



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



The Shell Clubhouse
1635 Pacheco Boulevard
Martinez, California 94553

January 19, 2010 9:00 a.m. - 3:20 p.m.

Attendance:

Members	Agency Representatives	DFG/OSPR Participants		Guests	Constituents
Stephen Ricks	Linda Scourtis	Tena Rakela	Stephen Edinger		
Michael Ziccardi	Renee McKinnon	Charlena Hayes	Scott Schaefer		
Matt Rezvani	Robin Blanchfield	Marion Boyd	Steve Sawyer		
Joan Lundstrom	Gary Gregory	Joy Lavin-Jones	Tony Warrington		
Michael McCollum	Arturo Perez	Sandi Potstada			
Deb Self					
Carol Baker					
John Berge					
Jonna Mazet					

Oil Spill Technical Advisory Committee (TAC) meeting was called to order at 9:00 a.m. - Stephen Ricks, Chair, presiding.
Public comments accepted after each agenda item.

- I. INTRODUCTIONS** **STEPHEN L. EDINGER (ADMINISTRATOR), OSPR**
 ❖ Introductions were made by participating members, agency representatives, and DFG/OSPR participants.
 No guests or constituents were present.
 ❖ Mr. Edinger handed the meeting off to Mr. Steve Ricks, TAC Chairman.

- II. APPROVAL OF MINUTES** **STEPHEN RICKS (CHAIRMAN), TAC**
 A motion to accept the October 2009 minutes as presented with no edits was made, seconded, and unanimously approved.

- III. OSPR UPDATE** **STEPHEN L. EDINGER**
Estuary News article incorporated into these minutes by reference and attached hereto for the record
[\[hyperlink: Attachments\Estuary News Volume 18 Nu.6.pdf\]](#)
 ❖ The Governor appointed John McCamman as Chief Deputy Director of the Department of Fish and Game January 5, 2010.
 ❖ Lester Snow's appointment by the Governor to the Natural Resources Agency Secretary is anticipated by February 2010.
 ❖ On January 5, 2010, a DFG helicopter fatally crashed when it struck power lines then lost control (no survivors).
 ❖ *Dubai Star spill in San Francisco Bay (Bunker Fuel Leak, Transfer Failure):* On October 30, 2009 at approximately 0700, the Dubai Star released nearly 400-800 gallons of oil (1 gallon reported) into the San Francisco Bay while at Anchorage 9 performing a bunker fuel transfer. Two employees were filling the portside tanks then failed to switch the valve properly before filling the starboard side causing bunker fuel to spill over the portside and into the Bay for some time before discovery. OSPR and OSRO staff and equipment were deployed. Due to the extent of the spill, it was necessary to enact a fishery closure, which continued for six weeks. Birds and mollusks were among the wildlife affected by the pollution event. Notably muscles showed bio-fuel contamination; at least 37 birds were lost.
- As a result of this spill, State officials were requested to require all vessels to pre-boom before fuel transfers in San Francisco Bay or to forbid the act altogether. A bill has been created (AB 234 – Huffman) and Administrator Edinger has an appointment to meet with Assemblyman Huffman and Baykeepers.
 - The Native American Heritage Commission (NAHC) sent OSPR a letter requesting they be informed of such events. NAHC would like to offer assistance should a future event threaten Native American interests. Officially, the US Department of the Interior is tasked with notifying NAHC of potential threats; OSPR is taking steps to include them on any warning list, as appropriate.
 - There were no volunteer issues experienced with the public, and local governmental agencies were pleased with communications (spill trajectory updates were instrumental to the counties' response coordination efforts)

- IV. AGENCY REPORTS** *(State Lands Commission [hyperlinks: Attachments\SLC1.pdf, Attachments\SLC2.pdf], California Coastal Commission [hyperlinks: Attachments\CCC.pdf], BCDC [hyperlink: Attachments\BCDC.pdf], and United States Coast Guard [hyperlink: Attachments\USCG.pdf]) Reports incorporated into these minutes by reference and attached hereto for the record.*

- V. FUND CONDITION AND BUDGET UPDATE** **TENA RAKELA, OSPR**
Report incorporated into these minutes by reference and attached hereto for the record
[\[hyperlink: Attachments\OSPR Fund Condition.pdf\]](#)
 ❖ Fish and Wildlife Pollution Account (Fund 207) - YTD Totals: \$3,193,333 dollars.
 ❖ Oil Spill Prevention and Administration Fund (Fund 320) – YTD Totals: \$8,775,209 dollars.
 ❖ Oil Spill Response Trust Fund (Fund 321) – YTD Totals: \$54,129,328 dollars. OSPR continues to increase its salary savings by the States continued furlough program.

- VI. ARB FUEL SWITCHING UPDATE** **STEPHEN EDINGER**
December 2009 letter from Environmental Protection Agency is incorporated into these minutes by reference and attached hereto for the record [hyperlink: [Attachments\ARB.pdf](#)].
- ❖ OSPR sent a memorandum with concerns regarding the San Francisco Harbor Safety Committee's letter requesting to suspend the enforcement of fines and penalties in the Bay Area. The Environmental Protection Agency subsequently sent a letter to the Administrator in support of OSPR's concerns.
 - ❖ Most of the Loss of Propulsion (LoP) occurred while the ships were out at sea during fuel switching. Currently, data suggests the LoP mainly occurs when vessels are approaching (or disembarking from) an anchorage/dock.
 - ❖ The San Francisco Bar Pilots report a drop of ¼ engine power during LoP incidents.
 - ❖ SF-HSC has a Zero-Tolerance for owner/operators that are not able to maintain control of their vessels 100% of the time.
 - ❖ Increased communication between ship captains, Vessel Traffic Service and the Navy has been noted in the VTS Program brochure [hyperlink: [Attachments\VST Program Brochure.pdf](#)].
- VII. LEGISLATION/REGULATIONS UPDATE** **JOY LAVIN-JONES**
Report incorporated into these minutes by reference and attached hereto for the record.
[hyperlink: [Attachments\Legislation.pdf](#)]
- VIII. MARINE COST RECOVERY** **SANDI POTSTADA, OSPR**
Power Point Presentation incorporated into these minutes by reference and attached hereto for the record.
[hyperlink: [Attachments\Cost Recovery.pdf](#)]
- IX. OSPR SUPPORTED WARDENS AS ON-SCENE COORDINATORS (SOSC) RESPONDERS** **JONNA MAZET, VICE CHAIR**
Vote: Recommit to Committee
Should TAC advise OSPR to consider professions other than Game Wardens as SOSCs?
No conclusion was reached; TAC will not advise.
- X. SUSPENSION OF FURLOUGH DAYS FOR SPILL RESPONDERS** **JOHN BERGE, TAC**
Vote: Postpone Indefinitely
- XI. 2010/2011 TAC ISSUES** **TAC**
- ❖ Provide more information on Game Warden (SOSC) training and qualifying experiences:
 - ❖ Provide detailed account of staff reporting relationships since the reorganization.
 - ❖ Provide full-analysis or report on why OSPR funds are being spent on personnel that do not report to the Administrator as noted in the Bureau of State Audit report [hyperlink BSA report: <http://www.bsa.ca.gov/pdfs/reports/2008-102.pdf>].
 - ❖ A draft biennial report should be completed by July 2010. A subcommittee (lead by Carol Baker) should finalize the report by October 2010. Final should be no more than 6-pages.
- XII. OLD/NEW BUSINESS** **STEPHEN RICKS, (CHAIRMAN), TAC**
- ❖ TAC is interested in seeing data on the number of orphan spills vs. responsible parties?
 - ❖ What is the current balance of uncollected fees and fines?
- XIII. MEETING DATES** **STEPHEN RICKS, (CHAIRMAN), TAC**
Next meeting April 20, 2010 - Santa Barbara, CA

ADJOURN

TRASH CRACKDOWN

More than a million pounds of garbage from Bay Area streets, lots, and yards makes its way annually into storm drains and creeks and then to the Bay and ocean, where it fouls shorelines, endangers wildlife, and damages boats; some of it even winds up in a Texas-sized patch of trash floating in the Pacific Ocean. But on October 14, the S.F. Regional Water Quality Control Board adopted a precedent-setting stormwater permit that will reduce that tonnage dramatically.

Under the new Municipal Regional Permit, municipalities and local agencies in Alameda, Contra Costa, San Mateo, and Santa Clara counties, as well as the cities of Fairfield, Suisun City, and Vallejo, will be required to cut their stormwater garbage content by 40% within four years, and eliminate it completely in 12 years. (San Francisco and Marin are covered under separate permits.) "This is the first permit of its kind in California," says David Lewis of Save the Bay, which had pressed for the new rules for several years. "These mandates are aggressive and achievable; the key is compliance and enforcement."

The first steps for cities will be to determine how much trash they are discharging and equip stormdrains with trash capture devices (TCDs) capable of trapping debris as small as a cigarette butt. They can also deploy additional methods of garbage capture, such as street sweeping, and source reduction strategies such as plastic-bag bans. In addition, each city must identify trash "hot spots," places where garbage accumulates in waterways, and take steps to clean them up.

Installing the required TCDs alone is expected to cost the 70-plus cities covered by the permit between \$25 million and \$26 million, according to the Regional Board's Dale Bowyer. The Estuary Partner-

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Special Report from the 2009
State of the Estuary
Conference

3-24

Lion in the Water: Tom Graff

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ESTUARY NEWS

Bay-Delta News and Views from the San Francisco Estuary Partnership | Volume 18, No. 6 | December 2009

SPILL FUELS BOOM QUESTIONS

It's cheap, it's dirty, and it soiled close to 100 water and shorebirds in the October 30 *Dubai Star* spill in San Francisco Bay. "It" is bunker fuel, and it has some environmental organizations calling for a ban on its use, or at the very least, for better protective measures—like surrounding ships with boom before fuel transfers take place.

"Why have a reg on the books if you're never going to use it?" —Jackie Dragon, Pacific Environment

"Pre-booming should be required in San Francisco Bay. Right now, ships can choose another option, one that seems to have resulted in oiled beaches and dead birds in this case," says Friends of the Earth's Marcie Keever. Ships in the Bay are encouraged to either pre-boom when fueling OR respond with 600 feet of boom within 30 minutes of a spill and an additional 600 feet in one hour, according to Pacific Environment's Jackie Dragon. Yet pre-booming is never done in the Bay, she says. "It's optional. Why have a reg on the books if you're never going to use it? As a result, we do not have skilled personnel at the ready deploying boom."

The *Dubai Star* did not pre-boom, nor does it appear to have responded within 30 minutes, based on the amount of oil that washed ashore at Crown Beach and other sections of the East Bay shoreline—and as evidenced



Birds oiled by the *Dubai Star* arrived at WildCare in these boxes. Photo by Melanie Piazza.

by the oiled wildlife. The spill occurred at 6:48 a.m. while the *Dubai Star* was refueling at Anchorage 9 two miles south of the Bay Bridge, but the first boom was not deployed until 1:00 p.m., over six hours later, according to the Coast Guard's Lt. Simone Mauz.

