



**OIL SPILL PREVENTION AND RESPONSE**  
**TECHNICAL ADVISORY COMMITTEE (TAC)**

<https://www.wildlife.ca.gov/OSPR/Preparedness/Technical-Advisory-Committee>



*Meeting of  
 Tuesday, May 21, 2019  
 9:30 a.m. to 2:15 p.m.*

*San Francisco Estuary Institute  
 4911 Central Avenue  
 Richmond, CA 94804*

**MINUTES**

**Attendance:**

<i>TAC members</i>	<i>Agency Representatives</i>	<i>OSPR Participants</i>	<i>Guests</i>
Matt Rezvani (Chairman)	Chris Beckwith, Calif SLC	Thomas M. Cullen, Jr.	Kathleen Jennings
John Berge (Vice Chair)	Jonathan Bishop, CCC	Steve Hampton	
Lynn Korwatch	Linda Scourtis, S.F. BCDC	Julie Yamamoto	
Sejal Choksi-Chugh	James Hosler, State Fire Marshal (phone)	Eric Milstein	
Janell Myhre	Jordan Stout, NOAA		
Peter Santillan			
Tracy Van Houten			

**1. INTRODUCTIONS**

*Captain Thomas Cullen, Jr., OSPR Administrator*

Official swearing in of Technical Advisory Committee appointee, Peter Santillan.

**2. APPROVAL OF MINUTES**

*Mr. Matt Rezvani, TAC Chairman*

January 17, 2019 Minutes – A motion to accept the minutes was made and seconded. The minutes were unanimously approved.

**3. OSPR UPDATE**

*Captain Thomas Cullen, Jr., OSPR Administrator*

*(report provided)*

Administrator Thomas Cullen, Jr. offered a brief update of each branch of the Office of Spill Prevention and Response, touching on a few highlights. Further updates can be found in the report provided.

- OSPR’s responses to spills has increased by 20% since last year. This increase is attributed to the significant weather California faced last year.
- May 19<sup>th</sup> marks the four-year anniversary of the Refugio Beach oil spill. Plains All American Pipeline was found criminally guilty and fined \$3.35 million dollars.
- OSPR staff will be potentially deploying through the end of this year for fire debris cleanup in Paradise.
- OSPR is now required to directly regulate the Spill Management Teams (SMTs). We are working very diligently on building that program.
- OSPR is scheduled to move to our new West Sacramento location at the beginning of December.
- OSPR continues to attend the abandoned and derelict vessel meetings. California State Lands Commission is the lead on this issue. OSPR is looking to build a program that will address the larger non-recreational ADVs, which are the most expensive to remove and pose the greatest threat to the environment.
- OSPR and Chevron held their biennial spill response technology workshop at Chevron’s headquarters in San Ramon, February 26<sup>th</sup> through March 1<sup>st</sup>. There were extremely compelling presentations made on remote vehicles, in particular, drones. The drones can independently map the boundaries of a spill and provide very quick information to the Incident Command, which will enhance the response. This event occurs every two years and OSPR encourages the TAC members to attend.
- Mr. Cullen gave an update at the American Petroleum Institute’s annual meeting in Washington D.C. in

March, as well as participated as a panelist at the Annual Spill Control Association Meeting.

- BP Shipping and Alaska Tanker Company will be holding the CalTriVEX Tabletop Exercise in San Mateo, June 18 – 20, 2019. This drill is of national significance and it provides a real feel of what a major spill response feels like.
- OSPR’s executive and legal staff will be meeting with the new US EPA Region 9 Administrator in San Francisco on May 22, 2019. We will be reinforcing the importance of our partnership with EPA and discuss working on a partnership between the USCG and EPA.

#### 4. AGENCY BRIEFINGS

*California Coastal Commission*  
(report provided)

*Mr. Jonathan Bishop*

##### ➤ **Meetings**

Commission staff attended the following meetings:

- Eight Harbor Safety Committee (“HSC”) meetings: two Humboldt HSC meetings (3/21 and 5/16); one SFBD HSC meeting (2/14); two Port Hueneme HSC meeting (2/7 and 5/2); one LA/LB HSC meeting (2/6); and two San Diego HSC meetings (1/30 and 3/27).

Updates to all Harbor Safety Plans are continuous and ongoing. Humboldt, Port Hueneme and San Diego HSC’s continue to work on SB 414 emergency tug/tow capability reports. Like the already completed SF/BD and LA/LB reports, these reports will be incorporated into the HSP’s. SB 414 reports and annual updates to HSP’s will be sent to the OSPR Administrator.

