



Spill Prevention, Preparedness, & Response Program

Program Plan

2007-09 Biennium

Revised: January 1, 2008

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ACRONYMS

ATBA	=	Areas to be Avoided
BAP	=	Best Achievable Protection
BC	=	British Columbia
CPF	=	Coastal Protection Fund
DIS	=	State Department of Information Services
DRILLTRAC	=	Drill Training and Competency Program
ECOPRO	=	Exceptional Compliance Program
EPA	=	US Environmental Protection Agency
EIS	=	Environmental Impact Statement
EPIC	=	Employee Plus Information Computer System
ERTS	=	Environmental Response Tracking System
FTE	=	Full Time Equivalent
GRP	=	Geographic Response Plan
HAZMAT	=	Hazardous Material
ICS	=	Incident Command System
IMAT	=	Incident Management Assist Team
JIC	=	Joint Information Center
LEPC	=	Local Emergency Planning Committee
MIS	=	Marine Information System
MOA	=	Memorandum of Agreement
NRDA	=	Natural Resource Damage Assessment
NWAC	=	Northwest Area Committee
NWACP	=	Northwest Area Contingency Plan
OFM	=	State Office of Financial Management
PPE	=	Personal Protective Equipment
PRC	=	Primary Response Contractor
PREP	=	Preparedness for Response Exercise Program
PSWQAT	=	Puget Sound Water Quality Action Team
QA	=	Quality Assurance
RRT	=	Regional Response Team
SAFETRAC	=	Safety Training and Competency Program
SERC	=	State Emergency Response Council
SMART	=	Special Monitoring of Applied Resource Technologies
SOP	=	Standard Operating Procedure
USCG	=	U.S. Coast Guard
UTC	=	State Utilities and Transportation Commission
VEAT	=	Vessel Entries and Transits
WAC	=	Washington Administrative Code
WMD	=	Weapons of Mass Destruction

Spill Prevention, Preparedness, and Response (Spills) Program

I. Program Mission

The Spills Program's **mission** is to protect Washington's environment, public health, and safety through a comprehensive spill prevention, preparedness, and response program. The Spill Program's **vision** is to prevent, prepare for and respond aggressively to oil spills; to be our best for the State of Washington. Our goal is "**zero spills**".

II. Strategic Plan

Attached to this program plan is the Spill Program's strategic plan consisting of strategic initiatives and issues. These were developed to position the program for success in succeeding biennia, with the intention of beginning to anticipate program needs up to the year 2020. As used in this context, a *strategic initiative* requires the efforts of current staff to initiate the drive for the new authority, funding and staffing needed to implement the initiatives. A *strategic issue*, on the other hand, consists of monitoring a potentially challenging topic that may be able to be addressed within existing funding and staffing.

Appendix A to this plan lays out the new, FY 07-09 strategic initiatives and issues. These are designed to place the Spills Program in a far-sighted and equipped position to carry out its evolving mission in FY 09-11 and beyond.

Appendix B to this plan revisits the Spills Program's FY 05-07 strategic initiatives and issues and provides, in italics, a brief statement of the status of each at the beginning of the FY 07-09 biennium.

This plan also supports two of the agency level priorities: "Reducing Toxic Threats" and "Protect and Restore Puget Sound."

III. Program Goals

1. **Prevent** oil spills from vessels and oil handling facilities.
2. **Prepare** for oil spill response through planning and drills.
3. **Respond** to and clean up oil and hazardous material spills.
4. **Restore** environmental damage caused by oil spills.
5. **Improve** external communication and service delivery.

IV. Program Objectives

Prevent Pollution

- Conduct vessel and facility Inspections.
- Implement an Oil Transfer Rule, including the development of rule guidance.
- Hire and train inspectors.
- Conduct oil transfer monitoring.
- Manage the Standby Emergency Response Tug at Neah Bay.
- Promote Best Achievable Protection (BAP) for facilities and vessels.
- Investigate the causes of spills.
- Eliminate intentional waste oil discharges from vessels.

Prepare to Respond to Pollution

- Enhance the region's spill response capability and maintain the Northwest Area Plan.
- Implement an updated Oil Spill Contingency Plan Rule.
- Approve oil spill contingency plans and certify response contractors.
- Evaluate spill plans using drills and incorporate "lessons learned."
- Improve spill response management with Driller.
- Update Geographic Response Plans.
- Implement response equipment caching.

Respond to and Clean Up Pollution

- Rapidly respond to and clean up oil and hazardous material spills, 24 hours/day from 6 regional/field offices.
- Build response capability at the local level.
- Clean up methamphetamine drug labs.
- Develop remote sensing and tracking capability.

Restore Environmental Damage

- Implement the state's Natural Resource Damage Assessment (NRDA) Program.
- Update the NRDA rule.
- Use the Coastal Protection Account to fund environmental projects.

Improve External Communication and Service Delivery

- Enhance partnerships with all stakeholders.
- Further program goals through education and outreach.
- Develop electronic tools for daily monitoring of program effectiveness.
- Work with the Oil Spill Advisory Committee (OSAC) to support their efforts.

V. Performance Measures

Activity: Prevent Oil Spills from Vessels and Oil Handling Facilities		
Performance Measures	Targets 07-09 (quarterly)	Comments
Number of oil spills that enter surface waters (25 -10K gallons)	0	Legislative goal of zero-spills.
Total volume of oil that enter surface waters (25 -10K gallons)	0	Legislative goal of zero-spills.
Percent of large regulated vessels entering state waters that have spills and casualties	.90%	Casualties include collision, grounding, loss of propulsion or steering, or occurrences affecting a vessel's seaworthiness. Baseline is FY04-05 average. Estimates are based on a 5% reduction annually.
Numbers of spills during oil transfers	0	New measure- Legislative goal of zero-spills. This measure will capture the work outlined in the new oil transfer rule adopted in 2006.
Volume of spills during oil transfers	0	New measure- Legislative goal of zero-spills. This measure will capture the work outlined in the new oil transfer rule adopted in 2006.
Number of inspections of oil transfer operations	598	New measure- This is a measure based on the oil transfer rule implementation. This number is based on the average number of transfers reported from the Advance Notification of Transfer System (ANT) each quarter and the number of inspectors dedicated to oil transfer inspections. The target is 10% of all transfers.
Activity: Prepare for Aggressive Response to Oil and Hazardous Material Incidents		
Performance Measures	Targets 07-09 (quarterly)	Comments
Percent of response equipment inspected, tested and/or verified.	4%	New measure- This is a 6-year goal to have 100% of all spill response equipment tested or verified. Testing and verification will be conducted through drills, deployment exercises and spill response. The work will be based on priorities starting with major skimming systems, untested Geographic Response Plans (GRPs) and pre-booming.

Activity: Rapidly Respond to and Clean Up Oil and Hazardous Material Spills		
Performance Measures	Targets 07-09 (quarterly)	Comments
Average effective response time for spills over 25 gallons	0	New measure- The time will start from initial report to Ecology to effective response actions taken such as notification, coordination, containment, and/or on-scene deployment. This is a new measure. More accurate reporting will be available in one year.
Activity: Restore Public Natural Resources Damaged by Oil Spills		
Performance Measures	Targets 07-09 (quarterly)	Comments
Amount of dollars recovered from oil spill damages	0	New measure- This measure is based on spills that occur each year. The target is set at zero to be consistent with the goal of zero spills.
Amount of dollars leveraged to use for restoration and conservation	0	New measure- This measure is based on spills that occur each year. The target is set at zero to be consistent with the goal of zero spills.

VI. Communications Strategy

The following issues will need to be addressed during the 2007-09 Biennium. Other issues that may arise include state and federal legislation, major penalties and NRDA settlements, and new rulemaking.

<i>Issue/Activity</i>	<i>Message</i>	<i>Audiences</i>	<i>Deliver Via</i>
Big Spills	<ul style="list-style-type: none"> • Ecology is aggressively responding • What happened • What we're doing • Accurately portray the risk posed by the incident • Limitations on what can be done 	<ul style="list-style-type: none"> • General public • Local governments • Emergency response agencies • Environmental groups • Tribal governments • Legislators 	<ul style="list-style-type: none"> • JIC news releases • Website • Follow-up stories in newsletter and annual report • Media Briefings
Big Vessel Incidents	<ul style="list-style-type: none"> • What happened • We are investigating • Resources at risk • Focus on reducing human error 	<ul style="list-style-type: none"> • General public • Local governments • Tribal governments • Legislators • Environmental groups • Marine industry 	<ul style="list-style-type: none"> • Prevention Bulletins • Safety Advisory Bulletins • News releases • Website • Newsletter • Annual report
Big Enforcement Actions	<ul style="list-style-type: none"> • Polluters pay • Penalty deserved because ... • We protect the environment 	<ul style="list-style-type: none"> • General public • Legislators • Marine industry • Oil industry 	<ul style="list-style-type: none"> • News releases • Newsletter • Website • Annual report
Rescue Tug	<ul style="list-style-type: none"> • Tug is valuable to protect resources and human life • Need for permanent funding • State has role to play in prevention 	<ul style="list-style-type: none"> • General public • Government – all levels • Marine industry • Legislators • Environmental groups 	<ul style="list-style-type: none"> • Rescue tug reports • Newsletter • Legislative testimony • States/BC Annual Report • Website • News releases
Updated Contingency Plans	<ul style="list-style-type: none"> • Now includes fuel trucks fueling vessels • Existing plans due for 5-year update. • Website has how-to manual • Drill manual coming to web. 	<ul style="list-style-type: none"> • General public • Oil industry • Marine industry • Environmental groups • Government – all levels 	<ul style="list-style-type: none"> • Direct mail • Website • Direct contact • Presentations • Newsletter
Oil Transfer Rule Implementation	<ul style="list-style-type: none"> • In depth transfer inspections. • Now includes fuel trucks fueling vessels • Pre-booming becoming standard 	<ul style="list-style-type: none"> • General public • Oil industry • Marine industry • Environmental groups • Government – all levels 	<ul style="list-style-type: none"> • Direct mail • Website • Direct contact • Presentations • Newsletter

VII. Quality Assurance

Spills Program Quality Assurance (QA) policies and procedures primarily address two types of program activities: sampling during an oil or hazardous material release, and data collection and analysis. The program is fully committed to ensuring the highest possible quality in these activities.

