

A Newsletter
About Prevention,
Preparedness,
and Response

Spill SCENE

WASHINGTON STATE
DEPARTMENT OF
ECOLOGY

Summer 2001 Volume 5, Number 3

State, Coast Guard Sign New Agreement

“The Coast Guard needs us, and we need them – and Puget Sound, the Olympic coast, and the Columbia River need both of us.”

The U.S. Coast Guard and State of Washington signed a new memorandum of agreement May 25, establishing a stronger alliance to prevent and respond to oil spills.

The agreement has particular importance following last year’s U.S. Supreme Court decision in the case known as *Intertanko v. Locke*. That decision stripped the state of much of its authority to impose requirements for managing, operating and maintaining oil tankers and barges in order to prevent oil spills. The state will now work closely with the Coast Guard to assure the adequacy of federal programs.

Within a few weeks after the Supreme Court decision, then-U.S. Transportation Secretary Rodney Slater made a commitment to sign a memorandum of agreement identifying areas where the Coast Guard and state could strengthen their relationship and share responsibilities. The agreement would



U.S. Coast Guard Rear Admiral Erroll Brown and Governor Gary Locke sign the agreement establishing a new era of cooperation between the state and the Coast Guard.

take advantage of the state’s expertise and resources in this era of a declining Coast Guard budget.

Coast Guard Rear Admiral Erroll Brown and Governor Gary Locke signed the agreement at a ceremony in the Governor’s Office. “The Coast Guard needs us, and we need them – and Puget Sound, the Olympic coast, and the Colum-

bia River need both of us,” Locke said.

The agreement focuses on increasing the efficiency and effectiveness of the two agencies, and provides an opportunity to eliminate duplicative efforts. The agreement also made improving

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Jensen Chosen as Program Manager

As *Spill Scene* went to press, the announcement came in that **Dale Jensen** has been selected as the new Program Manager for the Spills Program.

Jensen has worked as a manager for the Departments of Ecology and General Administration, and in the private sector. He will start in the Spills Program in mid-August.

New, and Old, Faces in the Program

David Byers is the new Response Section Supervisor, stationed at the Lacey Headquarters. He was a chemist and team leader for 13 years at Ecology and Environment, Inc., the Environmental Protection Agency's primary response and cleanup contractor. He has worked as a fire fighter for the Department of Natural Resources and as a laboratory chemist for U.S. Oil and Refining in Tacoma.

Valerie Scott, vessel inspec-

tor, joined the Columbia River Field Office team in Portland. A licensed Chief Engineer, she has been an engineering officer with SeaRiver Maritime and Military Sealift Command, and has served in the U.S. Navy.

Nannette Brooks is the new secretary for the Southwest Regional Office response unit in Lacey. She previously worked for Ecology's Toxics Cleanup Program as their Headquarters receptionist. **Shellyne**

Grisham is the new secretary for the Response and Preparedness and Facilities sections at Headquarters. She has worked for Ecology and the Department of Corrections. **Del Gaxiola**, program receptionist, has returned from extended sick leave.

Conor Keeney and **Charles Gregory** have joined the response team at the Northwest Regional Office in Bellevue. Keeney has a degree in Environmental Toxicology and previously worked at the moderate risk hazardous waste facility in Bellingham. Gregory worked for the past four years for Ecology and Environment, Inc.

Agreement continued

public education a priority. The agencies will work with marinas, small oil transfer facilities, small fishing vessels, and recreational vessels to reduce pollution from oil, hazardous substances, garbage, and sewage.

The agencies agreed to develop detailed protocols on:

- ◆ Sharing information and data on pollution events and spill risk.
- ◆ Cooperating on vessel inspections. Under the protocol, the parties evaluate areas in which state inspection resources can augment the Coast Guard's oil spill prevention programs.
- ◆ Sharing responsibility for monitoring oil-transfer operations including dockside transfers at facilities, and lightering (off-loading) and bunkering (refueling) operations in a manner that will avoid redundant oversight and minimize disruptions to industry.
- ◆ Coordinating marine oil facility inspection efforts.
- ◆ Coordinating the review and approval of facility oil spill contingency plans with the goal of determining the feasibility of

the Coast Guard accepting state review and approval of facility contingency plans.

- ◆ Establishing a joint procedure for planning, scheduling, designing, conducting, and evaluating oil spill drills.

The parties also agreed to use the Incident Command System when responding to spills and marine casualties. Using this system through a unified command structure will continue to ensure smooth and effective decision-making during emergency response actions. Under the agreement, federal and state incident commanders will also coordinate decision-making related to: vessel salvage, lightering, safe haven and other matters affecting the discharge of spilled oil, its containment, cleanup and investigation.

While the agencies have made a lot of progress individually, Ecology is looking forward to embarking on a new era of partnership.