- Five Area Committee (“AC”) meetings: two North Coast AC meetings (3/21 and 5/16); one SF/BD AC meeting (3/26); one Central Coast AC meeting (4/11); one LA/LB AC meeting (4/24).

For this reporting period, CCC OS Program staff has been working on updates to the LA/LB Area Plan and is currently signed up for working subgroups engaged in stakeholder engagement and outreach as well as the offshore workgroup looking at issues surrounding offshore pipelines and platforms.

- **OSPR/Chevron Oil Spill Response Technology Workshop: San Ramon (2/26 – 3/1)**. OS program staff participated in the workshop in San Ramon. Topics of particular interest included: Agency Research and Coordination Updates; Applied Response Technologies; and Mechanical Response Technologies.

- **ConocoPhillips/Polar Tankers WCD Exercise: Huntington Beach (5/6 – 5/7)**. CCC OS Program staff participated in the WCD exercise as an Agency Representative. OS program staff also assisted in the Liaison Unit as needed. Notable activities included the use of the Stakeholder Outreach Matrix, now included in the Area Contingency Plan.

##### ➤ **Coastal Development Permits and Projects:**

- **SONGS Reef Expansion - Oil Spill Response Plan Review**. Southern California Edison was approved for construction of a 210-acre low-relief kelp reef in state waters offshore of the City of San Clemente in depths ranging from 38 to 49 feet. The reef is an expansion of the existing 174 acre Wheeler North Reef that was required as mitigation for impacts associated with the operation of the San Onofre Nuclear Generating Station (SONGS) under Coastal Development Permit No. 6-81-330-A. OS program staff has been working with the applicant on the project’s Oil Spill Response Plan, a permit requirement, which is to include the ability to address a worst case ocean oil spill during project construction.
- **Hog Island Oyster Company – Oil Spill Response Plan Review**. HIOC was approved to expand operations across 54 acres in Tomales Bay. OS program staff has been working with the applicant on the company’s Oil Spill Response Plan, a permit requirement, which is to include identification of oil

spill prevention and response equipment able to handle a worst-case spill, emergency response notification procedures, and employee training on spill response protocols and procedures.

- **Carlsbad Aquafarm – Oil Spill Response Plan Review.** Carlsbad Aquafarm was approved for shellfish cultivation within the Agua Hedionda Lagoon and associated onshore operations. OS program staff has been working with the applicant on the company’s Oil Spill Response Plan, a permit requirement, which is to include identification of oil spill prevention and response equipment able to handle a worst case spill, emergency response notification procedures, and employee training on spill response protocols and procedures.

➤ **New Legislation/Regulation**

- **AB 1197 (Limon) Spill Management Teams (SMT’s)** – This bill regulates Spill Management Teams. CCC OS program staff participated in the initial scoping meeting for the new regulations and is reviewing the newest draft regulations that were recently released.

**BCDC**  
(report provided)

*Ms. Linda Scourtis*

**SF Harbor Safety Committee**

BCDC participated in the February - May HSC meetings. The next meeting is scheduled June 13 at the Port of Oakland.

BCDC has begun the annual update of the San Francisco Harbor Safety Plan.

Ferries work group meeting March 27 re improving radio communications for better efficiency. As ferry traffic has increased significantly, so have the number and duration of calls bridge-to-bridge and to VTS, especially during peak (commute) times. Radio comms need to be streamlined and practices adopted as Best Maritime Practices into the Safety Plan. The work group will continue working on this effort.

Working internally with BCDC dredging staff to update regional Seaport Plan information related to dredging and navigation in the Bay.

USCG Change of Command March 28.

**Area Contingency Planning**

January Area Committee meeting cancelled due to partial Federal shutdown.

Skyped in to OSPR-Chevron Technical Forum last week of February.

Received annual 8-hour OSPR refresher training February 28.

Participated in Area Committee meeting at Pier 1, Port of SF, March 26.

The next Area Committee meeting is scheduled May 28, location TBD.

**Response and Related Activities**

Primary spill staff received annual 8-hour HAZWOPER refresher training February 28; backup staff May 2.

BCDC will participate in a Phillips 66 exercise June 12 and the BP/AK Tankers three-year exercise June 19-20.

