



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000

711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

March 4, 2016

To: RDA Committee members and alternates; interested parties
From: Dale Davis, RDA Committee Executive Director
Re: March 9, 2016 RDA Committee Regular Meeting

The RDA Committee will hold its next meeting on Wednesday, March 9, 2016 at 9:00 a.m. in room **ROA-09** at the Department of Ecology's headquarters building in Lacey, Washington. A meeting agenda and minutes from the February 10, 2016 regular meeting are enclosed for your review.

There are three oil spill pre-assessment screenings scheduled for this meeting; the 12/21/15 City of Oak Harbor spill into Oak Harbor, the 2/4/16 Cheney Livestock spill into a Randle wetland, and the 2/18/16 Rock Island Dam spill into the Columbia River. The City of Oak Harbor spill is back on the agenda because the city did not get the first pre-assessment screening notification letter. The committee will be updated on the RDAs for the Gardner-Fields asphalt spill and the La Mexicana vegetable oil spill, and will be briefed on the 2/18/16 *M/V Nord Auckland* spill in the Columbia River. Please call me at 407-6972 or e-mail at dale.davis@ecy.wa.gov if you have any questions or agenda items to add.

Enclosures: Agenda
Spill Report Sheets (3)

RESOURCE DAMAGE ASSESSMENT COMMITTEE - REGULAR MEETING

Department of Ecology
300 Desmond Drive, Lacey, WA

Wednesday March 9, 2016

9:00 a.m.

Room ROA-09



Agenda

I. New Business

A. Preassessment Screening

1. City of Oak Harbor, December 21, 2015 spill into Oak Harbor
2. Cheney Livestock, February 4, 2016 spill into a Randle wetland
3. Rock Island Dam, February 18, 2016 spill into the Columbia River

B. Committee briefing of the February 18, 2016 spill from the *M/V Nord Auckland* into the Columbia River at Kalama.

II. Old Business

A. Committee update on the RDA for the 2/8/15 Gardner-Fields asphalt spill.

B. Committee update on the RDA for the 11/6/15 La Mexicana White Center Pond spill.

DRAFT MINUTES

February 10, 2016, REGULAR MEETING OF THE RDA COMMITTEE Held at the Department of Ecology Headquarters: Lacey, WA

ATTENDANCE:

Alison Meyers, WA Department of Ecology 360-407-7114
Dale Davis, WA Department of Ecology 360-407-6972
Deborah Petersen, WA State Parks and Recreation Commission 360-902-8634
Don Noviello, WA Department of Fish and Wildlife 360-902-8124
Mark Toy, WA Department of Health 360-236-3321
Rob Whitlam, WA Department of Archaeology and Historic Preservation 360-586-3080
Sue Vezeau, WA Department of Ecology 360-407-7638
Jack Cloutier, Jack's Madrona Autoworks 360-866-8615
Dani Yongue, Jack's Madrona Autoworks 360-866-8615

The Resource Damage Assessment (RDA) Committee held a regular meeting on Wednesday, February 10, 2016 at the Department of Ecology headquarters building in Lacey, Washington. Dale Davis called the meeting to order at 9:02 a.m. The minutes were approved as written for the January 13, 2016 RDA Committee meeting.

I. New Business

- 1. *P/C Wild at Heart, November 14, 2015 spill into Ebey Slough***
- 2. *City of Oak Harbor, December 21, 2015 spill into Oak Harbor***
- 3. *Madrona Autoworks, January 8, 2016 spill into Eld Inlet***

1. *P/C Wild at Heart, November 14, 2015 spill into Ebey Slough.*

Dale Davis described the incident. The vessel sank at the dock due to hull damage caused by large woody debris coming down the slough after very heavy rains. High wind, currents, and rain prevented divers from even getting in the water for 12 days. During this time, a constant stream of oil drops were seen coming off the vessel. When conditions improved, Global Diving dove on the vessel and found that the fuel tanks were empty. The owner thought that there was less than 100 gallons on board prior to it sinking.

The RDA Committee proceeded to vote on the following PAS questions:

1. Are the damages quantifiable at a reasonable cost? Results: Yes=0 No=5
2. Is restoration or enhancement technically feasible? Results: Yes=0 No=5
3. Has the potential liable party (PLP) proposed restoration/enhancement projects/studies that are sufficient to adequately compensate the people of the state for public resource damages? No, no PLP representative attended the meeting and no proposal was submitted.

