

**DRAFT PROPOSED POLICY RECOMMENDATIONS FROM CHAIR**  
**Policy Recommendations of the Washington Oil Spill Advisory Council**  
*Enhancing Capacity in Washington*  
*To Respond to Large-scale Marine Oil Spills*

## **RECOMMENDATIONS**

These recommendations apply to state and federal legislative and executive bodies as indicated by context. It is the Council's hope that the minimum standards and assurances set forth in these recommendations will be implemented through law or regulation.

### **1. Assure Capacity Exists to Collect 70 Percent of a Catastrophic Spill within 48 Hours**

Regulators should assure that sufficient dedicated spill response equipment and personnel resources are available to collect, within 48 hours, 70 percent of an Exxon Valdez sized oil spill, which would be 257,000 barrels or over 10.7 million gallons. While a spill this size would be catastrophic, it is not the largest spill possible in Washington. It would be possible for there to be an instantaneous release spill of well over 800,000 barrels, over three times larger than the Exxon Valdez spill.

Achieving this level of capacity—the ability to pick up nearly 180,000 barrels of oil in 48 hours—could be accomplished through the recommendations below taken as a whole.

### **2. Make Quantum Leap in Available Equipment Caches**

There must be a quantum leap made in the amount of spill response equipment available for use in Washington in the early hours after a spill, if capacity in Washington will be sufficient to collect 70 percent of over 250,000 barrels within 48 hours. The public expects enough capacity to handle a catastrophic oil spill, and RCW 90.56.210(1)(b) requires it.

In addition, the following equipment additions warrant particular attention as possibilities to improve capacity. Acquiring additional dedicated oil storage devices for vessel skimmers that have little storage capacity would enhance on-water recovery capacity. Acquiring Current Buster recovery systems also would help decrease the demand for portable storage. Requiring the use of proven, state-of-the-art technologies as dedicated resources would improve on-water recovery on the outer coast's unprotected seas. This would include the Ocean Buster and the high-capacity skimmers and off-shore-recovery-classed supply vessels used in the Norwegian Sea. Requiring the dedicated use of proven technologies capable of tracking and remotely sensing oil (ultraviolet spectrum analysis) and then automatically generating GIS/GPS maps (Scanning Laser Environmental Airborne Fluoresensor) would increase response feasibility in darkness and fog. Requiring proven technologies, such as the Current Buster, for booming and skimming oil in high-current areas would increase capacity in high-current environments. Also, additional all-terrain vehicles mounted with scrapers, bob cats, and "Super Sacks" would assure that mechanical beach cleanup is possible if authorizing agencies allow mechanical recovery of oil from beaches to prevent oil from remobilizing.

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### **3. Get Resources on Scene Twice as Fast**

Regulators should require a significant increase in the percentage of oil that contingency plan holders must plan to recover in the early hours of a spill—before oil can disperse and become largely unrecoverable. It would help to double the speed with which plan holders must plan to have response equipment arrive on scene and to increase the amount of oil they must plan to collect by hour 48. This could be implemented with the next contingency planning rule revision as follows:

- a. Amend WAC 173-182-355 to -430 to require, at a minimum, that the resources currently required to arrive on scene at hour six be required to arrive on scene at hour three, and so on. In addition, define “on scene” to mean the edge of a planning area farthest from the equipment’s location, not the closest.
- b. Amend WAC 173-182 to require that equipment be stored in more locations around Washington’s marine waters.
- c. Amend WAC 173-182-355 to -430 to increase the volume of oil that plan holders must plan to recover by hour six through 42, ultimately requiring that plan holders plan to collect 180,000 barrels by hour 48. Following in Alaska’s footsteps, the Council finds that it would be reasonable to significantly increase the amount of oil that plan holders must plan to collect. Alaska law (18 AAC 75.438) requires sufficient resources to control and cleanup, within 72 hours, up to 300,000 barrels for cargo volumes greater than 500,000 barrels.
- d. Amend WAC 173-182-355 to -430 to require that plan holders show the capability to conduct on-water recovery operations and deploy geographic response plans (GRPs) 24 hours a day.