BCDC Enforcement staff continues to participate in the USCG Abandoned Vessels working group as well as the Richardson’s Bay Regional Authority and City of Sausalito efforts to open waterways

**Meetings, Plans & Coordination:**

- 🌿 **RRT9 - July RRT Meeting:** July 16-17, 2019 at the Wildland Fire Training Center, Sacramento. Agenda and logistics information will be posted at [www.rrt9.org](http://www.rrt9.org). Choose the “RRT9 Calendar, Meetings, & Exercises” page.
- 🌿 **RRT9 Dispersant Use Plan for CA:** DUP has been approved by the cochairs. DOI & DOC representatives signed as having reviewed the plan. POC: Ellen Faurot-Daniels (OSPR) & Tim Holmes (D11).
- 🌿 **CA Area Committees:** SF Bay & Delta – 5/28, 7/23; LA North & South – 7/24; SD County – 5/9, 8/8; Central Coast – 7/25, 10/23; North Coast – 5/16, 7/18.
- 🌿 **MEXUSPAC:** SEMAR Region 2 will hold a full-scale oil spill exercise in Bahia de Todos Santos, Ensenada, MX 6/12-14/2019. CG has been invited as evaluator/observers.
- 🌿 **HQ/NRT:**
  - **NRT/RRT Cochairs Annual Meeting** took place 4/20-5/2/2019 in Chicago.
  - **VRP One-Time Port Waivers:** The regulations for one-time port waivers can be found in 33 CFR 155.1025(e) for tank vessels & 33 CFR 155.5025 for non-tank vessels. Issuance of a one-time waiver is at the discretion of the COTP.
  - **Oil Spill Sampling Training and Certification for Shipping:** CG-MER will work with CG-INV and the MSL to develop policy to address oil spill sampling training and certification for shipping of oil spill samples.
- 🌿 **Clean Pacific 2019:** Vancouver, BC 6/18-20/2019.
- 🌿 **Clean Gulf 2019:** New Orleans, LA 10/28-30/2019.

**Training:**

- 🌿 **PACAREA IMAT** held a three-day workshop focusing on NRS/NCP pollution response management, interagency coordination, FEMA ESFs, ICS.
- 🌿 **FOSCR C School:** The MER School in Training Center Yorktown has recently completed the first of the two pilot convening classes of the new FOSCR course.

**NOAA ERD-supported incidents in CA for 2019**

- Pt Reyes tarballs (January)
- P/C Never Say Never sunk (April)
- Sheening near Platform Irene (April)
- Five gray whale carcasses (April-present)
- Sulfur dioxide release (May)

**NOAA items of interest**

- **Abandoned/derelict Vessel inventories in ERMA** – Both USCG Sectors San Francisco & LA/Long Beach are now displaying their ADV inventories in public ERMA layers.
- **Canadian oil spill studies** – Department of Fisheries & Oceans (DFO) is funding multiple oil spill studies under their Multi-Partner Research Initiative (MPRI). Some studies will include intentional oil release studies in subarctic and arctic environments. NOAA may participate in some field studies,

but is also being supported for:

- Oil database improvements to support oil weathering estimates of specific & generic oils
- SCAT improvements using “big data” to advance approaches to submerged/buried oil and marsh/shoreline cleanup
- **Spill studies & operational tools development** – NOAA is plugged into a number of projects with BSEE, NASA, WHOI and others in the US, Canada, and Norway focused on a number of disciplines. Many multi-year studies following the Deepwater Horizon (MC-252) incident were initiated at a chronic leak site nearby (MC-20). With recent reduction of releases from the MC-20 site, many on-going projects are likely to shift to active seep areas near Santa Barbara. Potential examples, include:
  - Airborne remote sensing – Satellite, aircraft-mounted, and UAS oil thickness improvements for open-water oil; shoreline oiling classification for both NRDA and SCAT (potentially); and storm damage assessments. Data processing improvements for quick turnaround of geo-referenced photomosaics of oiled shorelines within 30 minutes.
  - Autonomous Underwater Vehicles (AUVs) for 3-D characterization of oil in the water column for Arctic and other areas. Sensors on the Tethys LRAUV and/or REMUS 600 can include: fluorescence, backscatter, holographic & optical imaging, water sampling, bioacoustics, etc.
  - Oil weathering experiments
  - Exposure/impacts to surface-breathing resources – Dolphin inhalation/aspiration studies and air/water-interface exposure characterization at varying degrees of surface oil
- **Updated chemistry support** – Louisiana State University (LSU) continues to be our chemistry contractor supporting oil & hazmat spills/releases. New staff includes broad experience across potential contaminants, including non-petroleum oils and food products.
- **Some upcoming NOAA spill trainings** – None scheduled in CA for the remainder of the year; though NOAA will support the EROS in October. Outside of CA, trainings include:
  - Shoreline Cleanup Assessment Technique (SCAT) – Deadhorse, AK (July 23-25), Charleston, SC (August 6-8)
  - Science of Oil Spills (SOS) – Seattle, WA (June 3-7), Cleveland, OH (July 22-26)
  - Science of Chemical Releases (SOCR) – Seattle, WA (June 17-21)