Oil and hazardous material releases are emergencies with the potential to damage the environment and threaten public health and safety. Advance planning for taking samples during the emergency phase of an incident is necessarily limited. However, the program has developed sampling protocols in cooperation with the U.S. Coast Guard, state and federal natural resource trustees, consultants, and NRDA representatives from major oil companies that operate in Washington.

These sampling protocols include policies and procedures designed to ensure the quality of the samples taken, and chain of custody procedures for samples from collection through lab analysis. The Natural Resources Unit staff is responsible for establishing and implementing sampling protocols for the program and serves as the program's QA Coordinator.

The Spills Program is also developing Ephemeral Data Collection Plans (EDCPs) for all major facilities in the Puget Sound area that handle oil. EDCPs identify sites where samples could be collected in the event of an oil spill from the facility. The plans also include the sampling protocols as described above to guide whoever implements the plans. The EDCPs are similar to Quality Assurance Project Plans, but are designed to be used by whoever is available when an oil spill occurs.

Data validation and verification are crucial to the program's decision-making on activity priorities, deployment of resources, and performance measurement. ERTS and MIS managers are responsible to develop and implement policies and procedures to ensure accuracy and reliability of all data entered into those databases.

VIII. Workload Distribution

The Spills Program has developed a matrix to display the distribution of its staff. The number of staff "full-time equivalents" (FTEs) are shown according to the "activity" to which they are assigned, as well as according to the organizational unit, called a "section" in which they are supervised. The activities are shown down the left side of the matrix. The supervising sections are shown across the top of the matrix. The terminology used in each is similar, but not identical.

Workload Distribution Summary

ACTIVITY		STAFF ALLOCATION BY SECTION					Sub. Tot.
		Prevention	Prep	Response	Nat. Res.	Mgt.	
I.	Prevention Activities						
I.1	Vessel Inspections/Enforcement	5.50					5.50
I.2	Tank Vessel Prevention	0.20				0.05	0.25
I.3	Geographic Risk Management Plans	0.20				0.10	0.30
I.4	Database Maintenance/Improvements	0.55					0.55
I.5	Vessel Non-Oil Pollution	0.10					0.10
I.6	Litigation Support	0.05					0.05
I.7	Facility Ops Manual	0.60					0.60
I.8	Facility Insp., Trng & Cert.	0.60					0.60
I.9	Facility Prevention Plans	0.20					0.20
I.10	Oil Transfer Guidance and Plans	0.65				1.00	1.65
I.11	Oil Transfer Inspections	5.40	0.05				5.45
I.12	Safe and Effective Reports	0.25					0.25
I.13	Equivalent Compliance Plans	0.20					0.20
Sub Total		14.50	0.05			1.15	15.70
II.	Preparedness Activities						0.00
II.1	Update Contingency Plans		3.65				3.65
II.2	Drills & DRILLTRAC		3.85	1.70	0.05	0.10	5.70
II.3	Primary Response Contractor Approval		0.60				0.60
II.4	NWAC/NWACP/RRT		0.45	0.95			1.40
II.5	Geographic Response Plans		1.40	0.10	0.30		1.80
II.6	Incident Management Assist Team		0.90	0.40	0.10		1.40
II.7	Rule Making		0.55			0.05	0.60
Sub Total		0.00	11.40	3.15	0.45	0.15	15.15
III.	Response						0.00
III.1	Spill Response - Oil and Hazmat			10.50		0.05	10.55
III.2	Safety/Competence Training			2.10			2.10
III.3	Spill Response - Meth Labs			3.95			3.95
III.4	Response Technology			0.50			0.50
Sub Total		0.00		17.05		0.05	17.10
IV.	Natural Resources						0.00
IV.1	Major Resource Damage Assessments				0.25		0.25
IV.2	Compensation Schedule				0.50		0.50
IV.3	Major Restoration Projects				0.25		0.25
IV.4	Coastal Protection Projects				0.30		0.30
IV.5	NRDA Rule Update				0.15		0.15
Sub Total					1.45		1.45
V.	Cross Program Activities						0.00
V.1	Incident Investigations/Enforcement	2.95					2.95
V.2	Interagency Coordination	0.20	0.15			0.05	0.40
V.3	Pacific States/BC Oil Spill Task Force	0.10				0.15	0.25
V.4	Legislation	0.20	0.10			0.45	0.75
V.5	Intra-agency Teams	0.20					0.20
V.6	Oil Spill Advisory Council	0.15	.20	.10		.20	0.65
Sub Total		3.80	0.45	.10		0.85	5.20

ACTIVITY		STAFF ALLOCATION BY SECTION					Sub. Tot.
		Prevention	Prep	Response	Nat. Res.	Mgt.	
VI.	Media, Education and Technical Outreach						0.00
VI.1	Public Information/Media Relations	0.05				0.65	0.70
VI.2	Education and Technical Outreach	1.30	0.10	1.20		0.05	2.65
VI.3	Web Page	0.15	0.30				0.45
Sub Total		1.50	0.40	1.20		0.70	3.80
VII.	Support Activities						0.00
VII.1	Supervision	1.30	0.65	2.35		0.60	4.90
VII.2	Program & Budget Planning/Perf. Meas.	0.40	0.20	0.15	0.05	1.25	2.05
VII.3	Policy Development & SOPs	0.85	0.60	0.70	0.05	0.55	2.75
VII.4	Information Systems Agency Devel. and Coord.		0.20			0.65	0.85
VII.5	Information Systems Operation		0.10			0.35	0.45
VII.6	Administration	2.60	0.35	3.50		1.85	8.30
Sub Total		5.15	2.10	6.70	0.10	5.25	19.30
Total		24.95	14.40	28.20	2.00	8.15	77.70

Prevention Section Work Plan

Funded by the Oil Spill Prevention Fund

Note: The Prevention Section’s work plan is organized by activities. The number of FTEs shown for each activity is the same as shown in the “Workload Distribution Summary” on page 9. Please note Prevention Section staff is not assigned to every program activity, and the skipped activities do not appear in the work plan below.

I. Prevention Activities

- 1. Vessel Inspections/Enforcement (FTE: 5.50)**
 - Pursue joint training, seminars, and projects with Coast Guard and Pacific States/BC Oil Spill Task Force.
 - Screen cargo and passenger vessels 300 gross tons and larger to determine potential risk.
 - Conduct inspections of cargo, passenger, and fishing vessels 300 gross tons and larger to determine substantial risk. Fishing vessels and ferries are normally inspected every two years.
 - Conduct vessel oil spill contingency plan notification exercises during selected vessel inspections. Report exercise results to the Drill Coordinator.
 - Conduct investigations of illegal vessel oil dumping activities to identify and prosecute violators.
 - Review vessel safety reports and take appropriate action to mitigate the risk associated with the reported vessel deficiency.
 - Monitor vessel activities and coordinate vessel inspections with the U.S. Coast Guard.
 - Enter vessel inspection data and information in the MIS and maintain complete records for each vessel inspected.

- 2. Tank Vessel Prevention (FTE: 0.20)**
 - Review and approve tank vessel oil spill prevention plans for voluntary compliance with state Best Achievable Protection (BAP) standards and/or Exception Compliance Program (ECOPRO) standards.
 - Maintain tank vessel prevention plans and enter changes to ensure accountability and accuracy.

- 3. Geographic Risk Management Plans (FTE: 0.20)**
 - Coordinate implementation of North Puget Sound Risk Management Plan.
 - Prepare marine oil transportation risk data/criteria.
 - Implement long-term Risk Management Plan for the Columbia River.
 - Participate in additional scoping, designing, and completion of a study of the state tug escort requirements for tankers in Puget Sound.

- 4. Database Maintenance/Improvements (FTE: 0.55)**
- Track and enter vessel safety reports and events in Marine Information System (MIS.)
 - Monitor MIS data entry to ensure accuracy and consistency.
 - Provide Advance Notice of Transfer (ANT) and MIS data and information in response to internal requirements, such as performance measures and approved external public disclosure requests.
 - Coordinate development of a fully-integrated, web-based vessel database with the U.S. Coast Guard and other stakeholders.
 - Coordinate enhancements of ANT, ERTS and MIS, including oil transfer activities.
 - Develop and implement advance notice of transfers, phases one and two.
- 5. Vessel Non-Oil Pollution (FTE: 0.10)**
- Monitor information and government/private sector initiatives to prevent vessel pollution other than oil.
 - Coordinate on cruise ship issues, including implementation of the MOU.
- 6. Litigation Support (FTE: 0.05)**
- Provide maritime expertise and policy advice to the Attorney General’s Office.
- 7. Facility Operations Manuals (FTE: 0.60)**
- Review, approve, and maintain oil handling facility operations manuals for compliance with state standards (including the new mobile facility manuals).
- 8. Facility Inspections/Training Certifications (FTE: 0.60)**
- Conduct oil handling facility inspections to confirm compliance with design and operation standards, operations manual, and certified training programs.
- 9. Facility Prevention Plans (FTE: 0.20)**
- Determine standard for risk assessment in prevention plans.
 - Review, approve, and maintain oil handling facility oil spill prevention plans for completeness and compliance with BAP standards.
- 10. Oil Transfer Rule Guidance and Plans (FTE: 0.65)**
- Implement new Oil Transfer Rule.
 - Identify and locate newly regulated entities resulting from new Oil Transfer Rule.
 - Develop guidance and procedures to implement Oil Transfer Rule.