Says Carol Singleton of the California Office of Oil Spill Prevention and Response (OSPR), "I've heard environmental groups say that it took too long to boom. But maybe booming wasn't going to work. The response contractor had skimmers out there. We have to look at the big picture—the weather, the safety of the workers, whether they had appropriate emergency measures in place, and whether they performed. Of course we don't want to see oil washing up on the shore. We're going to look at all of that, and we monitor the performance of the response contractors."

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ship has received a \$5 million trash capture federal stimulus grant, which it will distribute to cities to help defray the cost.

Geoff Brosseau of the Bay Area Stormwater Management Agencies Association—which has long used trash as a “poster pollutant” in its public outreach programs—says that although he is generally supportive of the new permit provisions, he is not sure how cities are going to come up with the funds to make up the difference. “This is coming at a bad time,” he says, noting that the permit also includes new restrictions on mercury and PCBs, as well as new development requirements. “Cities have less money now, and the public has not shown much interest in paying for new stormwater programs through additional taxes,” he says. “In the end it all goes back to public education; trash is a good way to help people understand stormwater protection.”

CONTACT: Dale Bowyer, dbowyer@waterboards.ca.gov CHT

The initial response contractors in the Dubai spill were the O’Brien Group (the same company called in after the *Cosco Busan* spill), Marine Spill Response Company, and NRC Environmental Services. The exact volume of the spill was still undetermined weeks later, with estimates ranging from 400 to 800 gallons; according to an OSPR press release, over 5,825 gallons of “an oily-water mixture” were recovered.

“This is a ship getting gas; it happens every day, every hour in the Bay.”—Marcie Keever, Friends of the Earth

In the *Dubai Star* spill, the bunker oil clearly got away from the ship, with photos and real-time on-line videos showing a mile-wide sheen traveling south. Although exactly

what went wrong is still under investigation by the Coast Guard, OSPR, and others, the ship itself tells a story. “In the photos I saw, oil was dribbling down the side of the vessel,” says Washington Department of Ecology’s Dave Byers, who heads up spill response for his state. “That points to a transfer error, a mechanical or procedural error, probably no one knows yet. From the deck of the ship, the oil fills up to a certain height and dribbles over the side into the water.” Keever likens it to filling your car’s tank at the gas station. “This is a ship getting gas; it happens every day, every hour in the Bay. These are the times when you have to put protective measures in place because spills are going to happen when ships fuel—think about fueling your own vehicle and the potential for spilling some gas on the ground.”

OSPR later said that the ship was carrying enough boom but did not deploy it in time because workers did not see the spill happening.

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The *Dubai Star*, refueling. Photo courtesy of OSPR.

Models exist for better protection for the Bay, say Keever and Seattle-based oil spill consultant Fred Felleman—even in inclement weather, including fog. (The *Dubai Star* spill occurred in “typically ideal conditions,” according to the Coast Guard.) In both Puget Sound and Prince William Sound, ships are required to have booms in place before they begin transferring fuel or to have pre-approved “equivalent protection measures”—such as extra sets of eyes on the transfer operations or extra response equipment ready to be deployed immediately. In Puget Sound, pre-booming is required in all cases except where it is not safe or effective, says Byers, and applies to all ships transferring fuel at 500 gallons per minute or faster.

OSPR’s Alecia Retallack says pre-booming in San Francisco Bay can be difficult because of strong tides and currents. Responds Felleman, “Yes, and it’s difficult to safely transfer toxic fluids across floating vessels in the bay as well. If they are going to be permitted to do one [activity], they should be required to do the other. There will always be considerations for safety as we have in Washington.”

“Eighty or ninety percent containment is better than nothing.” —Dave Byers, Washington Department of Ecology

Byers agrees that “boom in a current is less effective for spills, but it is not ineffective. We expect booming to be done regardless of the current, when it is safe to do so. Current by itself is not sufficient reason to not boom, but when waves, wind or other factors make it unsafe, then alternative protective measures are appropriate.” Byers said industry reps initially pushed back against the idea of pre-booming, arguing that it was ineffective. “We didn’t accept that,” he says. “Just because some oil might become entrained [and escape]... eighty or ninety percent



A pre-boomed ship in Puget Sound. Most of the oil spilled here was contained near the ship. Photo courtesy of the Washington State Department of Ecology.

containment is better than nothing.” He adds, “We didn’t want to regulate for every boat in every marina, but we did want to catch the oil in places where there is such high risk that when little accidents happen they result in a big spill,” he says. Probably most importantly, the regs are strictly enforced: in 2008, 80% of the oil transfers requiring pre-booming in Washington were boomed. The remaining 20% used equivalent protection measures, says Byers.

Washington’s law, implemented in 2007 (after numerous bunker fuel spills in Puget Sound), has “worked great,” says Byers. “Some companies implemented it voluntarily, and we know from the volume of oil being contained, it’s a success. From the spiller’s point of view, it’s a much less expensive way of responding.” On the heels of the *Dubai Star* spill, a \$10 million lawsuit was filed by crab fisherman Mark Russo, herring fisherman Ron Alioti, and Next Seafood Company owner Russell Robinette against South Harmony Shipping, Inc. of Panama, seeking compensation for lost business due to the public’s fear of buying seafood after the spill.

“Keep the oil in the hull first; but second, keeping it around the ship is far better than chasing it around the Bay.” —Fred Felleman

The protective measures in place at Puget Sound include identifying and reporting all spots where fueling occurs and having response equipment stockpiled at those locations. That has had far-reaching benefits, says Felleman. “You know where fueling occurs; you get the spill contractors out and exercising their equipment. It’s a good way to improve response capacity while at the same time doing something preventive.” The bottom line, says Felleman, is containing the spill quickly. “Keep the oil in the hull first; but second, keeping it around the ship is far better than chasing it around the Bay.”

On November 5, a U.S. Navy aircraft carrier spilled 500 gallons of jet fuel into Puget Sound. The vessel was pre-boomed

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and 100% of the fuel contained. “The Navy’s successful response to the 500 gallon spill—as darkness fell and a storm approached—demonstrates that the difficulty is well worth the effort,” says Felleman.

OSPR’s Rick Colliers said there had been a total of 1,881 fuel transfer operations in the Bay between January 1 and September 30, 2009.

Currently, ships in San Francisco Bay re-fuel all around the Bay, says Dragon, including at Anchorage 9, where the *Dubai Star* spill occurred. Roger Crawford, a San Francisco State University professor (now retired) who specialized in Bay issues, suggests that one solution might be to have just one central fueling station in the Bay, where spill response teams and equipment are at the ready at all times. Crawford also points out that the *Dubai Star* probably violated international maritime law, which requires ships to have someone “on watch” at all times, including during refueling operations.

At a November 12 meeting of the Harbor Safety Committee of the San Francisco Bay Region, OSPR’s Rick Colliers said there had been a total of 1,881 fuel transfer operations in the Bay between January 1 and September 30, 2009. Only 381 of those took place at anchorages.

In Prince William Sound, says Felleman, “people were really motivated never to let a spill happen again. I would hope California legislators would see this opportunity to learn from Washington and Alaska. California could adopt what we’ve gone through. Transfers are notoriously the most risky things—and if you don’t even know where they occur, you don’t know how to stockpile equipment.”

In addition to better state legislation, efforts at the federal and international levels could help prevent future spills in the Bay. A federal bill (SB 1194) introduced by Senator Maria Cantwell (D-Washington) reauthorizing the Coast Guard has a provision that would require pre-booming, according to Felleman. Another federal bill (HB 3619) introduced by Congressman Jay Inslee (D-Washington) also reauthorizing the Coast Guard has a provision requiring tug escorts for oil-laden tankers. Keever is also hopeful that an international protective zone will be approved next year by the International Maritime Organization (an arm of the UN set up to regulate shipping

worldwide) requiring cleaner fuel in all U.S. and Canadian waters out to 200 nautical miles. “It still doesn’t get rid of bunker fuel, and lots of other waters wouldn’t be protected,” says Keever. “But it’s a start to seeing the phaseout of nasty, dirty bunker oil.” Current regulations in California require ships to use cleaner, lower-sulfur fuel (marine distillate) once they get within 24 nautical miles of the state. “But beyond that they switch back to dirtier fuel because they can; it’s cheaper because it doesn’t need to be refined very much,” says Keever. Ships have multiple fuel tanks, and while the *Dubai Star* may not have been running on bunker fuel in the Bay, it was filling one of its tanks with bunker fuel, says Dragon.

At the November 12 Harbor Safety Committee meeting, Coast Guard Captain Paul Gugg said he could not answer questions about the *Dubai Star* spill response time or volume because the case is still under investigation. When asked by a committee member when the investigation would be completed, he responded “some time in 2010.” When Dragon tried to address the committee about the issue of pre-booming ships, the chair of the committee responded that the committee deals only with ship collisions in the Bay, not with oil spills or booming. Yet, according to the 1991 Lempert-Keene-Seastrand Oil Spill Prevention And Response Act, the Harbor Safety Committee is charged with “planning for the safe navigation and operation of tank ships, tank barges, and other vessels within each harbor.”

Perhaps the greatest risk for San Francisco Bay, says Felleman, is complacency. San Francisco Bay has had two recent wake-up calls, in the *Cosco Busan* and *Dubai Star* spills, both of which were bad enough but could have been much worse. “The only time we get oil spill legislation is on the heels of a spill,” says Felleman. “And typically we try to fix the widget that broke rather than the broken system. But in this case, the broken widget is the failure to acknowledge that this high-risk activity needs additional protections already vetted in Puget Sound and Alaska. There’s no reason why this is not done everywhere. I would fix that widget now.”

CONTACT: mkeever@foe.org, felleman@comcast.net, dbye461@ecy.wa.gov, jdragon@pacificenvironment.org, csingleton@ospr.dfg.ca.gov LOV



“Bird of Man, Bird of Nature” by Ken Osborn, 3rd place winner, 2009 San Francisco Estuary Partnership art contest.

MEMORANDUM

To: Oil Spill Technical Advisory Committee

Date: January 14, 2010

From: Gary Gregory
Chief, Marine Facilities Division
200 OceanGate, Suite 900
Long Beach, CA 90802

File: W9777.205

Subject: CALIFORNIA STATE LANDS COMMISSION REPORT

This report covers the activities of the California State Lands Commission (CSLC) that are funded by the Oil Spill Prevention and Administration Fund (Fund 0320).

MARINE FACILITIES DIVISION (MFD)**Operations**

Our daily monitoring and inspection operations continue. Operations summaries from our latest Monthly Activities Report are attached.

Of particular note, the number of regulated oil transfers from 2008 to 2009 has increased about 1%. The amount of cargo discharged from vessels and that loaded onto vessels is essentially unchanged from 2008 to 2009 year-to-date. Oil discharged across the dock provides a quick check of the amount of oil that is potentially subject to the 5 cents per barrel surcharge that supports the Oil Spill Prevention and Administration Fund. The total volume of product discharged by tankers and barges is up only 0.34%.