#### **Updates from previous TAC meetings:**

- **CRRC Science/Academic Leveraging Workshop** – Due to the partial federal government shutdown, the workshop on “Leveraging Science and Academic Engagement During Incidents” was re-scheduled from January to June 25-26, 2019. It will be hosted by UNH’s Coastal Response Research Center (CRRC) and includes several NOAA and OSPR planners and participants.
- **SeaGrant oil spill workshop** – With Funding from the National Academy of Sciences, Engineering & Medicine (NASEM), the National Sea Grant College Program (“SeaGrant”), is hosting a series of oil spill workshops for the public centered on social and economic dimensions. The Santa Barbara workshop (April 10, 2019) focused on the Refugio pipeline spill experiences & lessons learned. It was well attended by community members with varying levels of spill experience, there was good discussion, and the Tribal perspective was interesting/beneficial.

#### ***CAL FIRE***

*(report provided)*

*James Hosler*

#### **Pipeline Safety Seminar**

On April 17-18, 2019, the Pipeline Safety Division staff hosted the 2019 Hazardous Liquid Pipeline Safety

Seminar which took place at the Renaissance Long Beach Hotel. The seminar, headed by Chief James Hosler and coordinated by Jim Clemson, was a spectacular success and was attended by over 300 participants. The attendants included a range of professionals and pipeline safety stakeholders such as operators, contractors, vendors, and representatives from other government agencies.

### **Lakewood Office Move**

The Lakewood Pipeline Safety Division office has moved to a new location from our previous Lakewood address. This move was needed to facilitate the additional staff related to the OSFM Annual Inspection requirement and the anticipated workload needed to implement Assembly Bill (AB) 864. The address for our new Long Beach office is as follows:

3780 Kilroy Airport Way, Suite 500  
Long Beach, CA 90806

### **Staffing**

OSFM – Pipeline Safety Division recently advertised for one (1) Supervising Pipeline Safety Engineer for our Long Beach office, five (5) Pipeline Safety Engineers for our Long Beach office, and one (1) Pipeline Safety Engineer for our Sacramento office.

Once these positions are filled, OSFM will have

- 1 Chief
- 5 Supervisors
- 18 Engineers
- Total staff of 35

### **Regulations**

Assembly Bill 864 (codified in California Government Code section 51013.1) established new statutory requirements for operators of pipelines located near environmentally and ecologically sensitive areas in the directed the Office of the State Fire Marshal. The OSFM worked with the pipeline industry, State and local agencies, and other stakeholders to develop proposed regulations intended to implement AB864.

The proposed regulations will require pipeline operators to: identify pipelines subject to the proposed regulations, submit risk analysis evaluating spill volumes and dispersion that could impact environmentally and ecologically sensitive areas, propose use of best available technology to reduce spill volumes, and are subject to review and approval by the OSFM. Operators must implement retrofit to existing pipelines with best available technology in a specified time frame. Following implementation, operators are required to review and update risk analyses on a set schedule in the future to ensure that technologies on the pipeline continue to limit the consequences of a release and take account for migration, movement, and discovery of important natural resources. The effect the proposed regulations will have is continued protection of environmentally and ecologically sensitive areas now and in the future.

The 45-Day comment period for the OSFM draft regulations ended on April 2, 2019. OSFM Pipeline Safety staff are currently reviewing the comments submitted and will respond to each one.

## **5. BUDGET UPDATE AND DISCUSSION**

*(no report provided)*

*Dr. Steve Hampton  
Dr. Julie Yamamoto*

- OSPR's new budget analyst, Renee Rose, is working diligently on gathering information from the State's new accounting system, FISCAL, and will be able to provide us with detailed information at our next TAC meeting.