- 11. Oil Transfer Inspections (FTE: 5.40)**
- Conduct inspections and monitoring of vessels and facilities involved in transferring oil to confirm compliance with the new Oil Transfer Rule.
 - Continue to evolve the standard operating procedures for conducting oil transfer inspections and monitoring.
 - Develop policy and procedure for investigation and enforcement of violations of the oil transfer regulation.
 - Develop policy and procedure for consistent application of pre-booming requirements.
 - Continue training oil transfer inspectors and cross training with vessel inspectors.
 - Develop coordination and cooperation with US Coast Guard inspectors per the Ecology and Coast Guard protocols to the extent practicable.
- 12. Safe and Effective Threshold Determination Reports (FTE: 0.25)**
- Review and approve safe and effective reports to meet Oil Transfer Rule requirements.
- 13. Equivalent Compliance Plans (FTE: 0.20)**
- Review and approve equivalent compliance plans to meet Oil Transfer Rule requirements.

II. Preparedness Activities

Assistance as needed; information coordination; no specific time allocated.

III. Response Activities

Assistance as needed; information coordination; no specific time allocated.

IV. Natural Resources Activities

Assistance as needed; information coordination; no specific time allocated.

V. Cross Program Activities

- 1. Incident Investigation/Enforcement (FTE: 2.95)**
- Investigate vessel and facility incidents and spills to determine causes and contributing factors, and spill volume.
 - Develop prevention bulletins, safety advisory bulletins, and other educational/technical outreach materials based on investigation results and trends.
 - Conduct enforcement actions resulting from vessel and facility incident investigations.
 - Coordinate cross program enforcement activities.
 - Maintain enforcement database and produce quarterly reports for the Leadership Team.
 - Develop and maintain SOPs on enforcement process, including access and cost recovery coordination.

- 2. Interagency Coordination (FTE: 0.20)**
- Puget Sound Initiative
 - UTC
 - Washington State Board of Pilotage Commissioners
 - Olympic Coast National Marine Sanctuary and Northwest Straits Commission
 - U.S. Coast Guard 13th District, and Puget Sound and Portland Sector Offices
 - Coordinate and support development of comparable vessel spill prevention programs in Oregon and British Columbia (BC) to protect shared waters.
 - Update protocols with U.S. Coast Guard District 13.
 - Ports and Waterways Safety Committees
 - Washington Oil Spill Advisory Council
- 3. Pacific States/BC Oil Spill Task Force (FTE: 0.10)**
- Implement and maintain Task Force Spill and Incident Reporting Database.
 - POSPET (focus on marinas).
- 4. Legislation (FTE: 0.20)**
- State Legislature coordination and support.
 - Federal rulemaking review and comments.
- 5. Intra-agency Support (FTE: 0.20)**
- Communication and Education
 - Translation and Interpretation Review Team
 - Sustainability
 - Plain Talk
 - Safety
 - Engineering
 - Toxics Reduction Engineer Exchange
 - Enforcement Team
 - Environmental Justice Team
- 6. Oil Spill Advisory Council (FTE 0.15)**
- Coordination and management assistance

VI. Media, Education, and Technical Outreach Activities

- 1. Public Information and Media Relations (FTE: 0.05)**
- 2. Education and Technical Outreach (FTE: 1.30)**
- Vessel Entries And Transits (VEAT) 2003 & 2004
 - Technical Information Flyers
 - Compliance Guides/Videos
 - Oil Transfer Procedures Guides, Videos, Sample Documents
 - Sample Forms and Documents

3. Program Webpage (FTE: 0.15)

- Section support for maintenance and enhancement of Program Webpage.

VII. Support Activities

Supervision (FTE: 1.30)

- Maintain positive work environment.
- Blend Ecology Code of Conduct into everyday activities.
- Provide effective employee training and career development.
- Monitor employee leave and timekeeping.
- Monitor employee salaries and benefits.
- Complete accurate and timely annual employee evaluations.

Program and Budget Planning/Performance Measures (FTE: 0.40)

- Participate in program strategic planning and development of biennial budgets.
- Develop work plans and workforce management plans.
- Develop performance measures that are tied to strategic goals and objectives.
- Report performance measures to OFM and internal executive management.

Policy Development/Standard Operating Procedures (SOPs) (FTE: 0.85)

- Develop and maintain program SOPs consistent with agency guidance.
- Ensure coordination between sections, particularly between field and regional units.

4. Administration (FTE: 2.60)

Maintain and Improve:

- Clerical and secretarial support
- Office management
- Administrative support
- Visitor and caller reception
- Data entry
- Travel/Transportation
- Correspondence management
- Files management
- Supplies and equipment
- Time accounting
- Purchasing
- Public Disclosure
- EPIC coordination

Preparedness Section Work Plan

Funded by the Oil Spill Prevention Fund

Note: The Preparedness Section's work plan is organized by activities. The number of FTEs shown for each activity is the same as shown in the "Workload Distribution Summary" on page 9. Please note Preparedness Section staff is not assigned to every program activity, and the skipped activities do not appear in the work plan below.

I. Prevention Activities

1. **Oil Transfer Inspections** (FTE: 0.05)

II. Preparedness Activities

1. **Update Contingency Planning** (FTE: 3.65)

- Contingency plan work for mobile facilities based on implementation of the Oil Transfer Rule.
- Recruit and hire additional plan review managers and unit supervisor.
- Implement revised Contingency Plan Rule.
- Publish new guidance manual for plan review and submittal.
- Review new or updated oil spill contingency plans.
- Manage potential new workload around non tank vessel plans.
- Technical assistance on contingency plans.
- Ongoing monitoring and communication.
- State/federal coordination.
- Prevention coordination, including VBAP/ECOPRO link to contingency plans.
- Maintenance of the MIS Contingency Plan Module.

2. **Drills** (FTE: 3.85)

- Continue increased emphasis on unannounced drills.
- Revise drill guidance manual based on new rule.
- Provide technical assistance.
- Develop drill scheduling (coordination and outreach).
- Hold tabletop drills to exercise participation and evaluation.
- Hold equipment deployment drills to exercise participation and evaluation.
- Review response equipment maintenance records during drills.
- Compliance issues (tracking and enforcement).
- Agency/industry coordination.
- DRILLTRAC maintenance and training (NWACP, Incident Command System (ICS)).
- Geographic Response Plans (GRPs), public affairs, etc.
- Train other trustee agencies through DRILLTRAC.
- Complete the drill design and evaluation portions of DRILLTRAC.
- Conduct vessel oil spill contingency plan notification exercises during selected vessel inspections. Follow up on exercise results reported to the Drill Coordinator.
- Coordinate and participate in National PREP Drills.

- Review facility emergency procedures drills required under training and certification rules.
- Meet milestones toward regulatory goal of inspecting 100% of all Washington response equipment over two drill cycles (6 years).

3. Primary Response Contractor (PRC) Approval (FTE: 0.60)

- PRC application review and approval. Inspection of PRC equipment and records.
- Tracking PRC equipment and personnel status.
- Drills for PRCs.
- Mapping of response resources statewide.
- Maintenance of MIS response contractor module.
- Map all response equipment in Washington.

4. NWAC/NWACP/Regional Response Team (RRT) (FTE: 0.45)

- NWACP training to local, state, federal, tribal, and other organizations.
- Annual plan revisions and maintenance.
- Membership on NWAC steering committee or workgroups.
- NWAC policy development.

5. Geographic Response Plans (GRPs) (FTE: 1.40)

- Develop, revise, and implement GRPs as part of the NWACP.
- Continue the Columbia Snake River Spill Response Initiative (CSR-SRI).
- Ensure individual GRP strategies protect cultural resources.
- Develop facility-specific GRPs which become part of each facility's contingency plan.
- Provide technical assistance on GRPs to response community and Washington citizens.
- Maintain GRP portion of the program webpage.
- Update GRP information so each plan reflects the location of endangered species.
- Verify GRP strategies through drills.
- Ensure response community is provided up-to-date GRP information using the RRT website.

6. Incident Management Assist Team (IMAT) (FTE: 0.90)

- Develop staff to participate on the IMAT.
- Assign staff to lead IMAT functions and develop/refine response tools.
- Lead IMAT drills for identified positions.
- Develop IMAT policy.

7. Rulemaking (FTE: 0.55)

- Develop rules master plan (at program level).
- Support future and current rulemaking with well thought-out studies.
- Manage contracts on time and within budget. Ensure deliverables are tied to compensation.

III. Response Activities (FTE .50)

1. Response Technology

- Support the Northwest Area Plan Response Technology Workgroup.
- Test oil spill early assessment systems through drills.
- Ensure maximum effective recovery with existing mechanical recovery assets and systems.