### **4. Use ASTM Method to Determine On-water Recovery Capacity**

To evaluate how much oil can be collected by skimmers and their recovery systems, use *ASTM F-1780-97 (2002), A Standard Guide for Estimating Oil Spill Recovery System Effectiveness*, not the currently used Effective Daily Recovery Capacity method.

Develop a technical manual illustrating how recovery systems in Washington could be assembled, including storage. An example of this is Alaska’s SERVS Technical Manual that identifies task forces and components.

### **5. Enhance Degree of Certainty that Non-dedicated Resources Will be Available on the Day of an Oil Spill**

It is possible to mitigate the concern that equipment relied upon for contingency planning will not be available on the day of an oil spill for spill response by implementing the following six recommendations. “Resources” means workboats (including tugs and barges), shoreline cleanup equipment, workboat operators, and shoreline cleanup workers.

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- a. Dedicated Resources Only Before 48 Hours: Count only dedicated resources in contingency plans toward resources needing to be on scene before hour 48 and toward resources needed to comply with minimum planning standards.
- b. Firm Commitments Only: In contingency plans, include only dedicated resources unless plan holders show they have contractually guaranteed access to that equipment as well as appropriately trained dedicated personnel to operate that equipment. Contracts for dedicated resources must create a commitment more firm than “you can use the resources *if they are available*.”
- c. Location of Resources: Require that resources, including personnel, who will be needed within the first 24 hours are stationed where there is a reasonable assurance they will be on-scene within the timeframes set forth in the planning standards. Additionally, add columns to the worksheets used to evaluate contingency plans memorializing an evaluation of the availability of dedicated workboats and personnel for various tasks, including workboat operation and shoreline cleanup.
  - Shoreline Cleanup Workers: Regarding the availability of shoreline cleanup workers to prevent beached oil remobilization, do not grant final approval of contingency plans until plan holders demonstrate they have access to enough shoreline cleanup workers for a spill that requires many hundreds of workers within the first 48 hours. A certain portion of these workers should be dedicated. Additionally, amend WAC 173-182-520 so that it does not simply rely on the federal planning standard, but rather provides a numeric and timeframe standard similar to the other planning standards set forth in WAC 173-182 (for example, 100 shoreline cleanup workers within six hours).
  - Shoreline Cleanup Equipment: Regarding the availability of heavy equipment for preventing beached oil remobilization, do not grant final approval of contingency until plan holders demonstrate they have sufficient dedicated heavy equipment, transfer, and storage devices to conduct beach removal operations. Additionally, amend WAC 173-182-520 so it does not simply rely on the federal planning standard, but rather provides a numeric and timeframe standard similar to the other planning standards set forth in WAC 173-182 (for example, 20 all terrain vehicles mounted with scrapers, bob cats, and 1,000 “super-sacks” within 12 hours).

## **6. Enhance Oil Spill Drills done in Washington**

Oil spill drills in Washington should be enhanced as follows to mitigate uncertainties regarding the availability of non-dedicated resources and trained personnel, and the ability to conduct concurrent on-water recovery operations and GRP deployments.

- a. Councils Participation in Drills: Immediately facilitate the Council's participation at drills in which the Washington Department of Ecology Spills Program is involved.
- b. Deployment Drills; Size and Complexity: Increase the size and complexity of deployment drills so there is certainty that the equipment and personnel that contingency plans and paper-tabletop-drills show to be available actually will be available and can be properly managed during spill response. A significant portion of the resources should be deployed and tasked, not piecemeal, but all at once.

Instill a mantra during drills of immediately responding to a spill's potential, regardless of the oil reported to be spilled. This approach may cause over-responses, but this is better than under-responding.

- c. Recovery Systems: Set up drills to collect information about how recovery systems would be assembled given the spill scenario for the drill. Meet this requirement with dedicated resources only.
- d. Mechanical and Human Resources; Availability / Ability to Use: Set up drills to test the actual availability and ability to use mechanical and personnel resources. This would include:
  - The availability of best new technologies for seeing oil in limited visibility situations and proficiency in sending GPS-based field reports to command, having command translate those into operational directives, and electronically sending these to the field.
  - "Toes on the line" requirements for workboat crew and shoreline cleanup workers, particularly foremen and forewomen, in addition to a demonstration that trainings and certifications are current.
  - The availability of beach cleanup equipment for preventing the remobilization of oil.