## 6. LEGISLATIVE & REGULATIONS UPDATE

Dr. Steve Hampton

(report provided by Christine Kluge)

### REGULATIONS

#### ○ Spill Management Team Certification Regulations

- AB 1197 approved by Governor October 8, 2017.
- Major provisions:
  - The Administrator of OSPR will: establish criteria for certifying an SMT based on the SMT's capacity to respond to spills and manage spills effectively; review applications for SMT certification; certify SMTs, as specified; and adopt regulations to implement provisions as appropriate.
  - An SMT may apply to the Administrator for a certification of its response capabilities.
  - An oil spill contingency plan submitted by a vessel owner or operator will be required to identify at least one SMT that is certified pursuant to regulations that will be promulgated. The SMT may be contracted or provided by the owner or operator.

#### · Regulatory Timeline:

Still in the development stage. Additional informal scoping meetings to solicit input from interested stakeholders are scheduled as follows:

- > Date: Tuesday, May 21, 2019  
Time: 9:00 a.m. to 12:00 p.m. (*discussion focused on internal, in-house, industry SMTs*)  
Time: 1:00 p.m. to 4:00 p.m. (*discussion focused on external, for contract SMTs*)  
Location: Department of Parks and Recreation Training Center  
4940 Lang Avenue, Training Bldg. J, Big Basin Room, McClellan, CA 95652
- > Date: Thursday, May 23, 2019  
Time: 9:00 a.m. to 12:00 p.m. (*discussion focused on internal, in-house, industry SMTs*)  
Time: 1:00 p.m. to 4:00 p.m. (*discussion focused on external, for contract SMTs*)  
Location: Port of Long Beach Joint Command and Control Center, 1249 Pier F Avenue, Long Beach, CA 90802
- > Date: Wednesday, May 29, 2019  
Time: 9:00 a.m. to 12:00 p.m.  
Location: Associated Builders and Contractors, 19466 Flightpath Way, Bakersfield, CA 93308

Commencement of formal rulemaking process anticipated by Summer 2019. Submit final regulations to OAL by the end of 2019.

#### ○ **Shoreline Protection Table regulations**

On hold pending updates to the Area Contingency Plans expected sometime this year. OSPR will be working towards harmonizing the marine and inland regulations.

OSPR has also embarked on a long-overdue spill response cost study to help us set appropriate COFR levels. This will be the first real study evaluating this since the Mercer study shortly after OSPR's inception in 1990. It will look at the costs of both large and small, marine and inland spills. We expect results in September 2019.

### Legislation

#### ○ **AB 936 – Non-Floating Oil**

- Introduced by Rivas on 2/20/19, this bill seeks to establish further preparedness measures for the cleanup of sunken oil.
- This bill would:
  - Require OSPR to hold a technology workshop devoted solely to technology addressing non-

floating oil spills, conduct a literature review of response technology to non-floating oil spills, and to develop, and update biannually, a set of findings defining the elements of state-of-the-art response capability to non-floating oil spills.

- Require OSPR to establish an oil spill response organization (OSRO) rating for response to non-floating oils, and to adopt, and revise biannually, regulations to require OSROs to demonstrate readiness to respond to non-floating oil spills.
  - Require OSPR to conduct testing of new products and provide grants or conduct technology competitions for non-floating oil products (contingent upon appropriation).
  - Require owners/operators of a site to report specified information, in advance and weekly, about the *arrival* of any oil by rail cars and tank vessels.
  - Require owners/operators of pipelines that transport any oil to report specified information, twice per year, about oil they *transport* in or through the state.
  - Require tank vessels (e.g., tankers and tank barges) carrying non-floating oil to demonstrate \$4 billion in oil spill financial responsibility.
  - OSPR has no position on this bill.
  - Status: As of 5/7/19, re-referred to Assembly Appropriations Committee.
- **AB 255 – Equipment Grants to Tribes**
    - Introduced by Limon on 01/23/19, this bill would clarify the eligibility of Native American tribes, local government, and public entities with jurisdiction over or directly adjacent to waters of the state to receive grants for oil spill response equipment.
    - Status: Passed in the Assembly. Referred to Senate on 4/2

## **7. 2017-2018 TAC BIENNIAL REPORT TO GOVERNOR AND LEGISLATURE**

*Mr. Matt Rezvani  
TAC Chairman*

### **MEETING DATES**

*Mr. Matt Rezvani, TAC Chairman*

Next TAC meeting(s) – Friday, September 20, 2019, in Long Beach, CA.

### **ADJOURN**

Meeting adjourned 2:15 p.m.