IV. Natural Resources Activities

Assistance as needed; information coordination; no specific time allocated.

V. Cross Program Activities

1. Interagency Coordination (FTE: 0.15)

- Coordination with the U.S. Coast Guard at all levels, including National Strike Force, the EPA, and the Office of Pipeline Safety.
- Washington State Maritime Cooperative/Burrard Clean reciprocal coverage for vessels.
- Puget/Georgia Sound International Task Force.
- UTC on statewide pipeline issues.
- Olympic Coast National Marine Sanctuary.
- State Emergency Response Council (SERC), Local Emergency Planning Committees (LEPCs), etc.
- Coordinate and support development of comparable spill preparedness programs in Oregon and British Columbia to protect shared waters.
- Washington Oil Spill Advisory Council

2. Legislation (FTE: 0.10)

- State Legislature coordination and support.
- Federal rulemaking review and comments.

3. Oil Spill Advisory Council (FTE: 0.20)

- Liaison, coordination and management assistance

VI. Media Education/Outreach Activities

1. Educations and Technical Outreach (FTE: 0.10)

2. Web Page (FTE: 0.30)

- Revise Spills Program webpage to provide relevant information that is easy to locate.

VII. Support Activities

- 1. Supervision (FTE: 0.65)**
 - Maintain positive work environment.
 - Blend Ecology Vision and Code of Conduct into everyday activities.
 - Provide effective employee training and career development.
 - Monitor employee leave and timekeeping.
 - Monitor employee salaries and benefits.
 - Complete accurate and timely annual employee evaluations.

- 2. Program & Budget Planning/Performance Measures (FTE: 0.20)**
 - Participate in program strategic planning and development of biennial budgets.
 - Develop work plans and workforce management plans.
 - Develop performance measures that are tied to strategic goals and objectives.
 - Report performance measures to OFM and internal executive management.

- 3. Policy Development/SOPs (FTE: 0.60)**
 - Preparedness/Response Coordination: Identify improvements to linkage between contingency planning and response activities.
 - Develop and maintain section SOPs consistent with program guidance.
 - Ensure coordination between sections and units, particularly between field and regions.

- 4. Information Systems Development (FTE: 0.20)**
 - Provide application design, development, implementation, maintenance, and enhancement for the ArcReader project and the GRP automation system.
 - Perform analysis, identify new business processes, and integrate processes into new ArcReader project and the GRP automation system.
 - Write and advertise Requests for Proposals, respond to vendor questions, create evaluation criteria, and select vendor for ArcReader project and the GRP automation system enhancements.
 - Create or review project planning documents, and manage contractors and internal staff ArcReader project and the GRP automation system projects.
 - Provide coordination of user group meetings, and monitoring of users for correct usage of ArcReader project and the GRP automation system.
 - Provide information systems strategic planning and needs assessment.
 - Initiate and coordinate enhancements of ArcReader project and the GRP automation system.

- 5. Information Systems Operation (FTE: 0.10)**
 - Database administration: Provide system backups, restarts after shutdowns, assistance to customers with extracting information and truncation of transactions and logs.
 - Provide configuration of reporting tools to extract information from ERTS and MIS.
 - Develop and maintain the Program Data Warehouse.
 - Provide ERTS sponsorship/management.

6. Administration

(FTE: 0.35)

Maintain and Improve:

- Clerical and secretarial support
- Office management
- Administrative support
- Visitor and caller reception
- Travel/Transportation
- Correspondence management
- Files management
- Supplies and equipment
- Publications Maintenance
- Public Disclosure
- EPIC coordination

Response Section Work Plan

Funded by the State Toxics Account

Note: The Response Section’s work plan is organized by activities. The number of FTEs shown for each activity is the same as shown in the “Workload Distribution Summary” on page 9. Please note Response Section staff is not assigned to every program activity, and the skipped activities do not appear in the work plan below.

I. Prevention Activities

Assistance as needed; information coordination; no specific time allocated.

II. Preparedness Activities

1. Drills (FTE: 1.70)

- Participate in DRILLTRAC.
- Support drill with membership on drill teams.
- Participate with tabletop drill exercise.
- Assist with equipment deployment drills.
- Provide technical assistance with drills.
- Participate and increase emphasis on unannounced drills.
- Maintain DRILLTRAC training and IMAT roster (NWACP, Incident Command System (ICS), Geographic Response Plans (GRPs), public affairs, etc.).
- Assist with training other trustee agencies through DRILLTRAC.

2. NWAC/NWACP/RRT (FTE: 0.95)

- Support ongoing NWAC and Workgroup work.
- Continue to research and implement remote sensing and tracking per Oil Spill Early Action Task Force.
- Continue to implement the training plan for remote sensing technology and for IMAT.
- Develop strategies to improve the on-water recovery rates typically seen at spills.
- Participate in statewide and agency-wide emergency management initiatives, such as the CBRNE/hazmat regional team development project.
- Provide NWACP training/outreach to local, state, federal, tribal, and other organizations.
- Provide input on plan revisions and maintenance.
- Participate with membership on NWAC workgroups.
- Participate with NWAC policy development.
- University of Washington Department of Environmental Health Advisory Committee: Participate in the planning, and serve as the emcee and presenter for the annual *Managing Hazardous Materials Incidents* course.
- Continue development of the Columbia and Snake River Spill Response Initiative.

3. Geographic Response Plans (FTE: 0.40)

- Continue the Columbia Snake River Spill Response Initiative (CSR-SRI).
- Assist partner agencies with developing response strategies.
- Participate in GRP planning for new GRPs and updating existing GRPs.
- Assist with verifying GRP strategies through drills.

4. Incident Management Assistance Team (FTE: 0.50)

- Continue training staff to participate on the IMAT.
- Assign staff to lead IMAT functions and develop/refine response tools.
- Lead IMAT drills in for identified positions.
- Continue development of IMAT policy.

III. Response Activities

Spill Response – Oil & Hazmat (FTE: 10.50)

- Emergency oil and hazmat response.
- Training on response methods and safety.
- Coordinate activities with federal, state, and locals.
- Conduct sampling to determine pre- and post-spill impacts.
- Support to companies and individuals with routine spill questions.
- Support to and coordination with federal, state, and local responder agencies.
- Continue to manage the Local Government Equipment Caching Program.
- Manage emergency response contracts and contractors.

2. Safety/Competency Training (FTE: 2.10)

- Implement safety and competency training program (SAFETRAC).
- Continue training and certification of trainers.
- Identify and attend external training offered oil and hazmat response.
- Build emerging health and safety threats from evolving meth lab methodologies into the safety training program.
- Organize, perform, and attend the annual Response Training Workshop.

3. Spill Response – Meth Labs (FTE: 3.95)

- Continue responding to meth labs and removing waste that poses an imminent and substantial threat to human health and the environment.
- Transport and disposal of meth waste.
- Provide meth lab education and technical assistance.
- Coordinate cleanup activities with federal, state, and local agencies.

4. Response Technology (FTE: 0.50)

- Evaluate innovative and emerging technologies which would assist Ecology respond to, assess, and clean-up spills more effectively.
- Evaluate and incorporate remote sensing technology that proves effective at detecting oil spills, particularly at night and in the fog.
- Participate in the NWAC Response Technology Workgroup
- Evaluate pollution recovery systems to determine efficacy and to make improvements to Washington response policy.
- Evaluate conventional and mechanical recovery systems in order to make them more effective.

IV. Natural Resources Activities

1. Major Resource Damage Assessments (FTE: 0.25)

- Participate in the Joint Assessment Team initiative designed to bring regulated oil handling facilities and tribal, state, and federal agencies together to find common ground on damage assessment information.
- Continue to develop the TRAP team.
- Develop ephemeral data collection plans at high-risk locations.
- Refine NRDA protocols.
- Continue to process new damage assessments.

2. Compensation Schedule (FTE: 0.50)

- Prepare and resolve compensation schedule claims.

3. Major Restoration Projects (FTE: 0.25)

- Approve/oversee responsible party restoration projects.

4. Coastal Protection Fund (CPF) (FTE: 0.30)

- Track CPF account balances.
- Oversee existing CPF contracts for restoration projects.
- Continue to coordinate with stakeholders and make CPF restoration investments in the highest priority environments.

5. Update RDA Rule (FTE: 0.15)

- Implement the changes to the NRDA rule as directed by SB 5552.

V. Cross Program Activities

1. Oil Spill Advisory Council (FTE: 0.10)

- Coordination and management assistance

VI. Media Education/Outreach Activities

1. Community Outreach (FTE: 1.20)

- Participation in LEPCs, SERC, Fire Chiefs Association, and other response organizations.
- Provide meth lab hazard awareness training.
- Share new and evolving meth lab methods with our law enforcement and other response partners, emphasizing new health and safety challenges to responders.
- Train local law enforcement lab teams to safely package and transport small volumes of low hazard wastes to chemical storage lockers.
- Continue to report on ERTS data for meth and other responses.
- Report meth data to the DEA WSIN.

VII. Support Activities

1. Supervision (FTE: 2.35)

- Maintain positive work environment.
- Blend Ecology Code of Conduct into everyday activities.
- Provide effective employee training and career development.
- Monitor employee leave and timekeeping.
- Monitor employee salaries and benefits.
- Complete accurate and timely annual employee evaluations.
- Monitor and manage employee workload, including overtime.
- Identify staffing adequacy and location (statewide).
- Evaluate and resolve safety hazards in the workplace.
- Monitor and communicate evolving meth manufacturing procedures and communicate them to other Ecology responders and external response partners.

