



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

http://www.dfg.ca.gov/ospr/tech_advis_comm.asp



*Meeting of
Wednesday, July 16, 2014
9:30 a.m. to 3:30 p.m.*

*UC Davis School
of Veterinary Medicine
Vet Med Bldg. 3B, Rm 1105
Davis, CA 95616*

MINUTES

Attendance:

TAC members	Agency Representatives	OSPR Participants	Guests
Steve Ricks	Chris Beckwith, Calif. SLC	Thomas M. Cullen, Jr.	Scott Morris – <i>Marine Spill Response Corp.</i>
John Berge	Jonathan Bishop, CCC	Yvonne Addassi	Brian Hooker – <i>Office of Congressman Garamendi</i>
Deb Self	Linda Scourtis, SF BCDC	Julie Yamamoto	
Jonna Mazet	Jeff Rubini, USCG	Joy Lavin-Jones	
Tom Ford	Jordan Stout, NOAA	Becky Mack	
Matt Rezvani		Stephen Sawyer	
Michael McCollum (<i>alternate for R. Mitchel Beauchamp</i>)			

1. INTRODUCTIONS

Captain Thomas Cullen, Jr., OSPR Administrator

2. APPROVAL OF MINUTES

Mr. Stephen Ricks, TAC Chairman

Motion was made to approve the 4/24/14 Minutes as presented with no edits; seconded, and 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. The updates can be found in the report provided.

As of June 20th with the Governor’s approval of Senate Bill 861, OSPR’s additional statutory and regulatory authority for prevention, preparedness and response activities expanded in the new inland areas of responsibility. Some of the key provisions are the removal of the one barrel threshold limit for response, allowing OSPR greater flexibility in initial response upon spill notification; OSPR will be hiring an additional 35 staff; the OWCN (Oiled Wildlife Care Network) is now fully funded by the OSPAF (Oil Spill Prevention and Administration Fund) and OWCN’s funding is increasing slightly to 2.5 million per year; additionally, the new legislation is going to add four new members to the TAC – two from the environmental community, one from inland production, and one with expertise in rail transport.

4. AGENCY BRIEFINGS

Coastal Commission

Mr. Jonathan Bishop

(report provided)

- Harbor Safety and Area Contingency Plans are updated and current.
- Barge NASH incident on June 8th off the coast of Pt. Conception. No Coastal Commission federal consistency action needed, however, did participate in daily incident briefings and subsequent hot wash.
- Continue to track and participate in Avila Point Agency EIR Team meetings in San Luis Obispo concerning the new development plan proposed for the re-use of this Chevron-owned, former petroleum tank farm.

- CCC and OSPR have renewed the oil spill program grant agreement for an additional three years.

BCDC

Ms. Linda Scourtis

(report provided)

- Completed annual HSC plan updates.
- The air gap sensor has been installed at the S.F. Bay Bridge, which will accommodate the passage of ultra large vessels, but still requires testing by NOAA before going fully operational. Hoping for completion in late August, early September.
- The first 96 Hours workgroup is developing a seminar/workshop to take place August 20th – 21st. It will be by invitation only and will feature a panel with agency and industry decision makers with response expertise.

U.S. Coast Guard

LCDR Jeff Rubini

(report provided)

- Region 9 Contingency Plan continues with minor delays. The next RRT 9 meeting is Aug 12th – 14th in Signal Hill/Los Angeles with the last day being an EPA table-top exercise to test inland response capabilities.
- ACP revisions continue with ESA7 guidance, thorough review to reduce redundancy, and guidance on ERMA.
- MEXUSPLAN revisions continue. Next meeting anticipated February 12th.
- Coast Guard Vessel of Opportunity Skimming System has identified Pungo, Virginia as new location.
- The “First 96-Hours plan” workshop will be held August 20th – 21st in Berkeley, CA. Intended to be an all-hazard initial response plan to guide leadership in identifying major priorities and tasks to accomplish in the first 96 hours of a major response.
- In coordination with Chevron, will be giving quad training – four varying exercises preceded by ICS 300 and 320 training, September 15th – 19th.
- In coordination with NOAA, will conduct aerial observation training late summer/early fall.
- Coast Guard has produced Publication 3-28 Incident Management Crisis Response. Captures and characterizes current thinking incident management and response specifically how the Coast Guard plans, trains and effects response. This is not the Incident Management Handbook (IMH). This is upper level strategic doctrine, not necessarily a field guide, how-to. Can be found on-line.