2. City of Oak Harbor, December 21, 2015 spill into Oak Harbor.

Dale Davis described the incident. A city garbage truck had a hydraulic hose break and they lost the capacity of the system, 30 gallons, to a ditch with fast moving water that ends up in Oak Harbor. They were able to recover about 12 gallons within 24 hours.

The RDA Committee proceeded to vote on the following PAS questions:

1. Are the damages quantifiable at a reasonable cost? Results: Yes=0 No=5
2. Is restoration or enhancement technically feasible? Results: Yes=0 No=5
3. Has the potential liable party (PLP) proposed restoration/enhancement projects/studies that are sufficient to adequately compensate the people of the state for public resource damages? No, no PLP representative attended the meeting and no proposal was submitted.

3. Madrona Autoworks, January 8, 2016 spill into Eld Inlet.

Dale Davis described the incident. Madrona Autoworks services vehicles and had been storing used oil in a large plastic tank inside a shipping container next to the shop. The shop was also using some of the used oil in a furnace to heat the building. Apparently the used oil was pumped into a storage tank in the shop for the furnace using the same pipes that went to the plastic storage tank in the shipping container. The fire department ordered them to stop using the plastic storage tank because it was not designed for oil, and they had a contractor pump out the oil and then disconnected the tank, leaving it sitting outside the shipping container. Apparently the people in the shop were unaware that there was no valve on the pipe that had gone to the plastic tank and when they continued pumping oil to the storage tank in the shop, some of the oil was just going into the shipping container. The doors on the end of the shipping container are not water or oil tight and as they pumped oil into the container, some of the oil leaked out the doors onto the ground. The area around the shop, including the area where the shipping container is sitting, consists of coarse black rock that drains water into drain pipes that discharge into the ditch along the road in front of the shop. Rain water moved the oil leaking out of the container into the drain system and into the ditch. The ditch drains into a swale that discharges into Eld Inlet. The owners of the shop noticed oil coming out of the drain to the ditch, but did not investigate further and did not report it. A citizen walking on a trail near the swale reported the spill. It is not known how long the oil had been going into Eld Inlet, but the sides of the swale and the discharge pipe were heavily stained with oil, indicating that a significant amount of oil had move through the system during the last heavy rain when the water level in the swale was about two feet higher. The actual spill volume is not known, but 25 gallons is very likely an underestimate.

Jack Cloutier and Dani Yongue, the current owners of Madrona Autoworks, attended the meeting and explained how the previous owner had removed the plastic tank that was in the shipping container, and was not supposed to remove the valve that would have prevented the oil from flowing into the container. However, no one had checked to see if the valve was still there and no one had kept track of the amount of oil that was being pumped into the tank in the shop for the furnace. Mr. Cloutier said that he had been told at the time of the spill cleanup that no oil had reached Eld Inlet, probably by someone working for NRCES. Dale Davis informed them that samples had been collected from Eld Inlet that documented oil from the spill in Eld Inlet; in addition, oil stained vegetation indicated that the oil level in the swale had been much higher before the cleanup and had drained into Eld Inlet.

The RDA Committee proceeded to vote on the following PAS questions:

1. Are the damages quantifiable at a reasonable cost? Results: Yes=0 No=5
2. Is restoration or enhancement technically feasible? Results: Yes=0 No=5
3. Has the potential liable party (PLP) proposed restoration/enhancement projects/studies that are sufficient to adequately compensate the people of the state for public resource damages? PLP representatives attended the meeting, but no proposal was submitted. However, the representatives indicated that they would likely be interested in funding a direct restoration project.