2. Program/ Budget Planning/Performance Measures (FTE: 0.15)

- Develop section plans and budget and allotments.
- Track spending variances; units maintain spending control.
- Monitor spending toward specific funding sources, such as meth-proviso funding.
- Develop and monitor meaningful performance measures that drive accountability, cost effectiveness, environmental benefit, and safety.

3. Policy Development/SOPs (FTE: 0.70)

- Development and updating of policy and SOPs on oil/hazmat/meth response, drills, enforcement, safety, training, etc.
- Continuing development of safety policy in conjunction with competency project.
- Work in related groups and committees.
- Update Spills Operations Manual.
- Evaluate existing cost recovery policies and procedures.
- Continue supporting the CBRNE/hazmat regional team project as directed by the State Homeland Security Strategic Plan.

4. Administration

(FTE: 3.50)

Maintain and improve:

- Clerical and secretarial support
- Office management and administrative support
- Visitor and caller reception
- Data entry
- Travel/Transportation
- Correspondence and Files management
- Library management (regions)
- Supplies and equipment
- Publication distribution
- Time Accounting and purchasing
- Logistics support managing equipment and supplies
- Response vehicle fleet management
- Public Disclosure
- EPIC Coordination

Program Manager Staff Work Plan

Funded by the Oil Spill Prevention Account and the State Toxics Account

Note: The Program Manager Staff work plan is organized by activities. The number of FTEs shown for each activity is the same as shown in the “Workload Distribution Summary” on page 9. Please note Program Manager Staff is not assigned to every program activity, and the skipped activities do not appear in the work plan below.

I. Prevention Activities

1. Tank Vessel Prevention (FTE: 0.05)

- Support to maintain tanker escorts, Neah Bay Rescue Tug funding, and other efforts to prevent oil discharge from tank vessels.

2. Geographic Risk Management Plans (FTE: 0.10)

- Coordinate implementation of North Puget Sound Risk Management Plan.
- Prepare marine oil transportation risk data/criteria.
- Implement long-term Risk Management Plan for the Columbia River.
- Participate in additional scoping, designing, and completing a study of the state tug escort requirements for tankers in Puget Sound.

3. Oil Transfer Guidance and Plans (FTE: 1.00)

- Staff and policy support to implementation of oil transfers rule (EFH).

II. Preparedness Activities

1. Drills and DRILLTRAC (FTE: 0.10)

- Participate in DRILLTRAC.
- Participate in IMAT

2. Rulemaking (FTE: 0.05)

- Develop rules master plan (at program level).
- Support future and current rulemaking with well thought-out studies.
- Manage contracts on time and within budget.

III. Response Activities

- 1. Oil Response – Oil and Hazmat (FTE: 0.05)**
 - Emergency oil and hazmat response.

IV. Natural Resources Activities

Assistance as needed; information coordination; no specific time allocated.

V. Cross Program Activities

- 1. Interagency Coordination (FTE: 0.05)**
- 2. Pacific States/BC Oil Spill Task Force (FTE: 0.15)**
- 3. Legislation (FTE: 0.45)**
 - State Legislature coordination and support.
 - Support possible federal and/or state legislation.
- 4. Oil Spill Advisory Council (FTE: 0.10)**
 - Support the Governor’s Oil Spill Advisory Council.

VI. Media, Education, and Technical Outreach Activities

- 1. Public Information/Media Relations (FTE: 0.65)**
 - Develop and carry out communication strategies.
 - Provide media and public relations support during emergency incidents.
 - Help determine the need for, write, and distribute press releases.
 - Participate in the Joint Information Center (drills, policy and procedures, publications).
 - Assess need for and assist in developing and providing media relations training.
- 2. Education and Technical Outreach (FTE: 0.05)**
 - Write, edit, and lay out Spill Scene newsletter.
 - Develop and implement outreach master plan.
 - Provide document development support (annual reports, Focus Sheets, fact sheets) and oversee production of publications.
 - Act as program liaison for education/outreach coordination (Pacific Oil Spill Prevention Education Team, Ecology Education Team, etc.).
 - Develop presentation and display materials, write speeches.
 - Lend support for public correspondence and serve as primary point of contact for public information inquiries.
 - Engage in field information gathering for better understanding of program activities and issues.
 - Provide graphics and software support.

VII. Support Activities

1. Supervision (FTE: 0.60)

- Maintain positive work environment.
- Blend Ecology Code of Conduct into everyday activities.
- Provide effective employee training and career development.
- Monitor employee leave and timekeeping.
- Monitor employee salaries and benefits.
- Complete accurate and timely annual employee evaluations.

2. Program and Budget Planning/Performance Measures (FTE: 1.25)

- Participate in program strategic planning and development of biennial budgets.
- Develop work plans and workforce management plans.
- Develop performance measures which are tied to strategic goals and objectives.
- Report performance measures to the Office of Financial Management (OFM) and internal executive management.

3. Policy Development/Standard Operating Procedures (SOPs) (FTE: 0.55)

- Develop and maintain program, section, and unit policies and procedures and SOPs consistent with agency guidance.
- Ensure coordination between sections and units, particularly between field and regional units.

4. Information Systems Development (FTE: 0.65)

- Provide application design, development, implementation, maintenance, and enhancement for the Advance Notice of Transfer (ANT), Environmental Response Tracking System (ERTS) and the Marine Information System (MIS).
- Perform analysis, identify new business processes, and integrate processes into new and existing systems (ANT, ERTS and MIS).
- Project management: Create or review project planning documents, manage contractors and internal staff for ANTS, ERTS and MIS projects.
- Provide ad hoc query and reporting, coordination of user group meetings, and monitoring of users for correct usage of ANT, ERTS and MIS.
- Provide information systems strategic planning and needs assessment.
- Initiate and coordinate enhancements of ANT, ERTS and MIS.

5. Information Systems Operation (FTE: 0.35)

- Database administration: Provide system backups, restarts after shutdowns, assistance to customers with extracting information, and truncation of transactions and logs.
- Provide configuration of reporting tools to extract information from ANT, ERTS and MIS.
- Develop and maintain the Program Data Warehouse.
- Provide ERTS sponsorship/management.

6. Administration

(FTE: 1.85)

Maintain and Improve:

- Clerical and secretarial support
- Office management
- Administrative support
- Visitor and caller reception
- Data entry
- Travel/Transportation
- Correspondence management
- Files management
- Library management
- Supplies and equipment
- Time accounting
- Purchasing
- Public Disclosure Coordination
- EPIC coordination

Appendix A

Strategic Initiatives and Issues

Part I. Strategic Initiatives for the 2007-09 Biennium

1. Obtain Sustainable Funding for Program Operations

Lead Section(s): Cross Program Initiative

Background: The five cent per barrel tax on imported oil provides approximately 60% of the operating budget for Spills Program work. The proportion of this commodity-based tax (4 cents) going to program administration has remained constant since the early 1990s. There are several problems with this funding mechanism:

- This commodity tax is based upon the volume of oil coming into the state. This volume has not kept pace with increased costs and inflation.
- The tax structure allows for large periodic, unanticipated tax credits that are not predictable and can seriously deplete the Oil Spill Prevention Account (OSPA).
- The Oil Spill Prevention Account is now “over appropriated” with recent funding for the Oil Spill Advisory Council (OSAC), the oil transfer regulations, and other enhancements.

As a result of over appropriation, expenditures have exceeded revenues and the agency projects a budget shortfall in the Oil Spill Prevention Account beginning in the fall of 2009. In anticipation of this problem, the 2007 legislature directed the Joint Legislative Audit and Review Committee (JLARC) to conduct a study and report back with recommendations to the Governor and Legislature in September 2008. The Spills Program goal is to develop a long-term, viable funding solution during the 2009 session based upon JLARC recommendations.

Concept: Work with JLARC and stakeholders to ensure the Spills Program is fully funded in the future.

Plan for this Initiative: Ecology’s Spills Program will:

- **JLARC Revenue Study** - Support the Joint Legislative Audit and Review Committee (JLARC) in their work to produce a report to the Governor and legislature by October 2008¹ that will recommend funding options.
- **Legal Viability** - Work with the Attorney General’s office and the Department of Revenue to help JLARC confirm their proposed funding mechanism is legally defensible.
- **OSAC Coordination** - Work with the Oil Spill Advisory Committee (OSAC)² and other stakeholders to build support for funding the Spills Program.
- **Legislative Proposal** - Develop a legislative proposal for consideration by senior agency management that could be placed into the Governor’s proposed 09-11 biennial budget.

2. Obtain federal authority through cooperative implementation or delegation to improve oil spill prevention and preparedness.

Lead Section(s): Prevention Section

Background: Federal preemption under the Supremacy Clause of the US Constitution can limit state authority to conduct important spill prevention activities in the marine transportation field. Washington

¹ JLARC conducts performance audits and studies on behalf of the Legislature. The 2007 legislature directed JLARC to study the funding source

² OSAC is an independent group that provides advice on oil spill issues to Ecology and the Legislature.

State has pressed the boundary of federal preemption and had two oil spill related cases decided by the US Supreme Court. The agency will pursue a number of strategies to accomplish high priority oil spill prevention initiatives in the maritime field while continuing to stay within Constitutional limits.

Concept: Work with the Coast Guard and others to develop alternative mechanisms to accomplish state oil spill prevention objectives.