NOAA

Mr. Jordan Stout

(report provided)

- In effort to build and improve partnerships with other spill science advisors, NOAA supports and recently hosted two advisors from the International Tanker Owners Pollution Federation (ITOPF), based in the U.K., who provides technical support to international spill response on behalf of vessel insurers P&I clubs. They are very familiar with the different policies and regulations of multiple countries and regions of the world. They worked with the U.S. at the Cosco Busan incident. The OWCN is also known to work very closely with the ITOPF on the international wildlife side.
- Over the past few years, NOAA’s been developing the CAFÉ (Chemical Aquatic Fate & Effects) Application which generates species sensitivity distributions from EPA’s ECOTOX database.

State Lands Commission

Chris Beckwith

(report provided)

- Operations: The total number of oil transfers are down over the same period last year. Total cargo transferred in Northern California is up by 20 million barrels over this time last year. Total cargo transferred in Southern California is down by 14 million barrels. Violations were twice those of last year’s. No incidents or recordable spills were reported in the second quarter.
- Outreach: November meeting will focus primarily on MOTEMS and Article 5.0 revisions.

- Engineering:
 - IMTT Richmond nearing completion of MOTEMS upgrades construction projects.
 - Chevron Long Wharf continuing to work on MOTEMS upgrades construction projects.
 - Chevron Eureka has completed installation of a new Ethanol pipeline.

5. FUND CONDITION AND BUDGET UPDATE

*Ms. Becky Mack,
OSPR Budget Analyst*

(report provided)

Ms. Becky Mack presented an overview for Fund Conditions 207, 320, 321, and 322. Fund conditions capture three prior fiscal years of actual revenues and expenditures (FY 10/11- FY 12/13) and three fiscal years of projected revenues and expenditures (FY 13/14- FY 15/16). For current fiscal year 13/14, revenues and expenditures were presented reflecting fiscal month 11 (May) actuals and projections through the end of 2014.

- Fund 207 – Fish & Wildlife Pollution Account: Balance is \$473,548, with a projected of only \$65,467 left to spend. Effective the next fiscal year, and the addition of the new statewide program, oil spill response will no longer be paid out of this fund; it will strictly be dedicated to other deleterious and hazmat pollutants. Cost recovery from approximately 200 prior spills still outstanding is anticipated to increase revenues to this fund.
- Fund 320 – Oil Spill Prevention & Administration Fund: Current revenues are at about 88% of projections thru April and May (Board of Equalization numbers are behind a couple of months). Expenditures are at 81% thru May leaving a projected balance of almost 13 million.
- Fund 321 – Oil Spill Response Trust Fund: The most notable change can be seen in projected expenditures, now that OWCN will no longer come from this fund, but Fund 320.
- Fund 322 – Environmental Enhancement Fund: All fines and penalties from marine oil spills and now inland spills will be deposited here. Must be spent on restoration and coastal projects. Expenditure authority increases from \$357,000 last fiscal year to \$759,000 for fiscal year 14/15.

6. REGULATIONS & LEGISLATIVE ISSUES

*Ms. Joy Lavin-Jones,
OSPR Regulations Analyst*

(report provided)