II. Old Business

1. There was no new information on the RDAs for the Foss Maritime spill (12/30/2003) or the Dalco Passage spill (10/14/2004).
2. Winlock warehouse fire and spill (8/18/2015) RDA update – Alison Meyers and Dale Davis with Ecology, Don Noviello with WDFW, and Jeff Fisher with NMFS had a meeting on January 22, 2016 to discuss the next steps forward. Jeff will prepare a memo summarizing the incident, the process he is using to estimate damages, and likely how much the damages will be. He will use that in a meeting with the responsible party to propose a settlement, rather than just using the endangered species act to process a take. This proposed path will allow us to pass the assessment money to the National Fish and Wildlife Foundation (NFWF) who will facilitate restoration.
3. La Mexicana cooking oil spill (11/6/2015) RDA update – The manager for La Mexicana, William Fry, wrote a lengthy letter to Ecology with concerns about numerous issues regarding the spill cleanup, investigation, and bird rescue and cleaning. His main concern is the cost for everything that may end up bankrupting the company. The main issues that could affect the RDA are the spill volume and the water body designation. Mr. Fry does not think that the entire 200 gallons spilled into the pond and he thinks that the pond is just a storm water retention pond. The volume will be reviewed, but the pond has been rated by an Ecology Wetland Biologist as a Category III wetland. Ecology will invite Mr. Fry to a meeting to discuss his concerns.
4. Gardner-Fields asphalt spill (2/8/2015) RDA update – A meeting has been scheduled with Gardner-Fields, Cardno, and Ecology to determine a path forward for this incident. They have indicated that they would like to hire Cardno to run an HEA as an alternate method for estimating damages. This is good news as it indicates that we are making good progress to resolve the RDA for this incident.
5. Sue Vezeau with Ecology's Spills Program Geographic Response Plans Unit described how they are updating all of the GRPs, as well as developing new ones, and how the priority tables in the GRPs are used to protect the most sensitive resources in the area of a spill. She then explained how she sees the RDA Committee members as the representatives of each of the natural resource trustee agencies that are the most qualified to determine the priorities. She asked the committee members or others in their respective agencies to help with updating or developing new priority tables.

The meeting was adjourned at 11:03 a.m.

PREASSESSMENT SCREENING OIL SPILL REPORT FORM

Date of Incident: December 21, 2015

Potentially Liable Party: City of Oak Harbor

Product Spilled: Hydraulic oil

Spill Source: City garbage truck

Oil Spill Size Estimate: 30 gallons.

Water Body Affected: Oak Harbor

Ecology Region: NWRO

County: Island

Nearest City: Oak Harbor

Location of Spill: 550 SW Waterloo Ave

Cause: Hydraulic hose burst

Ecology Responder: Chad Schwatka

Field Report: A city garbage truck had a hydraulic hose break and they lost the capacity of the system, 30 gallons, to a ditch with fast moving water that ends up in Oak Harbor. They were able to recover about 12 gallons within 24 hours.

PREASSESSMENT SCREENING OIL SPILL REPORT FORM

Date of Incident: February 4, 2016

Potentially Liable Party: Cheney Livestock Corporation

Product Spilled: Diesel

Spill Source: Cattle truck fuel tanks

Oil Spill Size Estimate: About 100 gallons.

Water Body Affected: An adjacent wetland

Ecology Region: SWRO

County: Lewis

Nearest City: Randle

Location of Spill: Highway 12, milepost 114.5, just west of Randle

Cause: Human error, driver fell asleep

Ecology Responder: Kathy Armstrong

Field Report: The driver of a cattle truck owned by Cheney Livestock fell asleep and drove off the road, breaking the cross-over line for the fuel tanks. Most of the fuel drained out of one tank, but they were able to pump out some of the fuel from the other tank. The truck essentially ended up in or on the edge of a roadside wetland and most of the spilled fuel went into the wetland. Cowlitz Clean Sweep responded and deployed lots of sorbents so there should be some 24 hour recovery.

PREASSESSMENT SCREENING OIL SPILL REPORT FORM

Date of Incident: February 18, 2016

Potentially Liable Party: Chelan County PUD

Product Spilled: Turbine oil

Spill Source: Rock Island Dam

Oil Spill Size Estimate: 105 gallons.

Water Body Affected: Columbia River

Ecology Region: CRO

County: Chelan/Douglas

Nearest City: Rock Island

Location of Spill: Rock Island Dam, Generator Unit 3

Cause: Mechanical failure

Ecology Responder: Sam Hunn

Field Report: The seals for generator Unit 3 had recently been replaced, but after running for 18 days they noticed a sheen in the tail race and shut the unit down. They verified that the seals had failed and replaced them with a different make known to be more reliable. They estimated that 105 gallons of turbine oil had been lost to the river; no recovery.