Engineering

We continue to review MOTEMS audits and are meeting with terminal operators to establish priorities and dates for rehabilitation of High Risk Terminals. We anticipate receiving 17 Medium Risk Terminal Audits in early February and will begin the review process immediately.

The Pier 400 project continues to be delayed.

Regulations Update

The amendments to MOTEMS for clarification, editing and correction were heard by the Building Standards Commission and were adopted for publication at its January 12, 2010 meeting. The changes will become effective 180 days after the standard is published.

We will be working on amendments to our Article 5 Marine Terminals Inspection and Monitoring regulations. They were last updated in 2006. We have a number of minor and several substantial changes to make.

Oil Transfer and Transportation Emission and Risk Reduction (OTTER) Act

We continue to receive OTTER submissions for the last quarter of our 2009 report. The 2009 report, out in 2nd quarter 2010, will be the final report mandated by the Act. All previous reports are available on our website.

Outreach

The date for Prevention First 2010 has been set for October 19-20 at the Westin Hotel in Long Beach. Please note this is a different, and correct, date from that in my previous reports.

Personnel

Robert Chatman has been selected to be to be the Supervisor of our Southern California Field Office. Bob has been with us since 1992 and has worked his way up from Inspector to Field Office Supervisor. Before State Lands, Bob worked for several barge companies moving oil around the LA/LB area.

MINERAL RESOURCES MANAGEMENT DIVISION (MRMD)

No report provided.

MEMORANDUM

TO: Gary Gregory

December 16, 2009

File: W9777.171

FROM: Dennis Vogel *DV*

SUBJECT: Monthly Activity Summary for November 2009

Attached is the summary of Division activities for the month of November. All statistics appear normal when compared with previous month's activity with the exception that the SCFO monitoring percentage was quite low at 14% .

Significant statistics for the month of November:

537 vessel transfers	196 monitored (37%)
2,739 total events	469 monitored (17%)
2 total oil spill	0 gallons total (reported)
2 terminal fault	Total oil spill field notes: 0
0 vessel fault	0 other/unknown
0 facility fault	Annual inspections: 7

E-mails to OSPR re: expired Contingency Plans/COFRs: SCFO - 0, NCFO - 0.
Class 3 violations: SCFO - 3, NCFO - 0

Ballast Water

	<u># Qualified Port Calls</u>	<u># Inspected</u>	<u>Percent</u>
NCFO	299	49	16.00%
SCFO	465	91	20.00%

Monthly Report

12/08/2009

Date Range: 11/01/2009 - 11/30/2009

SCFO and NCFO

	Total	Monitored	Percent
1.0 Tank Vessel Transfers			
1.1 Onshore Terminals(Ships)	166	80	48.19
1.2 Onshore Terminals(Barges)	344	110	31.98
1.3 Offshore Terminals (Ships/Barges)	27	6	22.22
Transfer Totals	537	196	36.50
2.0 Transfer Events			
2.1 Ships			
2.1.1 Hook-Up	166	34	20.48
2.1.2 Start Up	166	38	22.89
2.1.3 Steady Rate	166	78	46.99
2.1.4 Topping Off/Stripping	166	29	17.47
2.1.5 Disconnect	166	19	11.45
Event Totals	830	198	23.86
2.2 Barges			
2.2.1 Hook-Up	344	32	9.30
2.2.2 Start Up	344	47	13.66
2.2.3 Steady Rate	344	107	31.10
2.2.4 Topping Off/Stripping	344	38	11.05
2.2.5 Disconnect	344	25	7.27
Event Totals	1720	249	14.48
2.3 Offshore			
2.3.1 Arrival	27	4	14.81
2.3.2 Hook-Up	27	4	14.81
2.3.2 Start Up	27	5	18.52
2.3.3 Steady Rate	27	6	22.22
2.3.4 Topping Off/Stripping	27	2	7.41
2.3.5 Disconnect	27	1	3.70
2.3.6 Departure	27	0	0.00
Event Totals	189	22	11.64
Overall Totals	2739	469	17.12

3.0 Ship Transfers in AOR		<u>Ships</u>	<u>Barges</u>
3.11	San Francisco	81	122
3.13	Eureka	0	3
3.14	Mobile Terminals (NCFO)	3	2
3.1	Los Angeles/Long Beach	75	206
3.4	San Diego	7	6
3.6	Mobil Ellwood	0	1
3.8	El Segundo	22	4
3.9	Mobile Terminals (SCFO)	0	5
	Overall Totals:	188	349

4.0 Violations Noted During Monitoring Inspections

	<u>Class 1</u>	<u>Class 2</u>	<u>Class 3</u>	<u>Other</u>
4.1 Oil Transfer Monitorings - Vessel - SCFO	0	1	0	0
4.2 Oil Transfer Monitorings - Terminal - SCFO	0	1	3	0
4.1 Oil Transfer Monitorings - Vessel - NCFO	0	1	0	0
4.2 Oil Transfer Monitorings - Terminal - NCFO	0	2	0	0

	<u>Class1</u>	<u>Class2</u>	<u>Class3</u>	<u>Other</u>	<u>Total</u>
4.3 Terminal Inspections - Annual - SCFO	0	0	0	0	0
4.4 Terminal Inspections - Spot Check - SCFO	0	0	0	0	0
4.3 Terminal Inspections - Annual - NCFO	0	0	0	0	0
4.4 Terminal Inspections - Spot Check - NCFO	0	0	0	0	0

5.0 Terminal Inspections	
5.1 Northern California Field Office	3
5.2 Southern California Field Office	4

6.0 Oil Spills

Terminal

<u>ShortName</u>	<u>SpillDate</u>	<u>OESNumber</u>	<u>Reported Product</u>	<u>UPDATED_QTY</u>	<u>VesselName</u>
CHEVRON RLW	11/02/2009	097362	Other	1	
PT LOMA, SD	11/12/2009	097602	Diesel	1	
Spills Noted	Terminal Fault	Vessel Fault	Other Fault	Gallons Spilled	
2	2	0	0	2	

MARINE FACILITIES DIVISION FIELD OPERATIONS - 2009

TOTAL PRODUCT TRANSFERRED (in barrels)

	<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	CY 09 TOTALS	CY 08 YTD	CY 08' Totals
NCFO															
Discharge	23,401,000	15,331,000	20,483,400	18,041,265	20,901,008	18,933,185	18,473,310	18,269,000	19,985,100	19,693,467	19,455,800		212,967,535	225,810,239	243,741,712
Load	13,158,469	11,208,888	12,535,336	10,489,769	11,127,352	8,275,626	9,451,323	8,075,854	14,038,041	10,723,103	13,724,538		122,808,299	139,962,950	151,305,880
Total	36,559,469	26,539,888	33,018,736	28,531,034	32,028,360	27,208,811	27,924,633	26,344,854	34,023,141	30,416,570	33,180,338		0 335,775,834	365,773,189	395,047,592
SCFO															
Discharge	31,898,299	28,037,982	30,967,795	31,878,622	28,552,192	27,652,095	25,720,613	28,110,722	27,678,412	31,054,082	27,447,399		318,998,213	304,331,678	333,018,936
Load	7,671,315	5,316,021	5,834,862	7,272,083	5,706,675	4,626,120	6,230,785	8,855,611	7,319,298	6,277,007	7,270,864		72,380,641	58,746,804	63,735,865
Total	39,569,614	33,354,003	36,802,657	39,150,705	34,258,867	32,278,215	31,951,398	36,966,333	34,997,710	37,331,089	34,718,263		0 391,378,854	363,078,482	396,754,801
COMBINED															
Discharge	55,299,299	43,368,982	51,451,195	49,919,887	49,453,200	46,585,280	44,193,923	46,379,722	47,663,512	50,747,549	46,903,199		0 531,965,748	530,141,917	576,760,648
Load	20,829,784	16,524,909	18,370,198	17,761,852	16,834,027	12,901,746	15,682,108	16,931,465	21,357,339	17,000,110	20,995,402		0 195,168,940	198,709,754	215,041,745
Total	76,129,083	59,893,891	69,821,393	67,681,739	66,287,227	59,487,026	59,876,031	63,311,187	69,020,851	67,747,659	67,898,601		0 727,134,688	728,851,671	791,802,393

MARINE FACILITIES DIVISION FIELD OPERATIONS STATISTICS - 2009

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	CY 09 Totals	CY08 YTD	CY08 Totals	CY07 Totals	CY 06 Totals	CY05 Totals	CY04 Totals	CY03 Totals	CY 02 Totals	CY 01 Totals	CY 00 Totals	CY 99 Totals	CY 98 Totals
OIL TRANSFERS																									
Onshore Facilities-ship	226	152	184	169	183	165	170	168	177	171	166		1931	1868	2043	2188	2247	2027	1782	1855	1880	2003	2276	2384	2289
Monitored	125	84	110	102	105	110	100	98	109	109	80		1132	973	1060	1137	1226	1077	1021	1065	1230	1400	1426	1624	1453
Onshore Facilities-barge	389	326	378	377	327	325	340	292	356	355	344		3809	3847	4211	4900	4882	4660	4285	3924	4168	4512	4885	4171	3938
Monitored	155	118	159	152	153	146	136	119	125	150	110		1523	1480	1624	1935	2040	1947	1741	1756	1570	1741	1532	1607	1527
Spreadmoor-ships/barge	32	35	26	30	31	16	23	25	23	25	27		293	250	271	304	314	274	214	214	194	229	213	252	337
Monitored	9	9	5	9	10	8	7	4	8	1	6		76	60	67	103	49	56	41	48	49	82	88	113	128
Tug/Other Vessels																									
Monitored																									
Total Transfers	647	513	588	576	541	506	533	485	556	551	537		6033	5965	6525	7392	7443	6961	6281	5993	6242	6920	7374	6807	6564
Total Monitors	289	211	274	263	268	264	243	221	242	260	196		2731	2513	2751	3175	3315	3080	2803	2869	2849	3223	3046	3344	3108
Percent monitored	45%	41%	47%	46%	50%	52%	46%	46%	44%	47%	36%	####	45%	42%	42%	43%	45%	44%	45%	48%	46%	47%	41%	49%	47%
TRANSFER EVENTS																									
Ship Events	1130	760	920	845	915	825	850	840	885	855	830		9655	9340	10215	10940	11235	10135	8910	9275	9508	10895	11380	11920	11445
Monitored	297	183	262	238	243	244	236	229	289	236	198		2655	2032	2222	2499	2438	2301	1961	2117	2366	2790	2927	3195	3044
Barge Events	1945	1530	1890	1885	1635	1625	1700	1460	1780	1775	1720		19045	19235	21055	24500	24410	23300	21425	19620	21304	22560	24425	20855	19690
Monitored	390	278	386	375	438	398	372	316	341	372	249		3915	3379	3725	4406	4504	4353	3788	3967	3634	4244	3616	3849	3766
Offshore Events	224	245	182	210	217	112	161	175	161	175	189		2051	1750	1897	2128	2198	1918	1498	1498	1390	1603	1491	1764	2359
Monitored	28	28	17	28	40	28	27	16	25	4	22		263	181	200	348	152	173	103	129	169	289	298	385	424
Tug/Other Vessel Events																									
Monitored																									
Total Events	3299	2635	2992	2940	2767	2562	2711	2475	2826	2805	2739		30751	30325	33167	37568	37803	35353	31833	30393	32202	35058	37296	34539	33494
Total Monitors	715	489	665	641	721	670	635	561	655	612	469		6833	5592	6147	7253	7094	6827	5852	6213	6169	7322	6838	7429	7234
Percent monitored	22%	19%	22%	22%	26%	26%	23%	23%	23%	22%	17%	####	22%	18%	19%	19%	19%	19%	18%	20%	19%	21%	18%	22%	22%
TERMINAL INSPECTIONS																									
SCFO Inspections	6	3	4	6	6	5	6	6	9	8	4		63	61	67	70	74	75	74	54	37	37	42		
NCFO Inspections	4	6	4	4	4	3	4	6	3	3	3		44	45	49	51	63	66	49	28	13	20	22		
VIOLATIONS NOTED																									
During Transfer Mon.	15	6	25	28	23	7	10	4	21	13	8		160	188	214	434	323	314	251	251	301	496	506	863	633
During Annual Insp.	0	0	1	0	0	0	1	2	0	0	0		4	39	40	38	35	46	54	35	27	39	36	39	27
OIL SPILLS																									
Total Reported	0	0	0	1	0	1	3	1	1	0	2		9	13	14	19	17	32	28	36	27	25	21	25	35
Terminal Fault	0	0	0	0	0	1	3	0	1	0	2		7	6	7	10	7	8	12	14	15	8	7	6	12
Vessel Fault	0	0	0	1	0	0	0	1	0	0	0		2	7	7	6	9	17	16	21	7	17	8	15	19
Facility Fault	0	0	0	0	0	0	0	0	0	0	0		0	0	0	3	1	7	0	1	5				
Bunkering	0	0	0	0	0	0	0	0	0	0	0		0											3	3
Special Interest	0	0	0	0	0	0	0	0	0	0	0		0										6	1	1