- Spill Management Teams: Potential changes will be made to contingency plan regulations. Comments generated from final workshops held earlier in the year are being reviewed now. OSPR anticipates finalizing those regulation changes by August.
- Oil Spill Response Organization (OSRO) Rating Regs: Potential regulation changes will be mainly to clarify the operating areas and will require the OSROs to participate in the Sensitive Site Strategy Evaluation Program. Formal rulemaking to be promulgated in August based on the review of comments generated from workshops held last December.
- Certificate of Financial Responsibility (COFR): Potential changes are anticipated to these regulations primarily concerning OSPR's in-house processes. The notice of proposed rulemaking will be sent out mid-July.
- AB 2677 resurrects the "RAPID" program. Would require the EPA, by 1/01/17, to submit a report to the Governor and Legislature containing recommendations for a comprehensive and coordinated oil spill contingency plan designed to address inland oil spills resulting from the transport of crude oil by rail. It failed passage in April.
- AB 380 would require rail carriers to report, on a quarterly basis, specified information regarding the transportation of hazardous materials to OES who in turn will disseminate the information to each CUPA. This bill is set for hearing on August 4th.
- SB 506 would impose a fee in an unspecified amount upon every owner of hazardous material at the time that material is transported on rail by a tank car and would require a railroad to collect the fee for payment to BOE. The new fund, maintained by Department of Toxic Substances Control, is to pay for planning, developing, and maintaining a capability for emergency response to railroad accidents.

7. STATEWIDE OIL SPILL PROGRAM: IMPLEMENTATION

(presentation provided)

*Dr. Julie Yamamoto,
OSPR Scientific Branch Chief*

As of July 1st the passage of SB861 created a single statewide program to cover spills of oil or oil products from all sources in marine and inland waters.

- New Positions: OSPR has an expected increase of about 11 million, 6 of which will actually go to support the expanding program and supporting 35 new staff.
- Emergency Regulations: Through scoping sessions being held later this month in Sacramento, Bakersfield, and the Los Angeles area, OSPR will gather input from industry and other interested parties and commence the emergency regulations process. These emergency regulations are limited to just what was amended in SB 861 and focus on industry contingency plans and certifications of financial responsibility. It is hoped that regulations will be adopted by the end of the year. After emergency regs are completed industry will have 90 days to comply with the new requirements.
- Field Response Teams: Anticipate at least a year to properly train staff on the new inland response protocols. In the interim, OSPR's marine spill response teams will be responding. Additionally some Fish and Wildlife Regional staff are being trained to provide some support. Training in the works for swift water booming in coordination with EPA in September. Also working possible rail training in Pueblo, New Mexico in coordination with fire agencies and rail companies.
- Geographic Response Planning: Currently OSPR has north and south field responders on the marine side. With the new statewide program, OSPR is considering looking at more north, central and south delineations, much like the model the Department of Water Resources has divided the state into hydrologic water shed regions.
- Wildlife Operations: Will be addressing new protocols and needs in terms of the different species we will be dealing with as these operations are very different than on the marine side.

8. INLAND EXPANSION OF OWCN OPERATIONS

(This topic was tabled for a later date)

*Dr. Jonna Mazet,
Wildlife Health Center Director*

9. TAC: NEW RESPONSIBILITIES AND MEMBERSHIP

Mr. Stephen Ricks, TAC Chairman

AB 2678 would require the Governor to appoint a member to the Oil Spill Technical Advisory Committee (TAC) who is a faculty member of the Karen C. Drayer Wildlife Health Center of the University California, Davis or the Director of the Oiled Wildlife Care Network. It would also add two additional gubernatorial appointees – one to represent an environmental group with an interest in inland spills, and one to represent an environmental justice group concerned about potential railway oil spills in disadvantaged communities. Additionally, another member with truck transportation knowledge. This bill is set for hearing on August 4th.

10. 2013-2014 TAC BIENNIAL REPORT PRIORITY ISSUES

Mr. Stephen Ricks, TAC Chairman

(report provided)

2013/2014 Biennial Report due to the legislature. Goal is for it to be published by the end of this year.

11. BIENNIAL REPORT SUBCOMMITTEE

Mr. Stephen Ricks, TAC Chairman

Tom Ford has volunteered to take the lead on this with Steve Ricks serving as technical support.

12. OLD/NEW BUSINESS, NEXT MEETING

Mr. Stephen Ricks, TAC Chairman

Next TAC meeting(s) – Monday, October 6, 2014, location TBD.

ADJOURN

Meeting adjourned 3:24 p.m.