The entire agreement is available on Ecology's web site located at <www.ecy.wa.gov/programs/spills/spills.html>

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Spill SCENE

Spill Scene is published by the *Washington State Department of Ecology* to provide information on oil and hazardous substance spill prevention, preparedness and response. We welcome your comments and questions. Call (360) 407-7211 or write: Editor, **Spill Scene**, Department of Ecology, Spills Program, P.O. Box 47701, Olympia, WA 98504-7701. Visit our website at www.ecy.wa.gov/programs/spills/spills.html

Editor: **Mariann Cook Andrews** (e-mail: maco461@ecy.wa.gov)
Circulation Manager: **Shellyne Grisham** (e-mail: shgr461@ecy.wa.gov)

Contributors: **Norm Davis, Steve Hunter, Jon Neel**

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State Funds One More Year for Tug

The new state budget for 2001-2003 has good news for marine safety in the Strait of Juan de Fuca – \$1.5 million for a dedicated rescue tug at Neah Bay. (See *Some Good News in State Budget.*)

Stationing a rescue tug near the entrance to the Strait continues to be a high priority for marine safety and to protect the environment in Washington's north coastal region. The area has high volumes of vessel traffic as ocean-going ships funnel into the entrance to Puget Sound, weather is often severe, and assist tugs are usually at least 60 miles away from this northwest tip of the state.

The new biennial budget approved by Washington's legislature and Governor Locke includes an appropriation of \$1,500,000 from the general fund to place a dedicated tug at Neah Bay for a minimum of 200 days during fiscal year 2002 (July 1, 2001-June 30, 2002). The budget does not appropriate any money for the

following 2003 fiscal year.

This funding may mean the existing tug contract with Foss Maritime Company will be extended to cover the coming winter season. The budget states that the governor shall request the federal government to provide ongoing resources to continue to maintain a dedicated rescue tug.

The tug, *Barbara Foss*, was on station last winter from September 18, 2000 through June 2, 2001. It made these responses during that period:

October 16, 2000, 885-foot Taiwanese container ship *Ever Given*: The ship was en route from Portland to Tacoma about six miles off the coast and 26 miles south of Cape Flattery when the steam line to the fuel pre-heater failed. The viscous fuel used during normal offshore operations requires heating prior to injection into the engine. The master chose to shut down the main engine and drift while effecting repairs. The wind on

scene was S 10 knots with SE 25-35 knots forecast. The swell was SE 10 feet with four-to-six-foot wind waves. The Coast Guard Captain of the Port (COTP) ordered the master to re-start the engine on lighter fuel (carried for use when maneuvering is likely), to proceed farther off the coast before performing repairs, and to have the tug *Barbara Foss* stand by during those repairs. Following repairs, the COTP ordered the ship to be escorted by the tug to anchorage at Port Angeles for inspection by the Coast Guard prior to continuing its voyage. Other than the *Barbara Foss*, the only tug in the vicinity was towing an oil barge down the coast and was unavailable.

October 26, 2000, 941-foot Korean bulk carrier *Daewoo Spirit*: The ship was inbound to the Strait of Juan de Fuca from sea and reported intermittent electrical

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Some Good News In State Budget

Neah Bay Rescue Tug – The operating budget passed by the State Legislature on June 21 provides \$1.5 million to fund the Neah Bay rescue tug for the coming fiscal year. While this funding fell short of the \$3 million, 2-year appropriation proposed in Governor Locke's budget, it does maintain the current level of funding for one year. The budget also provides \$200,000 for Ecology to work with the Coast Guard to "spot charter" tugs as needed to respond to emergencies.

Drug Lab Response – The

Spills Program has had to clean up an increasing number of drug labs over the last few years. This activity has chipped away at Ecology's ability to respond to routine hazardous material incidents. The new budget provides six new permanent positions dedicated to drug lab cleanup. This will free up existing staff to refocus on other environmental threats.

Other enhancements –

◆ \$180,000 to augment Ecology's Marine Information System, which stores and processes information on vessel risk and

vessel incidents.

- ◆ \$100,000 to study the feasibility of a vessel tracking system that uses transponders to provide continuous information on the position, heading and speed of large commercial vessels.
- ◆ One new position to strengthen Ecology's capability to prepare for and respond to oil transmission pipeline spills. This funding will also help us work more closely with the Utilities and Transportation Commission, which has the overall lead on pipeline safety.

Rescue Tug continued

failures and loss of steering as it approached the coast. The ship's crew was unable to satisfactorily repair the problem. The *Barbara Foss* met the ship 12 miles west of the entrance to the Strait and escorted it to anchorage at Victoria, B.C. No other tugs were available in the vicinity.