CALIFORNIA COASTAL COMMISSION

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Date: January 15, 2010
To: Oil Spill Technical Advisory Committee (TAC) members and interested parties
From: Robin Blanchfield and Vanessa Metz, Coastal Commission (CCC) Oil Spill Program
RE: Quarterly Update on CCC Oil Spill Program Activities,
October 20, 2009 – January 19, 2010

Following are activities of the California Coastal Commission (CCC) Oil Spill Program staff since the last TAC meeting on October 20, 2009. Effective July 1, 2009 the Coastal Commission oil spill program staff has been required to take three furlough Fridays a month, as mandated by the Governor.

Major Work Activities:**➤ Spill Incidents and Follow-up**

- 12.1.4.09, oil contaminated soil from Thriftway oil field was sloughing off into Santa Maria River estuary at the beach (near Guadalupe dunes). Coastal Commission received phone call notification from Melissa Boggs, OSPR, and immediately issued a verbal emergency coastal development permit (CDP) to Thriftway (via Melissa Boggs) to excavate and remove the oil contaminated soil. Contaminated soil was removed and disturbed vegetation and sand replaced. OSPR and other agencies (e.g., CCC, RWQCB, USFWS) are waiting for final assessment report documenting extent of underground oil contamination and what long term clean-up and restoration actions that may be required. Follow-up CCC CDPs may be necessary for long term clean-up and restoration.
- 10.30.09, Dubai Star oil spill in SF Bay. Attended USCG briefing and “hotwash” for Dubai Star spill on 1.6.10. CCC staff awaits the results from OSPR and USCG investigations, and monitoring potential legislation for “pre-booming” requirements. CCC staff did not assist at the Incident Command Center for this spill response. However, we were able to keep updated on latest events through the excellent and timely email updates from Joy Lavin Jones, OSPR Government Liaison.

➤ Regulation Amendments and San Francisco Bay Delta Area Committee Charter

- CCC staff submitted comment letter to the USCG on proposed amendments to the San Francisco Bay, Delta, and Central Coast Area Committee Charter.
- CCC staff submitted comments and letter of support to OSPR on the proposed amendments to the Certificate of Financial Responsibility (COFR) Regulations.

➤ Best Achievable Technology (BAT) Focus Groups – Prevention, Mechanical Response, Remote Sensing, and Applied Response Technologies.

- Member of the core editing/integration team for the final report. In December and January, CCC staff has reviewed and edited the consolidated draft of BAT Prevention report.

➤ Harbor Safety Committees (HSCs).

- Produced the final layout design for the Los Angeles-Long Beach Harbor Safety Committee’s brochure, *Safe Transit Program. A Guide for Preventing Propulsion and Steering Failures*. This

brochure is now posted on the Marine Exchange of Southern California's website for mariners to view and download for printing. OSPR is in process of printing 5000 paper copies for distribution.

- Continue to monitor the SF HSC discussions about the new CARB low sulfur regulation, and the issues related to vessel propulsion failure and navigation safety.

➤ Area Committees (ACs).

- Participated in sensitive site visits and strategy updates for North Coast AC.
- Participated in Statewide AC meeting on 1.12.10. CCC staff will participate in the work tasks (as requested) to address the statewide issues/work identified at the meeting.

Other Upcoming Work

➤ Clean Seas' proposal to change oil spill response vessels (OSRV) configuration.

- Clean Seas is now expected to submit a proposal to Minerals Management Service in February 2010 to permanently replace its two OSRVs — Mr. Clean and Mr. Clean II — which have been in service since the late 1970s/early 1980s) with new state-of-the-art response vessels and equipment. The MMS has been coordinating with the Coastal Commission, OSPR, SLC, USCG, and the County of Santa Barbara on the preparation of this proposal. CCC Oil Spill Program staff will review the Clean Seas proposal for consistency with permit conditions and federal consistency certification requirements, for those platforms and onshore facilities in the Santa Barbara Channel area that provided explicit commitments in their Development and Production Plans for Clean Seas' oil spill response vessels and equipment.

Meetings Attended:

Best Achievable Technology Focus Group Meetings

12.16.09 BAT Mechanical Response Focus Group
12.02.09 BAT Prevention Focus Group

Harbor Safety Committee Meetings

11.04.09 LA-LB HSC Navigation Subcommittee
11.05.09 Port Hueneme HSC
11.12.09 SF HSC
11.19.09 Humboldt HSC
11.25.09 San Diego HSC (Did not attend due to Thanksgiving Holiday)
12.04.09 LA-LB HSC

Area Committee Meetings

10.29.09 Central Coast Area Committee
11.17.09 SF-Bay Delta Area Committee
11.19.09 North Coast Area Committee
12.03.09 San Diego Area Committee (by phone)
12.16.09 Central Coast Area Committee
01.13.10 LA-LB North and South - Area Committee

Statewide Area Committee Meeting

01.12.10 Statewide Area Committee meeting

Area Committee Sensitive Site Field Assessments

12.17.09 North Coast ACP Sensitive Sites Field Assessment

Memorandum

To: OSPR TAC
Subject: BCDC Quarterly Report

January 19, 2010

From: Linda Scourtis
San Francisco Bay Conservation and Development Commission
50 California Street, Suite 2600
San Francisco, California 94111
DIRECT: (415) 352-3644 E-MAIL: lindas@bcdc.ca.gov FAX: (415) 352-3606

The following report covers the activities of the San Francisco Bay Conservation and Development Commission (BCDC) Oil Spill Prevention Program for the period October 21, 2009- January 14, 2009.

SF Harbor Safety Committee. BCDC staff participated in the San Francisco Bay Area Harbor Safety Committee November, December and January meetings as well as Work Group meetings.

The HSC is working closely with the state Air Resources Board and the USCG to track lost propulsion and similar incidents to discover if the required switch to low sulfur fuel might be the cause. District 11 is sharing reports and findings with the ARB, as are the S.F. Bar Pilots. Cal Maritime is assisting the Air Board in analyzing reported effects of using low sulfur fuel. ARB will convene its Maritime Technical Work Group in late March to review information gathered through the Coast Guard investigations and surveys of vessel operators.

The Navigation work group and the full HSC continue to discuss low sulfur fuel-related operational issues.

BCDC staff attended the November 3rd HSC Summit in Sacramento, which included a focused discussion of the low sulfur issue.

The Ferry Operations work group is developing communication protocols. VTS desires to reduce the number of calls from ferries, and has requested development of a trip schedule database and route numbers be assigned for integration with AIS.

The Navigation work group will soon meet to discuss issues created for piloting the approach to the Port of Oakland following the -50' deepening, as well as lost propulsion incidents.

Prompted by the Chair of the Prevention through People work group, the HSC sent a letter opposing a proposed reduction in the frequency of operation of three drawbridges over the Oakland Inner Harbor Tidal Channel, which could impede emergency vessels. Working with OSPR, the PtP will soon meet to scope an update of the video, "Sharing the Bay for re-release.



The Tug Escort work group met in early December to discuss the strength of vessel load bits tugs tie up to. The discussion will continue during the next meeting January 28, which will include a demonstration of CalMaritime's tug escort simulator, a training method found helpful by tug operators.

The next meeting of the HSC will take place February 11, 2009, at the Port of San Francisco.

Area Contingency Planning. Staff attended the November 17, 2009 Area Committee meeting in Oakland. A Potential Places of Refuge meeting to coordinate display of PPOR sites in the Bay was held with the SF Marine Exchange December 3. Through the SFMX website, users will be able to access critical operational and environmental information related to the potential placement of a vessel in distress.

The next meeting of the Area Committee is scheduled for January 26 in Martinez.

Oil Spill Reporting and Spill Response. BCDC spill staff assisted the Liaison Officer the first two days of the Dubai Star spill response, October 30-31. BCDC's Deputy Director was in the East Bay the day of the spill and readily able to reach the Command Center; spill staff relieved her that afternoon. Our DD signed in at Coast Guard Island early the next morning, with spill staff relieving her within two hours, and remaining the rest of the day until demobilized by the SOSOC. Spill staff participated in the January 6 multi-agency hotwash.

Spill staff participated in the Richmond Inner Harbor Drill October 28, where the role of the Local Government On-Scene Coordinator (LGOSC) was played. The Dubai Star spill two days later provided actual experience with integrating this new element of the IC.

Related activities. BCDC spill staff is a member of OSPR's Best Achievable Technology (BAT)/Prevention and Mitigation focus group, and participates on the review and editing work group. Efforts were delayed due to the Dubai Star spill; however, a much completed draft will be discussed during the next focus group meeting February 1 at MSRC's office in Richmond. BCDC spill staff has been invited by CalMaritime to join their drill planning effort for an exercise scheduled for April 2010.



January 19, 2010

TAC Committee,

During the first quarter, Oct 1 to Dec 31, Coast Guard District Eleven oversaw 4 actual oil spills and 3 potential oil spills in to the waters of California. An estimated 455 gallons of oil was released into the water. There is one notable case, the T/V Dubai Star.