Plan for this Initiative:

- **Federal Legislation** - Work with the federal delegation to request federal oil spill legislation to improve maritime safety while preserving state authority.
- **Expand Coast Guard Partnership** - Continue efforts to strengthen the partnerships with the Coast Guard by working cooperatively on the June 2007 shared strategic work plan.
- **Coast Guard Delegation** - Solicit agreement to develop rulemaking allowing delegation of USCG inspection authority to Ecology inspectors. Ensure the approach fits with Coast Guard authority.
- **Link to Puget Sound Initiative** - Utilize the Puget Sound Initiative priority and momentum to drive progress.
- **Voluntary Incentives** - Strengthen voluntary compliance opportunities through the Voluntary Best Achievable Protection (VBAP) and Exceptional Compliance Programs (ECOPRO). Increase protection in areas where there is a lack of state authority. Make the Voluntary Best Achievable Protection program available to all deep-draft commercial ships.
- **EPA Delegation** - At an appropriate time, acquire authority and funding to perform spill prevention control and countermeasure (SPCC) inspections for oil handling facilities that do not transfer over water, but are a risk to impact waters of the state (including groundwater).
- **Seek OSAC Support** – Coordinate this initiative with OSAC members.

3. Continue efforts to improve the Emergency Response System for the Strait of Juan de Fuca,³ prevention and response in Puget Sound and other coastal areas.

Lead Section(s): Prevention and Preparedness Sections

Background: In 1991 the legislature directed the Washington state Office of Marine Safety to protect the state's critical coastal natural, economic and cultural resources through an undefined Emergency Response System (ERS) for the Strait of Juan de Fuca. Ecology plans to formally define the scope of the ERS and continue to pursue significant progress on related initiatives. Ecology will work closely with the Oil Spill Advisory Council, local tribal nations and key stakeholders to accomplish the ERS plan objectives.

Concept: Fully define the scope of the Emergency Response System for the Strait of Juan de Fuca and fill in any gaps in the system.

Plan for this Initiative:

- Articulate the state of the existing Emergency Response System within described regions and establish a strategy to close gaps to complete a Strait of Juan de Fuca Emergency Response System.
- Pursue moving the federal high volume port line from Port Angeles to Neah Bay.
- Continue to exert leadership to influence national legislation towards these goals. Align the Agency with federal oil spill prevention legislation including:
 - Mandatory Area To Be Avoided (ATBA) off the Olympic Coast National Marine Sanctuary.
 - Funding a full-time emergency response tug for the Strait entrance and coastal area.
 - Improved consultation with tribal nations.

³ Emergency Response System is a requirement found in RCW 88.46.130.

- Work with the Coast Guard to evaluate the need to enhance emergency towing capabilities at the mouth of the Columbia River.

4. Prevent spills and dumping of oily waste water in Washington waters.

Lead Section(s): Prevention Section

Background:

- The Texas Land Office has a successful model to prevent the dumping of oily waste water into state and international waters by providing for bilge water and oil reception facilities in Puget Sound Ports and Marinas.
- Non-regulated entities and facilities such as hydroelectric dams, railroads and tanker trucks continue to be a potential source of oil spills.
- Commercial non-tank vessels less than 300 gross tons continue to be a significant source of oil spills.

Concept: Pursue additional high priority spill prevention initiatives.

Plan for this Initiative:

- Explore state programs or initiatives that may sponsor an effort to fund oil reception facilities for vessels in Washington ports.
- Review the feasibility of options to expand the derelict vessel program to address the backlog of small and large abandoned vessels that pose a threat to state waters and shorelines.
- Work with the Water Quality program to use the 401 certification process to address spill issues at hydroelectric facilities.
- Work with the Coast Guard and Department of Natural Resources to evaluate potential spill impact and close the gap of larger derelict vessels in Washington waters.
- Seek authority to develop spill prevention regulations for vessels less than 300 gross tons.

5. Improve ability to respond to and recover oil in Washington waters.

Lead Section(s): Preparedness and Response Sections

Background: The agency will continue to improve oil spill management and oil recovery efficiency through advanced planning and application of state-of-the-art technologies. Work has been recently initiated to:

- Improve response equipment tracking through the Western Regional Resource List (WRRL) database. This is a central repository where all major response contractors maintain current and accurate equipment lists, including shoreline cleanup resources and non-dedicated workboats.
- Systematically verify response equipment availability and contractor readiness. Over the next six years, Ecology will schedule detailed inspections and conduct unannounced drills to verify, inspect or deploy all response equipment in the state.
- Conduct “orphan drills” where state and federal agencies will expand their ability to manage major spill incidents, even if the responsible party is unknown, unwilling or unable to manage the cleanup. This initiative will test the effectiveness of the program’s Incident Management Assist Team (IMAT) and strengthen the use of Unified Command organizations by multiple agencies.

Concept: Continuously improve the state’s ability to respond rapidly and aggressively to oil spills.

Plan for this Initiative: In addition to the above work, the program plans to:

- Use the contingency plan and response contractor review process to push for higher, but realistic levels of recovery.
- Conduct drills for large orphan spills with the U.S. Coast Guard and EPA.
- Advance the use of detection and tracking systems, and airborne direction and assessment for oil recovery.

6. Strengthen Delivery of Public Education and Outreach Services

Lead Section(s): Cross Section Activity

Background: Ecology has identified the need to increase the number of in-depth casualty and oil spill investigations, and expand efforts to disseminate the technical findings to applicable industries. We will expand field visits to ports and marinas statewide, and increase participation in the Clean Marina program. To help us improve public education, we will:

- Reinstigate a spill prevention campaign to include the commercial fishing fleet's preparation for seasonal departure to Alaskan fishing grounds.
- Redesign our web site to improve its use in distributing information to interested stakeholders and the public.

Concept: Increase awareness of oil spill prevention, preparedness, and response activities.

Plan for this Initiative:

- Develop a comprehensive communication and outreach master plan.
- Improve public confidence with proactive messages with a webpage that is easily navigated and full of relevant information.
- Develop and implement an education and outreach strategy to prevent spills similar to the anti-litter or the click-it or ticket campaign. This includes conducting strategic state-wide visits to coastal, Puget Sound and inland ports and marinas to increase awareness and educate commercial and recreational vessels; and working with stakeholders (for example, Sea Grant and the Puget Soundkeeper's Alliance) to aggressively market the Clean Marina program with the goal of tripling participation.
- Increase the number of investigations of spills from non-regulated entities and the subsequent education on causal data to prevent spills.

7. Health of Puget Sound and Other State Waters (*Lessons Learned from COSCO Buson oil spill in San Francisco Bay*)

Lead Section(s): Preparedness and Response Sections

Background: The program is striving to ensure a rapid and aggressive response to significant spills. Some of the items outlined below are not new, but as the Spills Program observed events following the November 7, 2007 *Cosco Busan* Oil Spill in San Francisco, the need for additional action became more prominent.

Concept: Improve the state's spill response capability by taking action on "lessons learned" from the *Cosco Busan* Oil Spill in San Francisco.

Plan for this Initiative: The Spills Program will be seeking to make progress on the following initiatives, some of which may require additional funding and/or new statutory authority:

- **Volunteer Management** – Ecology should implement a program with full coordination and management of a network of volunteers throughout the state for use in the event of a major spill.
- **Bird Rescue and Rehabilitation** – Currently the capability to rescue and rehabilitate oiled wildlife is very limited. A stronger collaborative partnership between industry, state and federal government is needed to fund a fully effective wildlife rescue and rehabilitation program.
- **Vessels of Opportunity** – Ecology conducted a study in 2005 into the feasibility of using commercial fishing and other vessels to augment oil spill response capabilities during major incidents. We will be making recommendations to legislators and stakeholders for how to implement a well-organized, comprehensive program. Similar programs exist in Alaska and to a lesser extent in California.
- **Financial Responsibility** – Washington state law provides for unlimited liability parties responsible for oil spills. However, recent spills demonstrate that private sector proof of financial responsibility (insurance) is not adequate for certain large spills. Ecology will pursue a two-part approach to the issue of financial liability for non-tank vessels.
 - Oil Spill Response Account – The money in this account is used to cover the potential spill in which a responsible party can not be found or a known spiller is unwilling or unable to execute their responsibilities. The legislature set the account cap in 1991 at \$25 million and over time it has been reduced to the point where today it is \$9 million. However, the cost to respond to spills has increased every year. At this time the amount in the current account is not adequate to fund a potential major spill.
 - Rule Making – The state currently has authority to regulate certain vessel companies to ensure they have adequate financial abilities (financial responsibility) to pay for potential spills. Ecology will evaluate the adequacy of current regulations. If the assessment concludes there is inadequate coverage, we would need a legislative fix to increase the liability cap prior to rulemaking.
- **State Pilotage Programs** – Washington currently has a Pilotage Commission responsible for overseeing state pilots in Puget Sound, the Strait of Juan de Fuca, and Grays Harbor. However, the Columbia River is regulated by the Oregon Board of Maritime Pilots. Current Oregon legislation does not call for membership from outside Oregon. In order for a collaborative partnership to be beneficial to both Oregon and Washington in managing this strategic waterway and state economic/port development interests, a legislative or regulatory change is needed to require Washington membership on the Oregon Board or preferably to create a joint pilotage commission.

8. Improve Information Management Systems to support risk-based policy development and communication strategies.

Lead Section(s): Cross Section

Background: Additional improvements are needed in the Spill Program’s information management systems.

Concept: Continue to improve information systems as resources and funding becomes available.