October 28, 2000, 496-foot Maltese-flagged refrigerated cargo ship *Meditaran Frigo*: The master informed the Coast Guard in his pre-arrival report that they did not have adequate navigational charts on board. The Coast Guard directed him to obtain them prior to entry. The most capable vessel to carry and transfer the charts to the ship in the entrance vicinity was the *Barbara Foss*. The ship operator contracted with Foss Maritime for the *Barbara* to deliver the charts.

April 29, 2001, American tugboat *Caribe Challenger* towing the loaded 330-foot tank barge 340: One of the two main engines on the tug leaked coolant, forcing the chief engineer to shut down the engine as the tug was about 45 miles SSW of Cape Flattery. The on-scene weather included wind from WNW at 18 knots and a WNW swell of ten feet. The barge carried approximately 2,000,000 gallons of gasoline. The *Barbara Foss* was dispatched to escort the tug as it slowly proceeded up the coast on one engine and entered the Strait of Juan de Fuca. Another tug from Port Angeles met the two tugs near the entrance and took over escort duties as the *Caribe Challenger* and its barge proceeded to Anacortes.

April 30, 2001, 600-foot Norwegian chemical tanker *Jo Brevik*: A faulty fuel valve on the

main engine partially disabled the tanker as it was outbound in the Strait. The Coast Guard directed the ship to proceed at least fifteen miles west of the entrance before shutting the engine down for repairs and to have the *Barbara Foss* stand by during the down time. Winds were SW 22-27 knots with a six-foot swell. The ship carried a bulk cargo of highly-corrosive liquid caustic soda, and had a capacity of 33,500 tons.

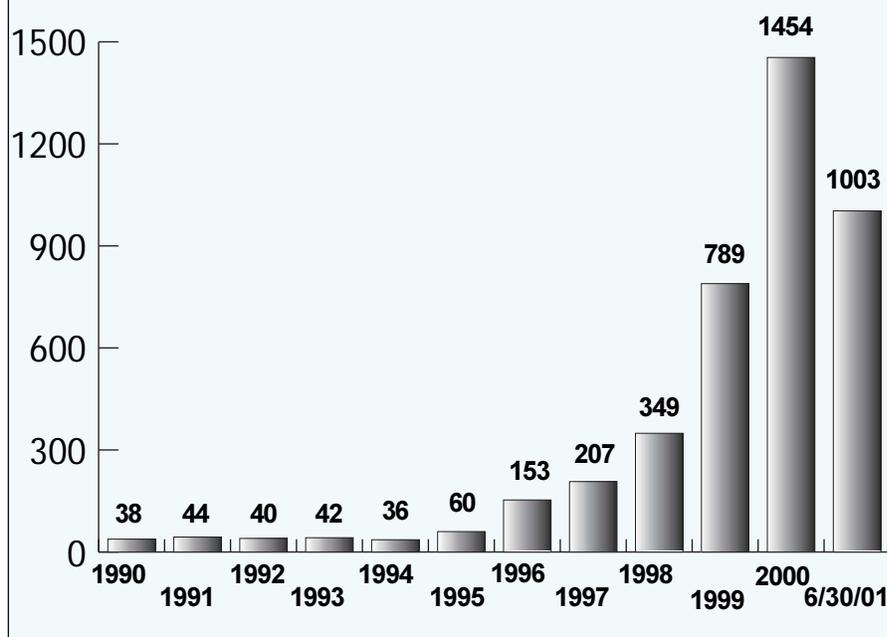
May 22, 2001, no-notice deployment drill of the rescue tug and Polar Tankers Inc. The drill tested notification, mobilization

and response to a hypothetical collision of a fishing vessel and a crude oil tanker near the entrance to the Strait of Juan de Fuca. The tug's initial assignment was to tow the disabled fishing vessel to safety, then provide logistics support, assist with boom deployment and salvage, and provide a platform for command and control. The tug performed very well, demonstrating its capabilities to evaluators on board.

For more information, call **Norm Davis** at (206) 389-2438 (e-mail: ndav461@ecy.wa.gov).

Drug Lab Numbers Still Rising

The number of illegal drug labs, primarily methamphetamine, that Ecology responders deal with continues to go up. In 2000, Spills Program staff handled 1454 labs. As of June 30 this year, there were 1003 labs cleaned up. The new state budget provides six additional drug lab response positions (See *Some Good News in State Budget*), which will help even out the response staff workload. Ecology officials continue to work closely with local, state and federal agencies to craft a regional response to the methamphetamine problem.



Ecology Announces Intended Penalty for Pipeline Spill, Explosion

On June 20, Ecology Director Tom Fitzsimmons announced his intent to levy a \$7.86 million dollar penalty upon three companies for their responsibility in the rupture, spill and explosion of the Olympic pipeline in Bellingham in June 1999.