The T/V Dubai Star, was conducting bunkering operations in anchorage 9 San Francisco Bay on 30 October 2009. An estimated 422 gallons of bunker fuel was released into the bay. A Notice of Federal Interest was issued and the OLSTF was opened with a ceiling of \$499,999. The Obrien's Group, NRCES, and MSRC were contracted to head up recovery. Using the Area Contingency Plan, numerous protective strategies were put into place. The oil made landfall in the Oakland area, between Bay Farm Island to the south and Berkeley to the north. The majority of the oil washed up on the sandy Robert Crown Memorial Beach and Bay Farms rocky shoreline. Sector SF's ACP's protective strategies were highly effective. Two months after the incident, all beaches have been reopened to the public. One segment of shoreline still has sporadic tarballs, as should be signed off soon. There were 18 birds were found dead, 49 were captured alive, 18 died in captivity, and 28 have been released to the wild. Overall, the response was very effective due to the hard work of all those that responded.

Sincerely

A handwritten signature in black ink, appearing to read "A.S. Perez", with a long horizontal flourish extending to the right.

A.S. Perez
Supervisor, District Response Advisory Team
United States Coast Guard

2009-10 FUND CONDITION STATEMENT

FUND 207 TOTALS : FISH AND WILDLIFE POLLUTION ACCOUNT

207.1 Oil Administration

207.2 Oil Response

207.3 Hazmat Administration

207.4 Hazmat Response

	ACTUAL	ACTUAL	FEBRUARY		PROJECTION	PROJECTION	PROJECTION	
			ACTUAL	PROJECTED				
			REVENUE	REVENUE				
	2007-08	2008-09	2009-10	YTD %	2009-10	2010-11	2011-12	2012-13
YEARLY BEGINNING BALANCE	4,765,448	4,143,781	3,978,251		3,978,251	2,232,663	1,233,846	59,439
PPY AND PY ADJUSTMENTS	-133,108	68,737	-22,271		-22,271	0	0	0
ADJUSTED BEGINNING BALANCE	4,632,340	4,212,518	3,955,979		3,955,979	2,232,663	1,233,846	59,439
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS								
131000 Fish & Game Violation Fine- Criminal	1,567,303	1,130,932	391,573	66.7%	587,359	1,095,198	937,830	873,462
150300 Income from Surplus Money Investments	181,069	90,069	14,195	52.8%	26,905	15,273	5,674	-5,490
164300 Penalty Assessments/Settlement Litigation	0	224,094	0	0.0%	0	0	0	0
161400 Misc. Revenue and Donations	0	11,753	3,377	66.7%	5,065	5,606	7,475	6,049
161400 Fish & Game Violation Fine- Civil	203,215	18,770	0	#DIV/0!	0	73,995	30,922	34,972
161600 Escheat of Unclaimed Cks, Warrants	0		0		0	0	0	0
161900 Other Revenue Cost Recoveries	56,030	493,776	150,020	66.7%	225,030	258,279	325,695	269,668
161900 Cost Recovery Pollution Cleanup	459,337	480,889	82,848	66.7%	124,272	354,833	319,998	266,368
REVENUES	2,466,954	2,450,283	642,012	66.3%	968,632	1,803,183	1,627,593	1,445,028
TOTAL REVENUES	7,099,294	6,662,801	4,597,991		4,924,611	4,035,846	2,861,439	1,504,468
	ACTUAL	ACTUAL	ACTUAL		GOV. BUDGET	GOV. BUDGET	GOV. BUDGET	GOV. BUDGET
	EXPENDITURES	EXPENDITURES	EXPENDITURES		APPROPRIATION	APPROPRIATION	APPROPRIATION	APPROPRIATION
EXPENDITURES (B06 REPORT) AND APPROPRIATIONS								
3600-001 Dept of Fish and Game Support Baseline	2,014,214	2,011,613	1,464,363	61.9%	2,365,000	2,759,000	2,759,000	2,759,000
3600-518 Dept. of Fish and Game Chaptered Leg.	939,299	670,937	287,948	100.0%	287,948			
3600-101 Local Assistance	0	0	0		36,000	36,000	36,000	36,000
0840-001 State Controllers Office	2,000	2,000	2,000		3,000	7,000	7,000	7,000
TOTAL EXPENDITURES	2,955,513	2,684,550	1,754,311	65.2%	2,691,948	2,802,000	2,802,000	2,802,000
FUND BALANCE	4,143,781	3,978,251	2,843,680		2,232,663	1,233,846	59,439	-1,297,532

DIFFERENCE BETWEEN TTL REVENUE AND TTL EXPENDITURES (488,559) (234,268) (1,112,299) (1,723,316) (998,817) (1,174,407) (1,356,972)

THIS FUND DOES NOT HAVE A DEDICATED FUND SOURCE, REVENUE IS RECEIVED FROM FINES, PENALTIES AND SETTLEMENTS

SMIF IS THROUGH QUARTER TWO
 SCO'S SMIF YTD AMOUNT (SCO FUND RECONCILIATION) 3,035,000
 SMIF PROJECTIONS BASED ON ABOVE \$ AND SMIF AVG.

SETTLEMENT AMOUNTS NOT AVAIL. FOR ADMIN USE 900,000

REVENUE PROJECTIONS ARE BASED ON 3 YR. AVG 1ST 6 MOS.

REVENUE PROJECTIONS ARE BASED ON ACTUALS 2ND 6 MOS.

SMIF Rates	
03/31/09	0.551%
06/30/09	1.512%
09/30/09	0.889%
12/31/09	0.594%
Average	0.887%

Updated 5/25/10 1:52 PM

2009-10 MONTHLY FUND CONDITION
FUND 320 - OIL SPILL PREVENTION AND ADMINISTRATION FUND

	2007-08	2008-09	MARCH		PROJECTION 2010-11	PROJECTION 2011-12	PROJECTION 2012-13	
			ACTUAL REVENUE 2009-10	YTD %				PROJECTED REVENUE 2009-10
YEARLY BEGINNING BALANCE	18,807,172	16,973,505	15,166,465		15,166,465	11,082,388	2,830,812	(4,718,943)
PPY AND PY ADJUSTMENTS	338,984	1,029,519	196,908		196,908			
ADJUSTED BEGINNING BALANCE	19,146,156	18,003,024	15,363,373		15,363,373	11,082,388	2,830,812	(4,718,943)
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS								
BOE REGULATORY FEES	27,944,671	26,852,949	16,616,256	67%	24,924,384	26,574,001	26,117,111	25,871,832
NON-TANK VESSEL REGULATORY FEES	5,576,000	4,881,617	4,251,096	75%	5,668,128	4,523,815	5,559,043	4,607,811
125600 OTHER REGULATORY FEES	-	300						
131000 F&G VIOLATION FEES	-	-				-	-	-
150300 SURPLUS MONEY INVESTMENTS	690,672	310,521	41,977	62%	67,711	61,398		
161400 SETTLEMENT LITIGATION	13	2,174	206	75%	275	821	1,090	728
161900 COST RECOVERIES	553	2,098	3,388	75%	4,517	2,389	3,001	3,303
REVENUES AND TRANSFERS	34,211,909	32,049,659	20,912,922	68%	30,665,015	31,162,424	31,680,245	30,483,674
TOTAL REVENUE	53,358,065	50,052,684	36,276,295		46,028,388	42,244,812	34,511,057	25,764,731
	ACTUAL	ACTUAL	ACTUAL		GOV. BUDGET	GOV. BUDGET	GOV. BUDGET	GOV. BUDGET
	EXPENDITURES	EXPENDITURES	EXPENDITURES		APPROPRIATION	APPROPRIATION	APPROPRIATION	APPROPRIATION
EXPENDITURES (B06 REPORT) AND APPROPRIATIONS								
3600-001 DFG - STATE OPERATIONS	24,927,000	22,900,841	16,392,532.09	72%	22,911,000	25,696,000	25,696,000	25,696,000
3600-101 DFG - LOCAL ASSISTANCE	921,560	1,986,925	1,149,367	86%	1,341,000	1,341,000	1,341,000	1,341,000
3600-301 DFG - CAPITAL OUTLAY			-	0%	28,000			
0840-001 STATE CONTROLLERS OFFICE	31,000	31,000			35,000	86,000	86,000	86,000
0860-001 BOARD OF EQUALIZATION	251,000	259,000	231,000	100%	231,000	267,000	267,000	267,000
3560-001 STATE LANDS COMMISSION	10,254,000	9,708,453	7,720,800	75%	10,290,000	11,715,000	11,715,000	11,715,000
3560-301 SLC - CAPITAL OUTLAY			-			184,000	-	-
3980-001 OFFICE OF ENV. HEALTH HAZARD			110,000	100%	110,000	125,000	125,000	125,000
TOTAL EXPENDITURES	36,384,560	34,886,219	25,603,699	73%	34,946,000	39,414,000	39,230,000	39,230,000
FUND BALANCE	16,973,505	15,166,465	10,672,596		11,082,388	2,830,812	(4,718,943)	(13,465,269)
DIFFERENCE BETWEEN TTL REVENUE AND TTL EXPENDITURES	-2,172,651	-2,836,559			-\$4,280,985	-\$8,251,576	-\$7,549,755	-\$8,746,326

SCO EXPENDITURES ARE THROUGH
 BOE REVENUE IS THROUGH
 SMIF IS THROUGH QUARTER
 SCO'S "FUND RECONCILIATION" YTD AMOUNT
 SMIF PROJ. BASED ON ABOVE AMOUNT AND SMIF AVG.
 OUTSTANDING GENERAL FUND LOAN OF \$3,400,000
 REVENUE PROJECTIONS ARE BASED ON 3 YR. AVG 1ST 6 MOS.
 REVENUE PROJECTIONS ARE BASED ON ACTUALS 2ND 6 MOS.

