of Spill Prevention and Response, the California Department of Fish and Game (OSPR)



- After introducing Steve Sawyer, OSPR's Coordinating Committee member, Lisa noted that OSPR recently completed a "Future Vision" process. The need for an updated strategic plan had been noted in a 2005 state audit of OSPR's programs and expenses.
- The strategic plan was developed with input from Administrative, Scientific, Marine Safety, Legal and Enforcement branches. Each program identified their strengths and weaknesses, goals, and threats.
- OSPR's new Vision statement is "We have an organization that: Is the Premier Agency for all aspects of spill prevention, response, and restoration; Operates with integrity; Is transparent and open; Values one another;

Communicates and creates connections; Anticipates needs and is proactive; Inspires confidence and creativity; and Provides great service."

- OSPR is improving their database to track spill information; this should provide them with an improved capacity to set prevention, preparedness, and response priorities. Lisa introduced Carla Simmons, database project manager.

- Carla then explained that the Spilltrac system was implemented on 1/1/2007; about 1800 incidents are currently in the system. Data is collected by OSPR response teams. The system can map incidents by geographic areas such as counties, national marine sanctuaries, or other sensitive sites. This allows the agency to target prevention activities and response planning as needed. They hope to post this information on their website and include it in their annual reports as well.
- They also plan to establish web-based contingency planning, and to track planning/response information systems such as COFRs, contingency plans, and drills/exercises.
- Lisa reported that OSPR's budget looks healthy, and that per barrel fees are likely to generate more income after Ultra Large Crude Carriers start calling on the new oil terminal at the port of Los Angeles/Long Beach.
- She also noted that OSPR will be working with the Harbor Safety Committees of California to encourage them to develop and adopt Best Practices as appropriate in each port.
- OSPR has been emphasizing collaboration with key stakeholder groups, and is inviting their input - before regulations are even drafted - on such issues as contingency planning, drills and exercises, spill management teams, local response caches, and funding for inland responses.

Laurence Lau, Deputy Director for Environmental Health, Hawaii Department of Health (DOH)



- After introducing Curtis Martin, Hawaii's Coordinating Committee member, Larry Lau noted that Hawaii had enjoyed a relatively quiet year. He noted, however, that one bad oil spill on Waikiki or any of the other famous beaches could have a devastating economic effect.
- Of the two incidents which had occurred, there had been no oil released to state waters. One was the Place of Refuge request by the Chinese cargo vessel *Tong Cheng*; the state, vessel owner, and the U.S. Coast Guard had successfully dealt with this incident. The ship was repaired and returned to China. (NOTE: For more information on this incident, see the case

study under the Task Force Places of Refuge Workshop report, available at

http://www.oilspilltaskforce.org/docs/meeting_notes/summary_notes_places_of_refuge_20607.pdf).

- The other incident was a tank leak at a U.S. Navy harbor facility on Oahu; 359,000 gallons of diesel leaked into groundwater from an old tank. The diesel now sits above a larger, older plume of heavier oil. Monitoring and extraction wells were already in place, and more have been added. No product reached surface waters.

- On the issue of partnerships, Larry noted that the Hazards Evaluation and Emergency Response (HEER) office has been working with the Clean Islands Council to improve the state's capacity to respond to oiled wildlife.
- Larry also noted that Hawaii is investing in biodiesel, so HEER is addressing the response issues associated with this product. A biodiesel refinery has been proposed for Oahu, and Hawaii Electric wants to utilize biodiesel at their plant as well. While this could make the state more energy efficient and independent, it could result in increased spill risks, Larry noted.
- He concluded by noting that ports in the state are participating in "green port" initiatives.

Dale Jensen, Manager of the Spills Program, the Washington Department of Ecology



- Dale introduced Jon Neel, Ecology's Coordinating Committee member, whose history with the Oil Spill Task Force goes back to its formation in 1989.
- Dale then noted that Ecology's spills program emphasizes spill prevention, preparedness, and response.
- Noting that spills from oil transfers over water had been an ongoing issue in Washington, Ecology has recently updated their oil transfer regulations. The new rules were adopted on September

25, 2006, and have expanded the number of commercial operations regulated by the program. Under the new transfer rules, Ecology recognizes four classes of regulated oil facilities. Each type has planning and operational requirements specific to their operations. All facilities must now meet new equipment, reporting, preventative maintenance and operational requirements. Vessels continue to be regulated under the agency's ship fueling regulations, and indirectly through specific requirements established by each facility.

- To help implement the new rules, Ecology added six new inspectors to oversee oil transfers throughout the state, particularly the Columbia-Snake river system, the Strait of Juan de Fuca and Puget Sound. This is a critical strategy to prevent oil spills from this class of operations and make progress toward "zero-spills."
- Dale also noted that biodiesel refineries are proposed for Washington, so the 2007 Legislature expanded the statutory definition of oil to include biodiesel.
- In 2006, Washington lawmakers gave Ecology \$1.45 million from the Local Toxics Control Account to provide emergency spill response equipment and training to local governments and tribes across the state. Ecology delivered oil spill response equipment to 75 communities, and is also training about 700 first-responders to use the equipment.

- Dale noted that Ecology had completed a two-year project to remove black oil from the derelict vessel *Catala* in Ocean Shores, Washington. Contractors have recovered and recycled more than 31,000 gallons of heavy fuel oil and removed over 1,300 cubic yards of oil-contaminated sand. Dale estimated that if there had been a release from the *SS Catala*, the response cost would have been at least \$70 million, not including NRDA claims.
- Dale also noted an 18,000 gallon diesel spill from a storage tank near the Crystal Mountain ski resort; the spill contaminated shallow ground water and reached a local creek. A fire at a petroleum distribution center generated two lessons learned: 1) the need to track the fate and effects of the foam used on the fire; and 2) the importance of including firefighters in Unified Command.
- Dale closed by reporting that Ecology had worked with the U.S. Coast Guard, District 13, to arrange a June 12th summit between Governor Gregoire and Admiral Houck; they signed an updated Memorandum of Agreement that included a Strategic Workplan and twelve operational protocols with performance measures.

For information on activities and initiative by our member agencies, as well as recent **accomplishments and projects sponsored by the Pacific States/British Columbia Oil Spill Task Force**, please view our 2007 Annual Report, available on the home page of <http://www.oilspilltaskforce.org>. Also available at that site is our 2007-2008 Annual Workplan, which outlines our goals and objectives for the coming year.

The Pacific States/British Columbia Oil Spill Task Force was proud to host the inaugural **Clean Pacific Conference** in conjunction with our 2007 Annual Meeting. Over 1,000 persons participated in over 23 sessions covering spill Prevention; Preparedness and Planning; Response, Restoration and Remediation; Security; and Salvage. If you were a delegate, you can access the conference papers/presentations at <http://www.cleanpacific.org>.