The Department of Ecology believes that state environmental laws were broken by Olympic Pipe Line Co. of Renton; by Equilon Services, Inc., based in Houston, the pipeline operator; and by IMCO General Construction, Inc. of Bellingham, which excavated soil around the rupture site in 1994.

The rupture resulted in a spill of more than 200,000 gallons of gasoline, three deaths, and extensive environmental damage.

Based on an investigation by the Spill Prevention, Preparedness and Response Program, Fitzsimmons said Ecology has made a preliminary determination that all three companies had negligently violated the state's oil spill law and are expected to be subject to an enforcement action. Ecology chose the maximum penalty of \$20,000 per day, based on the degree of negligence and the severity of the incident. The penalty was set at 393 days, equal to the time needed until Whatcom and Hanna creeks met water quality standards for surface waters.

The actual penalty was not issued with this announcement as Ecology is currently conducting

negotiations with all three parties in an effort to resolve the matter without litigation.

The Olympic Pipe Line Co. has already offered Ecology and the U.S. Environmental Protection Agency \$10 million to settle its involvement in the incident. Both agencies are considering this offer and the type of additional safety measures that would be required in a settlement.

The penalty expected to be issued by Ecology would be the largest penalty ever issued by the state of Washington.

For more information, call **Linda Pilkey-Jarvis** at (360) 407-7447 (e-mail: jpil461@ecy.wa.gov).

Staff Changes cont.

Mike McCain joined the spill response team for the Eastern Regional Office in Spokane. He has been with Ecology for 12 years, in the Inspection/Maintenance Program for the Air Quality office.

Stacie Beam, a college intern from Western Washington University, is supporting drug lab response in the Central Regional Office in Yakima.

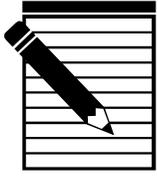
Several people have changed positions or locations due to reorganization. **Elin Storey**, in the Northwest Regional Office, is now the statewide drill coordinator. **Linda Pilkey-Jarvis**, at Headquarters, is manager of the contingency planning unit. **John Butler**, at Headquarters, handles response policy and training. **Susanne Winter** has switched from spill response to contingency planning in the Northwest Regional Office.



Andy Carlson, WDFW

On June 13, the loading arm taking oil from the tanker OVERSEAS BOSTON at the TOSCO Cherry Point terminal uncoupled. Initial estimates were 10 to 20 barrels of oil (420-840 gallons) spilled to the water. Quick action with the right equipment and training helped to ensure most of the oil was recovered, although some escaped under the booms to oil about a mile of shoreline. The cause of the spill is under investigation.

Upcoming Events



Ecology welcomes submittals of notices of public events related to oil and hazardous substance spill

prevention, preparedness and response. Ecology reserves the right to select events for publication. Please contact Mariann Cook Andrews at (360) 407-7211 (e-mail: maco461@ecy.wa.gov) for more information regarding submittal deadlines.

August 8 – 9 a.m.

Resource Damage Assessment Comm.
Ecology HQ Bldg., R0A-36
Lacey, WA
Contact: Dale Davis, (360) 407-6972

August 9 – 9 a.m.

Washington Pilotage Commission
2911 Second Ave., Level B. Conf. Rm.
Seattle, WA
Contact: Peggy Larson, (206) 515-3904

September 12 – 9 a.m.

Resource Damage Assessment Comm.
Ecology HQ Bldg., R0A-36
Lacey, WA
Contact: Dale Davis, (360) 407-6972

September 13 – 9 a.m.

Washington Pilotage Commission
2911 Second Ave., Level B. Conf. Rm.
Seattle, WA
Contact: Peggy Larson, (206) 515-3904

September 26 - October 1 – 7 p.m.

Contingency Plan Rule Amendment
Public Workshops
Locations TBA in Seattle, Vancouver,
Spokane, and Port Angeles
Contact: Roy Robertson, (360) 407-7202

October 10 – 9 a.m.

Resource Damage Assessment Comm.
Ecology HQ Bldg., R0A-36
Lacey, WA
Contact: Dale Davis, (360) 407-6972

October 10 – 10 a.m.

Puget Sound Harbor Safety Comm.
Port of Seattle Bldg.
Seattle, WA
Contact: Dave Schneider, (206) 728-3523

October 11 – 9 a.m.

Washington Pilotage Commission
2911 Second Ave., Level B. Conf. Rm.
Seattle, WA
Contact: Peggy Larson, (206) 515-3904

November 8 – 9 a.m.

Washington Pilotage Commission
2911 Second Ave., Level B. Conf. Rm.
Seattle, WA
Contact: Peggy Larson, (206) 515-3904

Address Service Requested

Olympia, WA 98504-7701

PO Box 47600

and Response Program

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