APRIL 20
 DECEMBER
 TWO
 7,638,000

SCO SMIF RATES	
03/31/09	0.551%
06/30/09	1.512%
09/30/09	0.889%
12/31/09	0.594%
AVERAGE	0.887%

2009-10 MONTHLY FUND CONDITION
 FUND 321 - OIL SPILL RESPONSE TRUST FUND

	ACTUAL 2007-08	ACTUAL 2008-09	MARCH		PROJECTION 2010-11	PROJECTION 2011-12	PROJECTION 2012-13	
			ACTUAL REVENUE 2009-10	YTD%				PROJECTED REVENUE 2009-10
YEARLY BEGINNING BALANCE	\$56,758,000	\$56,482,697	\$56,236,605		\$56,236,605	\$53,354,210	\$50,934,335	\$48,514,226
PPY AND PY ADJUSTMENTS	-\$120,196	\$427,192	-\$118,500		-\$118,500			
ADJUSTED BEGINNING BALANCE	\$56,637,804	\$56,909,889	\$56,118,105		\$56,118,105	\$53,354,210	\$50,934,335	\$48,514,226
REVENUES (Q-25) TRANSFERS, AND OTHER ADJUSTMENTS								
125600 REGULATORY FEES (.25¢ OIL SPILL RESPONSE TRUST FEE)	\$0	\$0				\$0	\$0	\$0
131000 FISH AND GAME VIOLATION FINES	\$0	\$0				\$0	\$0	\$0
150300 INCOME FROM SURPLUS MONEY INVESTMENTS	\$2,088,363	\$1,264,780	\$213,083	43%	\$494,853	\$460,219	\$438,860	\$416,784
161900 COST RECOVERIES	\$1,603,058	\$739,384	\$427,139	75%	\$569,519	970,654	759,852	766,675
832000 TRANSFER OIL SPILL PREVENTION & ADMIN. FUND								
REVENUES AND TRANSFERS	\$3,691,421	\$2,004,164	\$640,222	60%	\$1,064,372	\$1,430,873	\$1,198,713	\$1,183,459
TOTAL REVENUE	\$60,329,225	\$58,914,053	\$56,758,327		\$57,182,477	\$54,785,083	\$52,133,047	\$49,697,685
	ACTUAL	ACTUAL	ACTUAL		EXP. BASED	CONTINUOUS	CONTINUOUS	CONTINUOUS
	EXPENDITURES	EXPENDITURES	EXPENDITURES		ON ACTUAL \$	APPROPRIATION	APPROPRIATION	APPROPRIATION
EXPENDITURES (B06 REPORT) AND APPROPRIATIONS								
3600-001 DEPARTMENT OF FISH AND GAME	\$2,546,528	\$1,177,449	\$1,218,845	67%	\$1,828,267	\$1,850,748	\$1,618,821	\$1,765,946
6440-001 UNIVERSITY OF CALIFORNIA, DAVIS (OWCN)	\$1,300,000	\$1,500,000	\$2,000,000	100%	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL EXPENDITURES	\$3,846,528	\$2,677,449	\$3,218,845	84.1%	\$3,828,267	\$3,850,748	\$3,618,821	\$3,765,947
FUND BALANCE	\$56,482,697	\$56,236,605	\$53,539,482		\$53,354,210	\$50,934,335	\$48,514,226	\$45,931,739

SMIF IS THROUGH QUARTER TWO
 SCO'S SMIF YTD AMT. (SCO FUND RECONCILIATION) \$55,821,000
 SMIF PROJ. BASED ON ABOVE AMOUNT AND SMIF AVG. 0.887%

SMIF RATES	
03/31/09	0.551%
06/30/09	1.512%
09/30/09	0.889%
12/31/09	0.594%
AVERAGE	0.887%

1ST 6 MOS. REVENUE PROJECTIONS ARE BASED ON 3 YR AVG.
 2ND 6 MOS. REVENUE PROJECTIONS ARE BASED ON ACTUALS

(Ending Reserves Compared to Cap Amount)		102.9%	102.5%	97.6%		97.2%	92.8%	88.4%	83.7%
Maximum Amount Allowed in Fund 321(Cap)	High 100%	54,875,000	54,875,000	54,875,000		54,875,000	54,875,000	54,875,000	54,875,000
Current Fund Balance (Reserve Amount)		56,482,697	56,236,605	53,539,482		53,354,210	50,934,335	48,514,226	45,931,739
Minimum Amount Allowed (95% of Cap) (Ch 119C)	Low 95%	52,131,250	52,131,250	52,131,250		52,131,250	52,131,250	52,131,250	52,131,250
Transfer to OSPAF if ending reserve is more than maximum amount		Yes	Yes	No		No	No	No	No
Reinstitute fee if ending reserve is less than 95% of capped amount		No	No	No		No	Yes	Yes	Yes

5/25/10 1:57 PM



Air Resources Board



Linda S. Adams
Secretary for
Environmental Protection

Mary D. Nichols, Chairman
1001 I Street • P.O. Box 2815
Sacramento, California 95812 • www.arb.ca.gov

Arnold Schwarzenegger
Governor

December 29, 2009

Mr. Stephen Edinger, Administrator
Office of Spill Prevention and Response
California Department of Fish and Game
1700 K Street, Suite 250
Sacramento, California 95811

Dear Mr. Edinger:

This letter is in response to your recent memorandum in which you forwarded a letter from the San Francisco Harbor Safety Committee (SF-HSC). The letter from the SF-HSC presented a resolution passed by the SF-HSC in support of suspending the issuance of financial penalties under the California Ocean-Going Vessel (OGV) Clean Fuel Rule for one year. The resolution was the result of a request made to the SF-HSC by two trade associations, the Pacific Merchant Shipping Association, and the Western States Petroleum Association. It is my pleasure to respond.

Air Resources Board (ARB) staff shares your concerns about any vessel incidents that may be related to fuel switching and we value the opportunity to work with the Department of Fish and Game, Office of Spill Prevention and Response (OSPR) and the SF-HSC in their efforts to facilitate communication and ensure safe vessel transit in the San Francisco Bay. However, we believe that it is ill-advised to suspend enforcement of the regulation in this early phase of implementation as that would result in many vessel operators choosing not to use the cleaner fuel. To date, the vast majority of vessel visits to California ports since the OGV Clean Fuel Rule began implementation in July of this year have been without incident and it is a relatively small percentage of vessels that have had operational issues. More importantly, in each case, any problems were safely addressed using existing vessel management practices and procedures.

The public health benefits from the OGV Clean Fuel Rule are substantial, and the emission reductions achieved from this regulation are a critical component of California's strategy to protect public health and improve air quality in California. This regulation results in dramatic reductions in pollution from ocean-going vessels, including an estimated 83 percent reduction of particulate matter emissions and an estimated

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

Mr. Stephen Edinger, Administrator
December 29, 2009
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96 percent reduction in sulfur dioxide. The benefits include improvements to local, regional, and statewide air quality and an estimated 80 percent reduction in the statewide cancer risk due to ocean-going vessel emissions. Between 2009 and 2015, the regulation will also result in an estimated 3,600 fewer premature deaths statewide due to reduced public exposure to particulate matter. It is important that we all work together during this initial phase of implementation to preserve these benefits and, at the same time, develop best practices for vessel operations that will reduce the number of vessel incidents in the San Francisco Bay.

The practices that are already in place, in large part due to the work of OSPR, SF-HSC and the United States Coast Guard (USCG), have played an important role in safe vessel travel within the San Francisco Bay region. Practices such as vessel pilotage, tug escorts, USCG incident tracking and investigation, and Captain of the Port (COPT) screening have helped manage the risks associated with commercial shipping, both those that are related to shipping, in general, and those that are possibly related to the OGV Clean Fuel Rule. Additionally, the OGV Clean Fuel Rule has a safety exemption that can be used, with no fines or penalties, in situations where a vessel has a specific safety concern.

In addition to the above activities, a number of cooperative efforts are currently underway to address fuel switching issues including:

- ARB staff and USCG District 11 staff have worked to improve communication between the two agencies and to identify steps that can be taken to help reduce the number of loss of propulsion incidents and to safely manage any vessel operational issues.
- The USCG Captain of the Port, Sector San Francisco, issued a new guideline for vessels experiencing engine performance issues or with a history of repeated propulsion losses. For those vessels, the Captain of the Port will require vessels to have assist tugs until they demonstrate that the performance issues have been fully resolved.
- ARB has initiated a program with the California Maritime Academy (CMA) to further investigate the engine performance issues and propulsion losses identified in the USCG casualty reports and in information provided by pilots and the shipping industry. Under this program, CMA will identify root causes of reported operational issues, identify strategies that have been used to address operational issues and prepare a technical report that summarizes findings and provides recommendations. This work is currently underway and is projected to be completed in the first quarter of 2010.

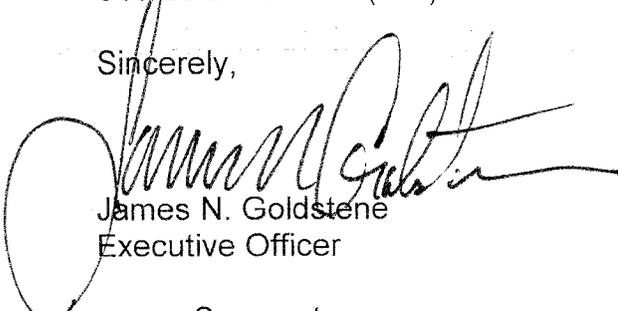
Mr. Stephen Edinger, Administrator
December 29, 2009
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- ARB staff will facilitate further technical evaluation by industry experts, engine manufacturers and other stakeholders via a Maritime Technical Working Group meeting tentatively scheduled for February, 2010.
- A number of organizations and maritime industry members, including OSPR, SF-HSC, USCG, and ARB, are coordinating efforts to fully address operational issues and provide findings to the maritime community through public meetings and forums such as your recent Harbor Safety Committee Summit on November 3, 2009.

In closing, we believe that the best approach is a cooperative effort by all those involved to address any operational issues that have surfaced during rule implementation while maintaining the public health benefits from the OGV Clean Fuel Regulation. This approach will provide the opportunity to continue to gain essential operational experience, gather information to further assist in implementation, and quickly communicate the findings to the shipping industry. Looking ahead, this operational experience will be indispensable to the SF-HSC and the shipping industry as a whole as we move toward implementation of the anticipated United States and Canadian Emission Control Area pursuant to the International Maritime Organization MARPOL Annex VI.

We look forward to working closely with you and your staff on these issues. If you have any questions or comments, please contact Mr. Robert Fletcher, Chief, Stationary Source Division at (916) 324-8167 or by email at rfletche@arb.ca.gov.

Sincerely,



James N. Goldstone
Executive Officer

cc: See next page.

Mr. Stephen Edinger, Administrator
December 29, 2009
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cc: Ms. Joan Lundstrom, Chair
Harbor Safety Committee
of the San Francisco Bay Region
505 Beach Street, Suite 325
San Francisco, California 94133

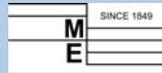
Captain John Strong, Chair
Los Angeles-Long Beach
Harbor Safety Committee
1259 Pier F Avenue
P.O. Box 32248
Long Beach, California 90832

Captain Patrick J. Maguire
Chief, Prevention Division
United States Coast Guard
Coast Guard Island, Building 50-2
Alameda, CA 94501

Mr. Robert Fletcher, Chief
Stationary Source Division

The Vessel "Safe Transit" Program

Purpose: The "Safe Transit" Program is an initiative designed to lower the risk of propulsion and steering casualties occurring in large vessels transiting the waters of San Francisco Bay. The program consists primarily of two components: 1) a voluntary standard of care that will highlight the importance of proper maintenance and precautionary testing for shipboard control systems, 2) an increased effort to provide oversight by various agencies. The standard of care draws from elements of existing safety management programs, regulatory requirements and locally generated measures to establish good marine practice for preventing propulsion and steering casualties. The sponsors intend to reduce the number of main propulsion and steering casualties, thereby improving safety and vessel protection in San Francisco Bay.