Plan for this Initiative:

- Achieve inter-operability of Marine Information System (MIS), Advance Notice of Oil Transfer (ANT) and Environmental Report Tracking System (ERTS).
- Pursue inter-operability of state and Coast Guard oil spill information systems.

- Achieve automated compilation and reporting of performance measures.
- Implement and fund a Spill Program Information Technology (SPIT) board for continuous priority assurance, Information Technology (IT) plan updates.

Part II. Strategic Issues for the 2007-09 Biennium

Strategic Issues

Strategic Issues: New or emerging topics with a potential for major impact in the next six years which we choose to monitor carefully, but not assign additional resources.

1. Support continued development of the Northwest Area Contingency Plan and Response Capability in Washington.

Strategy:

- Improve the community's ability to perform oiled wildlife rescue and rehabilitation.
- Continue the Columbia Snake River Spill Response Initiative; attempt to expand this concept to other areas around the state.
- Improve coastal response capability.
- Organize a vessel of opportunity program to support needs in a major spill response, for example, using the resident fishing fleet.

2. Update the voluntary VBAP and ECOPRO standards; expand to non-tank vessels.

Strategy:

- Develop a marketing plan to reach out to the non-tank vessel community.
- Define a process that includes partnering with OSAC.

3. Monitor coastal issues and take actions as needed to meet our mission.

Strategy:

- Seek permanent funding of a stand-by emergency response tug.
- Work with industry, the Coast Guard, OSAC and other stakeholders to review industry's coastal shipping practices, including towing of oil barges during storms.
- Monitor tug escorting. Complete a tug study in partnership with OSAC. Study the need for a Tanker Response Escort System for Washington, from the entrance of Puget Sound to the refineries.
- Monitor areas to be avoided (ATBA) issues.
- Engage and support the West Coast Risk Management study.
- Assess and evaluate the effects of a diminished supply of North Slope crude oil in Washington Waters.

4. Improve the region's ability to co-manage trans-boundary spill incidents with British Columbia, Oregon and Idaho.

Strategy:

- Work with the BC-States Task Force.

5. Develop a rule development and promulgation master plan.

Strategy:

- Prioritize issues that may require rule development to resolve.
- Open focused regulatory areas (rather than entire rule chapters) more frequently, in a more strategic fashion, to take advantage of opportunities.

6. Evaluate industry standards and update inspection checklists and field documents to reflect progress in maritime-related technology, rules and procedures.

Strategy:

- Update cargo and passenger vessel and fishing vessel inspection checklists, and accepted industry standards, as appropriate.
- Solicit input from OSAC and other stakeholders as necessary to update documents.

Appendix B

FY 2005-07 Strategic Initiatives and Issues

(Note: These are the previous biennium's strategic initiatives and issues annotated with current status comments.)

Part I. Strategic Initiatives

1. Expand Population of Regulated Facilities and Vessels with Emphasis on Oil Transfers

Lead Section(s): Prevention and Preparedness Sections

Background: There are important gaps in the oil spill prevention and preparedness regulations administered by Ecology and the federal government, chiefly the Coast Guard. These gaps result mainly from differences in the definitions of the vessels and shore side facilities which Ecology and the Coast Guard are authorized to inspect and/or from whom they may require plans. As a long-term strategy, Ecology seeks to bridge these gaps, both through administrative agreements with the Coast Guard, called protocols, and through the updating of state rules and statutes.

Work will continue to evolve the Coast Guard protocols to the point of actually performing shared, coordinated, and ongoing inspections. Additionally, the Spills Program will turn to rulemaking for higher risk oil transfers of all types, not just bunkering as in current regulation. Finally, the program will report to the Legislature its recommendations for changes to current law to further close gaps in spill prevention and preparation at oil transfers.

Mission Connection: A strong partnership with the Coast Guard will enhance Ecology's efforts to prevent spills by adding the weight of the federal government to Ecology's side of effort. In addition, the protocols can be leveraged to extend Ecology jurisdiction to facilities (mobile facilities) and vessels (100 to 300 gross tons) that spill oil frequently, but fall only within the Coast Guard's jurisdiction. Ecology's oil transfer regulations are currently limited to vessel refueling (bunkering). Expansion of Ecology's authority to regulate higher risk oil transfers will increase spill prevention at this currently unregulated source.

Initiative Status:

Activity	Status
Train vessel and facility inspectors to monitor all types of oil transfers	Completed - 5 inspectors in field.
Pursue funds for new inspectors.	Completed - 5 inspectors in field.
Undertake Joint Task Force/Pac Area projects	Completed- 5 year review of offshore vessel traffic.
Joint training and seminars with the Coast Guard.	One completed - more in-progress.
Quarterly meetings with the Coast Guard.	On-going.
Continue oil transfer monitoring	On-going - over 500 inspections in 2007.
Produce and implement regulation on oil transfers	Completed - rule effective October 25, 2006.

Stakeholders: Maritime shipping interests, maritime pilots, oil spill response organizations (OSROs), environmental groups, maritime labor, facilities, federal/state/local governments, oil and fuel distributors (especially trucking).

2. Update Contingency Planning

Lead Section(s): Preparedness Section

Background: The Oil Spill Contingency Plan Rule will be updated for the first time in over ten years. There will be a phase-in period for companies to meet the new standards. To supplement this strategy, the current drill program will be enhanced to test realistic planning expectations. Similarly, the oil spill drill program (DRILLTRAC) and the Incident Management Assist Team (IMAT) program will be emphasized to increase Incident Command system (ICS) competency of Spills Program staff. The rule process will also touch on the use of dispersants in the state of Washington driven by potential new federal rules. An ecological risk assessment will be conducted in order to consider whether additional areas for pre-approval can be added to the Northwest Area Contingency Plan (NWACP).

Mission Connection: Continuous improvement in the preparations for spill response is necessary to best fulfill the mission of protection and preservation of the water and shoreline environment.

Initiative Status:

Activity	Status
Conduct an Ecological Risk Assessment (ERA) for the outer coast to evaluate response options.	ERA has been completed and resulted in updates to the area plan as well as improved contingency planning standards for the area of the straits and outer coast.
Based on the assessment, the dispersant EIS may or may not need to be amended.	EIS not amended, instead NWACP amended to reflect a broader and more useful dispersant approval process.
Complete Contingency Plan Rule update and implement.	Completed October 2006: <ul style="list-style-type: none"> • Implementation began March 2007. • Technical assistance documents completed.
Update Geographic Response Plans (GRPs) in three years per Early Action Task Force.	One completed (central Puget Sound) and three under way (Strait, Outer Coast and Snohomish watershed). The number per year is dependant on funding.
Develop rule making master plan at program-wide level.	Rolled into initiative for FY 07-09.
Shift drills to more realistic conditions.	In-progress - 10 worst case drills conducted in 2007. New rule requires proactive drill planning.
Increase emphasis on unannounced drills (Early Action Task Force).	In-progress.
Train other trustee agencies through DRILLTRAC.	In-progress - delayed due to changes in federal mandates for ICS.
Complete the drill design and evaluation portions of DRILLTRAC.	In-progress - scheduled for first quarter 2008.
Continue to develop the Incident Management Assist Team.	On-going.

Stakeholders: Government organizations (federal, local, state), regulated facility and maritime shipping interests, environmental groups, primary response contractors, tribes, shoreline communities.

3. Develop Remote Oil Sensing and Tracking

Lead Section(s): Response Section

Background: In the aftermath of the Dalco Passage spill in October 2004, a recommendation was developed both by the Spills Program and the Governor’s Early Action Task Force to explore and implement means of locating and tracking oil spills in darkness and inclement weather.

Mission Connection: Spills often occur during, and even because of darkness and inclement weather. This initiative moves the Spills Program into a new dimension of spill response, which will improve round-the-clock protection of high value marine and shoreland resources.

Initiative Status:

Activity	Status
Hire a response technology specialist	Majority of activities for this position are complete and duties have been spread to other staff. Hiring has been set aside until the Joint Legislative Audit and Review Committee (JLARC) study is completed.
Develop the remote spill sensing program work plan.	Forward Looking Infrared (FLIR) capability added – continuing research on other technologies.
Develop training plan for remote tracking systems and for Incident Management Assist Team (IMAT).	Completed.
Evaluate remote sensing technology.	Implementing technology with FLIR and tracking buoys and researching others.
Procure and train on appropriate remote sensing techniques and equipment.	Completed.
Develop strategies to improve on-water recovery rates typically seen at spills.	On-going.

4. Manage the Decreasing Methamphetamine Lab Workload and Related Budget Issues

Note: This entire issue was resolved during the 2005-07 Biennium with the Legislature’s broadening of the meth appropriation proviso, which authorized these funds for general spill response use. Additionally, staff resources were shifted to reflect the changing workload across the state.

Lead Section: Response Section

Background: The Response Section currently has 11 FTEs funded for clandestine drug lab cleanup through the STCA with a legislatively imposed meth-only proviso. The \$4 million per biennium meth funding makes up approximately 50% of the Response Section’s budget. Some additional federal meth grant money has been received over the past few years, but this has been radically reduced to \$40 K for calendar Year 2006.

Meth FTEs have been distributed among all the response units and personnel. Because of the similar training, safety, personal protection equipment, respiratory protection, and command training requirements, responders are cross trained to perform both meth cleanup and oil/hazmat response functions. This synergistic sharing has resulted in additional available staff, funded on a limited basis by non meth appropriations for large oil spill and hazmat emergencies.