Sponsored by:

- Marine Exchange of San Francisco Bay Region
- Harbor Safety Committee of San Francisco Bay Region
- U.S. Coast Guard, MSO San Francisco
- Department of Fish and Game,
Office of Spill Prevention and Response

Alternate communication format is available upon request. If reasonable accommodation is needed, call OSPR at (916) 445-9338 or the California Relay (Telephone) Service for the deaf or hearing-impaired from TDD phone at 1-800-735-2929.

This pamphlet published by a grant from the Dept. of Fish & Game's Office of Spill Prevention & Response
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4. Resources

a. *Document References*

- i. "Guide for Preventing Engine and Steering Failures", MSO/ISP/VBB/FORM2, U.S.C.G. MSO & San Francisco Bay Area Classification Societies, Alameda [March 1998]
- ii. 33 CFR 164 & 46 CFR 4.05-5

b. *Contacts*

- i. **U.S.C.G. MSO San Francisco**
Bldg. 14 Coast Guard Island
Alameda, Ca 94501
24 hr 510 437-3073
Fax 510 437-3072
Web www.uscg.mil/d11/msosf/
 - ii. **Department of Fish and Game,
Office of Spill Prevention and Response**
1700 K Street, Suite 250
P.O. Box 944209
Sacramento, Ca 94244-2090
24 hr Dispatch 916 445-0045
Spill Report OES 800 852-7550
email: rhughes@Ospr.dfg.ca.gov
 - iii. **Marine Exchange, San Francisco Bay Region**
Fort Mason Center, Building "B", Suite 325
San Francisco, Ca 94123-1380
24 hr 415 441-7988
Fax 415 441-3080
email: info@sfmtx.org
Web: www.sfmtx.org
 - iv. **Harbor Safety Committee**
Meetings on the 2nd Thursday of each month.
All communications can be directed toward the Marine Exchange of San Francisco Bay.
- ### c. *Sources for Additional Pamphlets*
- i. **Marine Exchange, San Francisco Bay Region**
 - ii. **USCG, MSO San Francisco**

c. Efforts to Increase Surveillance, Oversight & Enforcement

The goal of this program is to establish a standard of care that represents good marine practice. As such, it is our desire that the marine industry will voluntarily adopt the recommendations within their safety management systems and hold themselves accountable for responsible implementation. We recognize, however, that economic pressures often provide powerful incentives for some operators to put off needed preventative maintenance and neglect their safety management systems. As a counter balance, the Coast Guard proposes to implement an initiative that will focus increased attention and oversight (by regulatory bodies) on the maritime communities efforts to implement the core elements of this standard of care. Oversight actions should assist maritime companies in determining where shortfalls exist in their safety management systems. Oversight efforts may take the form of enforcement action where necessary when shipboard conditions do not meet required minimum safety standards set by US and International laws and regulations.

Vessel boarding crews will conduct material inspections of involved systems and record checks for maintenance/testing procedures on vessels during annual port state control exams, US vessel inspections, and during investigations of loss of propulsion and steering casualties. The purpose of these boardings will be to assess the vessel's adherence to the recommendations contained within the standard of care, and to ensure compliance with the minimum requirements of related laws and regulations. Boarding teams will typically consist of Coast Guard personnel, but may also include personnel from classification societies, state agencies, etc.

USCG investigative boardings, in response to a loss of propulsion or a steering casualty, will determine the cause of the failure, ensure the system is returned to working order, and assess the related Safety Management System. The results of USCG inspection and casualty investigation reports are public information. This information provides the general public with important safety information which can aid them in making decisions regarding the carriers they may charter to carry cargo into the San Francisco Bay area. Public access to such records provides a direct economic incentive for carriers to increase their conscious efforts to implement their safety management systems and prevent shipboard system casualties.

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1. Required Tests & Drills Under U.S. & International Law

The following systems must be tested no more than 12 hours prior entering the navigable waterways of the United States and prior to getting underway:

Main engine machinery, ahead and astern, including telegraph.

- ☑ Primary and secondary steering gear, includes a visual inspection of the steering gear and its connecting linkage, and where applicable, operation of the following:
 - ✓ Each remote steering gear control system. Each steering position located on the navigating bridge.
 - ✓ The main steering gear from the alternative power supply, if installed.
 - ✓ Each rudder angle indicator in relation to the actual position of the rudder.
 - ✓ Each remote steering gear control system power failure alarm.
 - ✓ The full movement of the rudder to the required capabilities of the steering gear.
- ☑ All internal vessel control communications and vessel control alarms.
- ☑ Standby or emergency generator, for as long as necessary to show proper functioning, including steady state temperature and pressure readings.
- ☑ Storage batteries for emergency lighting and power systems in vessel control and propulsion machinery spaces.

The following steering drills must be completed within 48 hours of entering the navigable waters of the US or if conducted on a regular basis may be once every three months:

- ☑ Operation of the main steering gear from within the steering gear compartment.
- ☑ Operation of the means of communications between the navigating bridge and the steering compartment.
- ☑ Operation of the alternative power supply for the steering gear if the vessel is so equipped.

Has the vessel's owners/operators, Port State Control Authority (USCG) and the classification society been contacted about all known non-compliance with regulatory or classification requirement?

These steering tests and other tests required by 33 CFR 165.25 must be completed and properly recorded in the vessel's logbook



- Casualties relating to the exhaust/intake system included fouled turbo charge grids, inoperative exhaust valves, and faulty gaskets.
- Casualties relating to the fuel system included fuel injector failures, dirty fuel strainers, and leaking main engine fuel lines.

To the large extent, these types of casualties can be prevented by increased vigilance in shipboard maintenance programs. Most vessels (tankers and certain bulk carriers) currently have developed safety management systems, in compliance with the International Safety Management Code (ISM), that encompass the maintenance procedures for these systems. All remaining vessels must have similar management systems in place by February 2002. This standard of care attempts to draw upon the elements within these safety management systems, and highlights the areas that are important to preventing control casualties. The owners/operators of ships should take action to ensure that their safety management systems adequately address these items, and that their accepted maintenance procedures are in agreement with all associated manufacturer's recommendations. Similarly, owners/operators should step up their vigilance to ensure that their safety management systems are properly implemented, especially with respect to the items contained herein.

3. Background & Discussion

a. Background: Since the mid-1990's, the number of propulsion casualties experienced within the San Francisco Bay area has been on the rise. In the last four years, the number of propulsion casualties has steadily increased as follows: 21 in 1996; 28 in 1997; 39 in 1998; 35 in 1999; and 44 in 2000. A significant percentage of these casualties can be attributed to vessels with direct-drive diesel propulsion plants, and most have occurred during transition periods in a vessel's transit. These transition periods typically involve a reduction in speed where a stop or backing bell is ordered. For example; when picking up a pilot, the vessel has to reduce speed often below the vessel's slow ahead bell, which is typically accomplished by ordering a stop bell to further slow the vessel. Once the pilot is safely aboard, an ahead bell is reordered, which on occasion is unable to be answered. Most of these casualties can be attributed to improper maintenance of the involved shipboard systems. Additionally, it appears that the required precautionary testing of the propulsion and steering systems prior to entry into port may not be occurring.

b. Discussion: This document establishes recommendations for a voluntary standard of care designed to address two critical areas necessary for the prevention of propulsion and steering casualties: the maintenance and operational testing of important shipboard control systems. It also lays the groundwork for an initiative to increase oversight by regulatory agencies and other organizations responsible for ensuring maritime safety.

- Casualties relating to the start/control air system included clogged air filters, worn reversing disks, and inoperative start air valves.



2. Standard of Care Core Safety Components

The following maintenance/operational items should receive increased attention by owners and/or operators of ships bound for and operating in the San Francisco Bay:

a. Starting and Control Air Systems

1. Are air filters cleaned and replaced regularly, per manufacturer's guidelines? Are there adequate replacement filters onboard?
 2. Are there procedures to ensure the control system is maintained per manufacturer's guidelines?
 3. Are control air lines blown down regularly to remove moisture?
 4. Are starting and control air lines leak free?
 5. Are air tanks routinely inspected and cleaned?
 6. Are all air receivers fully charged and drained of water prior to arrival?
 7. Are air receivers kept charged during transit within the Bay?
 8. Are air compressors checked for proper operation?
 9. Are starting air system and components maintained and operated per manufacturer's guidelines?
 10. Are air dryers used in the control air systems?
 11. Are procedures in place to ensure maintenance on the starting or control air systems are *not conducted* while the vessel is operating in piloting waters?
-

b. Fuel Systems

1. Is the fuel piping leak free, properly secured and insulated as necessary?
2. Are fuel heating and/or viscosity control systems routinely checked for proper operation?
3. Are fuel system valves properly labeled and operable?
4. Are fuel separators/filters cleaned/changed at an adequate interval?
5. Are fuel filters and strainers cleaned regularly? Are adequate spare filters available onboard?
6. Are fuel change-over procedures consistent with the engine manufacturer's recommendations?
7. If necessary, is the fuel change-over completed prior to arriving at the sea buoy?

c. Steering Systems

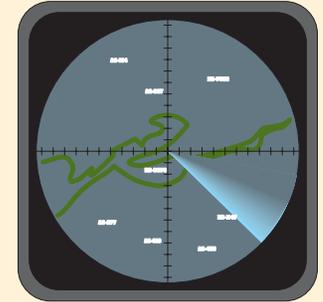
A scheduled maintenance/inspection program should be in place for the primary and secondary steering gear, including:

1. Are linkage and control arms secure, double nutted, cotter pinned or lock wired to prevent loosening and potential loss of steering control?
2. Are hoses, piping and fittings checked for signs of excessive wear or leaks?
3. Are fluid levels checked, and if low refilled according to manufacturer's specifications?
4. Are the necessary tools for configuring the emergency operation of the primary and secondary steering gear checked and available in the steering gear room?
5. Are the instructions for the proper operation of the steering gear posted in the pilot house and steering gear room in the language(s) that the responsible crew understand?
6. Is there a block diagram of the steering system posted in the pilot house and steering gear room?
7. Are all moving parts observed for signs of binding or excessive play?



d. Safety Management/Human Factors

1. Do shipboard procedures identify the crews duties and responsibilities for:
 - a. operating the engine system while navigating in piloting waters?
 - b. responding to engine emergencies, steering gear failures, and electrical system failures?
 - c. performing emergency anchor release?
2. Is the crew trained and regularly drilled in these procedures?
3. Do shipboard procedures address manning of unattended machinery spaces while maneuvering?
4. Is a senior licensed engineering officer in the engine control room while the vessel is in piloting waters?
5. Are all standby pumps (including cooling water, jacket water, lube oil, fuel oil, etc.) in working order and ready for immediate service when entering the Bay?
6. Are local/remote engine control stations examined for proper operation prior to entry in the Bay?
7. Are voice communications between the bridge and engine control station, emergency steering station, and anchor control stations adequate to handle emergencies?
8. Are up-to-date manufacturer's technical publications/reference materials onboard sufficient to perform routine preventative maintenance?
9. Is there sufficient equipment aboard the vessel to complete routine preventative maintenance and repair of high failure rate items?
10. Are oncoming pilots advised of all the items concerning the status of key navigation, propulsion and safety systems which could affect the safety of the proposed voyage?
11. Are oncoming watchstanders and joining crews adequately advised of all items concerning the status of key navigation, propulsion, and safety systems relevant to their respective positions?
12. Is care taken in the change out of a large portion of the ship's compliment to ensure an adequate transfer of information takes place?



Safe Transit Program

A Guide for Preventing
Engine and Steering Failures

Standard of Care for San Francisco Bay

USCG

Postage Here

To:



staple

2010 LEGISLATION OSPR IS TRACKING

AB 234 (Anderson)

This bill would require a transfer unit, (i.e., vessel or facility transferring oil), to provide at the point of transfer appropriate equipment and supplies for the containment and removal of oil spills in water adjacent to a transfer site. Specifically, the bill requires a transfer unit to pre-boom each oil transfer operation prior to the beginning the operation, for the duration of the entire transfer operation. The bill would also require the transfer unit to have, among other things, equipment compatible with a vessel traffic advisory control system, and a person on board the transfer unit capable of communicating in both English and the language of the vessel master.

AB 1518 (Anderson):

Numerous existing laws create various state boards, commissions, and committees. This bill would require that all statutorily created state boards, commissions, and committees that are inactive or obsolete be identified in a report to the Department of Finance.

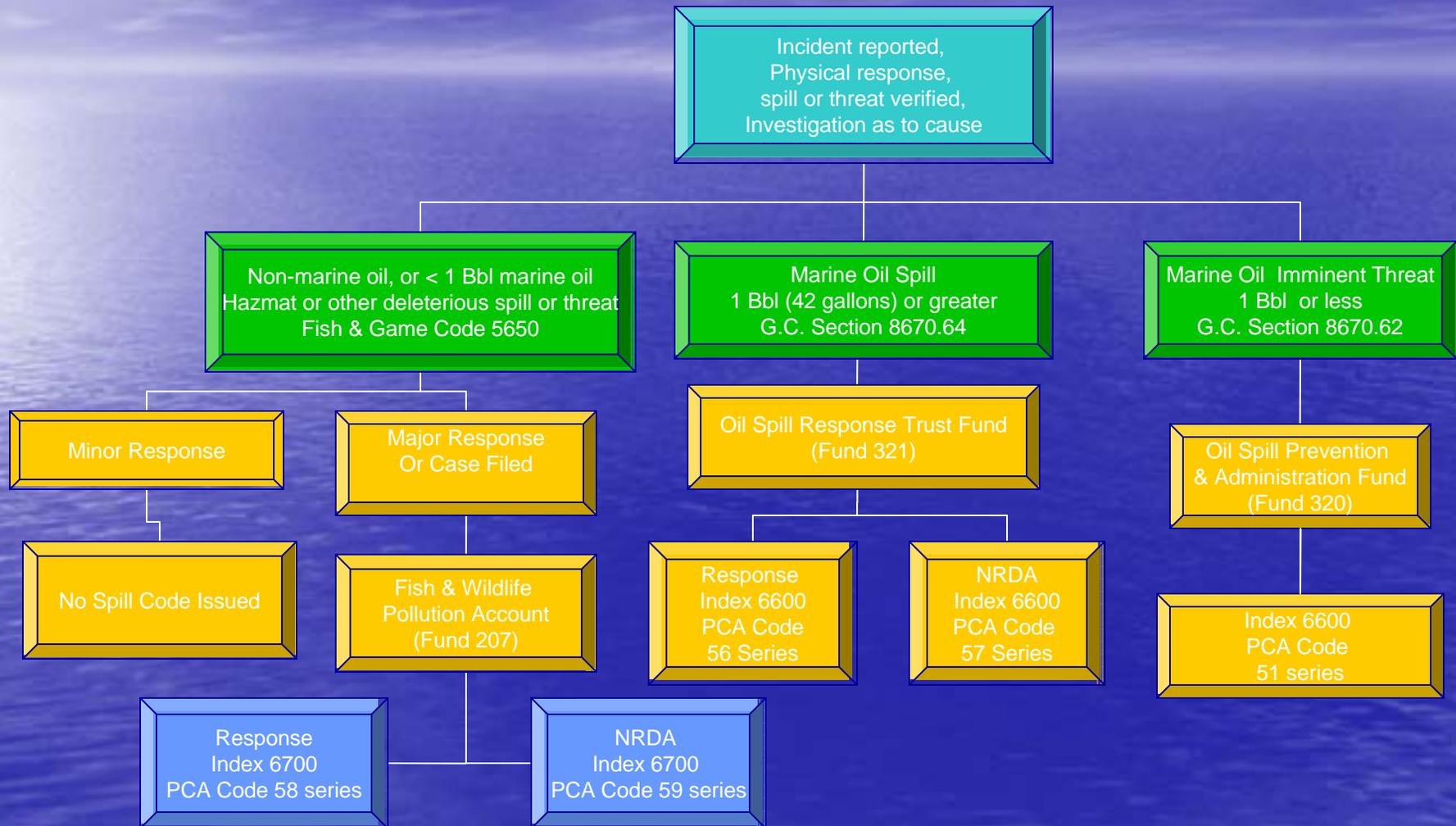
AB 1604 (Nava)

This bill would impose a tax on and after January 1, 2011, upon any producer for the privilege of severing oil from the earth or water in this state for sale, transport, consumption, storage, profit, or use, as provided, at the rate of 10% of the gross value of each barrel of oil severed. The tax would be administered by the Department of Conservation and would be collected pursuant to the procedures set forth in the Fee Collection Procedures Law. The bill would require the department to deposit all revenues collected pursuant to these provisions into the General Fund.

Incident Cost Recovery



SPILL PCA CODE GUIDELINES



WHO PAYS?

1. Responsible Party



2. Federal Fund

3. DFG Funds



Cost Documentation

Spills are costly.....

Statute requires that DFG recover it's costs from Responsible Parties and/or Federal Funds if available.

Keeping an accurate record of all expenditures is necessary for optimal cost recovery.





DEPARTMENT OF FISH AND GAME
OFFICE OF SPILL PREVENTION AND RESPONSE (OSPR)
INCIDENT BILLING



01-XXX-01

Billing Period: 01/00 through 06/01

Incident Name: SAMPLE POLLUTION INCIDENT
Incident Date: 01/01/01
PCA/Index: H1XXX/N400
Reimbursement PCA: T1102
Date Prepared: 07/18/01

Responsible Party: R.P. Polluter
1234 Sand Way
Sacramento, CA 95814-

**SUMMARY OF COSTS INCURRED IN THE RESPONSE, CONTAINMENT AND CLEAN UP
OF THE ABOVE INCIDENT:**

Personnel Costs	\$1,691.14
Travel Expenses	\$7.50
Operating Expenses	\$164.62
DFG-Owned Vehicle Usage Cost	\$107.78
DFG-Owned Water Pollution Control Lab	\$475.00
DFG-Owned Facilities, Equipment, and Supplies	\$0.00
Administration Costs	\$115.50
TOTAL	\$2,561.54

This bill is an "information only" copy. It has not been submitted to the Responsible Party for payment. Questions, call Becky Mack at (916) 327-9407.

Payment for these costs shall be separate from any fines or penalties.
IMPORTANT: Please make remittance payable to: Fish and Wildlife Pollution Account/DFG
P.O. Box 944209
Sacramento, CA 94244-2090
Attention Becky Mack

Incident Name: SAMPLE POLLUTION INCIDENT
Incident Date: 01/01/01
PCA/Index: H1XXX/N400
Reimbursement PCA: T1102
Date Prepared: 07/18/01

Responsible Party: R.P. Polluter
 1234 Sand Way
 Sacramento, CA 95814-

Cost Summary or Invoice #: 01-XXX-01

SUMMARY OF COSTS INCURRED IN THE RESPONSE, CONTAINMENT AND CLEAN UP OF THE ABOVE INCIDENT:

Personnel Costs						
Name	Classification	Pay Period	Hours	Hourly Cost	Amount	
FOX, M.	F&G PATROL LIEUTENANT	01/01	16.00	\$43.18	\$690.88	
GALE, R.	FISH AND GAME WARDEN	01/01	7.00	\$38.11	\$266.77	
PRESLEY, J.	OIL SPILL PREVENTION SPECIALIST	01/01	11.00	\$45.84	\$504.24	
WILLS, K.	ENVIRONMENTAL SPECIALIST III	01/01	5.00	\$45.85	\$229.25	
Total:					\$1,691.14	

Travel Expenses						
Employee Name	Travel Period	Per Diem	Airline	Rental Car	Amount	
Presley, J.	01/2001	\$7.50	\$0.00	\$0.00	\$7.50	
Total:					\$7.50	

Operating Expenses					
Description	Vendor	Purchase # or Invoice #	Amount		
Hazmat Shipper			\$25.00		
Pollution Action Kit			\$110.00		
Photography	Ryan's Camera	15864	\$19.87		
Postage	UPS	5620157	\$9.75		
Total:					\$164.62

DFG-Owned Vehicle Usage Costs						
Vehicle ID #	Vehicle Type	Usage Period	Mileage Used	Rate/Basis Per Mile	Amount	
E891301	4 WD & Special Vehicles	01/01	58	\$0.46	\$26.68	
E891364	4 WD & Special Vehicles	01/01	85	\$0.46	\$39.10	
E891428	Pickup Truck	01/01	120	\$0.35	\$42.00	
Total:					\$107.78	

DFG-Owned Water Pollution Control Lab					
Lab Analysis #	# Samples	Rate/Basis Per Unit	Amount		
L-000-XXX	1	\$475.00	\$475.00		
Total:					\$475.00

Statute of Limitations

- Federal Fund (OSLTF)
 - PRFA: 90 Days to submit pre-approved costs for full reimbursement
 - NPFC Claim: 6 years to submit
- Responsible Party
 - 3 years to submit billing
- Criminal
 - 1 year to file a case if a misdemeanor
 - 3 years if a felony
- Civil
 - 5 years to file a case

Uncollectible Cases

- No Responsible Party identified
- Lab results don't confirm spilled substance to be a petroleum product
- Source of product determined to be a "natural seep"
- Responsible Party funds not available aka an "Orphan Spill"
- Undocumented coordination with USCG will result in reduced claim reimbursement



The Wait Game.....

- Reimbursement takes time
 - RP's refusal to pay in a timely fashion may lead to:
 - Litigation
 - Payment Plan
 - NPFC Claim

Case Examples..

- **Luckenbach Response**

Incident Date: 11/23/2001

\$3,268,702.22 paid by Feds

\$71,768.00 denied & Case Closed 6/30/2005

Ongoing NRD Case

- **Kure Response**

Incident Date: 11/05/1997

\$377,454.07 Collected & Case Closed 5/08/2006

Ongoing NRD Case

- **Ventura Oiled Birds (Natural Seep Event...)**

Incident Date: 1/12/2005

\$1,324,293.53 costs incurred

OES/FEMA paid \$37,351.00 11/2005 & Retracted payment 2007.

Any Questions ?





The End.....