Beginning in 2002, meth labs started declining at a rate of approximately 10% per year, from a high of 1,890 in 2001 to a total of 1,341 labs in 2004. This decline was met with a steady decrease in the available federal grant funding for meth cleanup activity. During the 2005-07 legislative budget session, the State Toxics Control Account (STCA) meth-proviso funding was restored to the level received during the 2003-05 biennium. However, further decreases in the meth workload will result in considerably less money appropriated in future biennia.

If future meth appropriations decrease, there will be fewer responders available to “borrow” on a limited basis, using non meth funding for major responses. We can anticipate increased scrutiny of our early response capability. Additional pressure and stress will be borne by responders, who already experience high overtime rates.

Initiative Status: This issue should be looked at strategically during the upcoming biennium. Options should be explored as opportunities present themselves, but some options will include:

Activity	Status
Fund response FTEs through the Oil Spill Prevention Account (OSPA). Currently the Response Section receives no direct OSPA supported FTEs. The \$170 K budgeted for the Response Section in the 2003-05 Biennium were dedicated for contractor costs for specific spills where costs were tracked using an independent PIC	Issue resolved - superseded by revision of funding proviso.
Combine Response FTE, duties, and training with oil transfer inspector funding, if made available.	Issue resolved - superseded by revision of funding proviso.
Ask for additional responder FTE authorization and funding from the STCA, which has increasing revenues largely due to the price of gasoline.	Issue resolved - superseded by revision of funding proviso.
Explore the opportunity to remove the proviso from the STCA funding received for clandestine lab cleanup work. This would allow the FTEs and money to be used broadly for oil, hazmat, and drug lab cleanup work	Completed.
By July 2005 – July 2006 <ul style="list-style-type: none"> • Monitor drug lab encounter rates and evaluate the potential impact to funding. • Monitor funding source balances, including the STCA and OSPA, that might accommodate and support additional staffing. • Evaluate the political climate inside and outside the agency (including the Oil Spill Advisory Council) for potential support of a responder funding strategy. • Evaluate opportunities to combine responder FTEs with other functions such as oil spill transfer inspection. 	Completed or issue resolved - superseded by revision of funding proviso.
By July 2006 <ul style="list-style-type: none"> • Land squarely on a legislative funding strategy to support additional FTEs. • Get stakeholder and internal agency support to pursue the strategy into the legislative budget session. 	Completed or issue resolved - superseded by revision of funding proviso.

Stakeholders: Law enforcement agencies, public health officials, environmental groups, community mobilizations groups, child protective agencies, meth cleanup contractors, drug prevention and treatment groups.

5. Advance the Establishment of an Emergency Response System (ERS) for the Strait of Juan de Fuca.

Lead Section(s): Prevention Section

Background: In the summer of 1991, RCW 88.46.130 directed the Office of Marine Safety to establish an emergency response system for the Strait of Juan de Fuca. Specifically, an emergency response system shall be established by July 1, 1992. In establishing the emergency response system, the administrator shall consider the recommendations of the regional marine safety committees. The administrator shall also consult with the province of British Columbia regarding its participation in the emergency response system. Since this time, several efforts have produced significant accomplishments in this regard. These accomplishments include:

- The *Strait of Juan De Fuca and Northern Puget Sound Regional Marine Safety Committee Plan* was published in June 1994 by the Office of Marine Safety.
- The *Final Report of the Emergency Towing System Task Force* was published in August 1994 by the Office of Marine Safety.
- Rescue Tug Program: A winter rescue tug was established at the mouth of the Strait in 1999. Ecology led discussions resulting in the formation of the North Puget Sound Risk Management Panel that was co-chaired with the Coast Guard. Initial work toward that panel helped Norm Dicks find initial federal funding. Norm Dicks personally participated in North Puget Sound Risk Management Panel meetings.
- Tug Funding: Eight years of winter rescue tug standby in the Strait, and \$11.8 million in funding have been obtained. Current rescue tug funding terminates on July 1, 2007.

Despite these accomplishments, defining and establishing a complete Emergency Response System (ERS) in the Strait has eluded Ecology, principally due to conflicting demands for staff time and other program priorities (especially rule making), the significant costs of such a system (depending upon its scope), and finally the lack of public funding.

Mission Connection: The legislatively mandated emergency response system for the Strait of Juan de Fuca is a waterway management initiative that makes a direct connection with Ecology's mission to protect state waters and the natural resource values contained there.

Concept: ERS should focus on measures to be taken after a vessel casualty (with or without a spill) has occurred. The following elements should be considered for inclusion into the system:

- System information useful in anticipating and managing vessel casualties including data tracking and management.
- Maritime casualty notification and decision-making processes.
- Emergency towing (including the rescue tug).
- Places of refuge.
- Vessel salvage.
- Vessel firefighting.

The ERS should probably not focus on oil spill preparedness and response related actions that are being addressed through other venues including state and federal rule making, and the Northwest Area Plan.

Plan for this Initiative: Ecology's Spills Program expects that current rule making initiatives will be largely accomplished in 2006. This foundation will set the stage for work with the Governor's Oil Spill Advisory Council (OSAC) and others to scope and plan the potentially far reaching and expensive issues

associated with an emergency response system in the strait. However, there are many approaches that would reduce workload and cost associated with the ERS including:

- Protocol agreement with the Coast Guard(s);
- Harbor Safety Committee Standard(s) of Care;
- Expedited federal rule making with state input;
- State rule making; and/or
- Administrative decision by the Spills Program Manager.

Initiative Status:

Activity	Status
Communications with stakeholders during 2006 to set the stage for this work in 2007.	Completed.
Requesting the Oil Spill Advisory Council to address funding for the rescue tug in their 9/06 report to the Legislature.	Completed.
Proposing agency request legislation addressing rescue tug funding during 2007 or 2008 legislative session.	<ul style="list-style-type: none"> • Worked with OSAC on 2007 legislation • Seeking federal funding in FY 08 with input to Senator Cantwell. • Working with JLARC on funding for FY 09. • Tug funded again by state for winter of 2007-2008.
Preparations to advise and equip the Advisory Council to begin specific scoping and project development in July 2007.	On hold.
Internal planning to make staff available to work this issue in 2007.	Rolled into initiative for FY 07-09.
Identifying potential funding options for ERS.	Working with the Joint Legislative Audit and Review Committee (JLARC) and OSAC on options.
Improve Contingency Planning.	Response standards for Strait of Juan de Fuca have been improved through contingency plan rule. Equipment is moving to coastal areas and infrastructural upgrades to Neah Bay are planned.

6. Coordinate Solutions for the Oil Spill Tax

Lead Section(s): Program Management Section

Background: Washington State’s oil spill tax suffers from two problems: 1) Collections vary unpredictably due to complicated credits and exemptions, and 2) legislative policy makers responding to recent spills have mandated new protections for Washington waters that are threatening to outstrip available funding. The first problem was recognized in 1996 when the Washington State’s Office of Financial Management published *Funding Oil Spill Prevention, Response and Restoration in Washington State*. The second problem emerged in recent years and has not been the subject of in-depth study.

Efforts will be devoted this biennium by Ecology’s Spills Program and the Governor’s Oil Spill Advisory Council (OSAC) to examine and improve the long-term adequacy and stability of the oil spill tax and its operating account for Ecology, the Oil Spill Prevention Account (OSPA). These efforts will also be coordinated with the Puget Sound Partnership.

Initiative Status:

Activity	Status
The common goal of the Spills Program, the Governor’s Oil Spill Advisory Council (OSAC), and the Puget Sound Partnership is the long-term adequacy and stability of the oil spill tax and the OSPA which it funds.	Working towards a common goal.
The Spills Program will conduct a study using internal resources to recommend fund balance forecasts and related options for an adequate and stable Oil spill Prevention Account (OSPA).	Completed - the Joint Legislative Audit and Review Committee (JLARC) will undertake a study in 2008 to recommend funding options.
The Spills Program will communicate and assist the Governor’s Oil Spill Advisory Council with their broader research into recommendations for this tax and account.	Rolled into initiative for FY 07-09. The Joint Legislative Audit and Review Committee (JLARC) will undertake a study in 2008 to recommend funding options.
The Spills Program will advise and assist with funding issues undertaken by the Puget Sound Partnership as they may relate to the future of spill protection funding.	Rolled into initiative for FY 07-09.

Part II. FY 2005-07 Strategic Issues

Activity	Status
Northwest Area Contingency Plan evolution.	On-going. <ul style="list-style-type: none"> • Completed policy on dispersants. • Looking at volunteer management.
Statewide Hazmat Response System.	Monitoring and stakeholder work continues.
Link VBAP and ECOPRO awards to contingency plan performance.	Completed - looking for at expanding to non-tank vessels.
Continue the Columbia Snake River Spill Response Initiative and improve response capability in Eastern Washington	Mid Columbia River component completed. Lower Columbia river component in progress.
Develop and implement an Outreach Master Plan.	Rolled into initiative for FY 07-09.
Develop and implement Master Plan to secure long-term Oil Spill Prevention Account funding and establish funded response roles among Washington State’s natural resource agencies.	Rolled into initiative for FY 07-09.
Define and protect the peculiarities of Washington State waters via latitude allowed in the “Intertanko” supreme court decision.	On-going.

Activity	Status
Develop and implement an Early Assessment Team.	Development and training completed - need to exercise.
Develop a management plan for the decreasing meth workload and related staffing and budget issues.	Resolved with removal of funding proviso and staff reallocation.
Explore options for spill response staffing in the Bellingham Field Office.	Completed.