



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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July 15, 2011

### **Providing Notice of Vessel Emergencies - Helping you get ready**

Hello Everyone:

On July 22, 2011, a new reporting requirement for vessel emergencies becomes effective in Washington State. Vessel operators must notify the Department of Ecology via Washington's Emergency Management Division (EMD) within one hour of experiencing a vessel emergency that either results in a discharge or poses a substantial threat of discharge of oil. I am writing to provide a simple reminder and set common expectations for managing this change.

- The contact information for EMD is already in your contingency plans (1-800-258-5990 24 hours a day), so this notification process is well established and frequently practiced during drills.
- This new law states that "the owner or operator of a covered vessel must notify the state of any vessel emergency that results in the discharge or substantial threat of discharge of oil to state waters or that may affect the natural resources of the state within one hour of the onset of that emergency."
- By making this notification the vessel operator will be taking the first step to implement a proportional response to the emergency in coordination with your Northwest response partners. The purpose of this notification is to allow federal, state and industry partners to coordinate efforts and ensure that reasonable spill preparedness and response measures can pre-identified, staged, or mobilized prior to a spill occurring.

The Northwest Area Contingency Plan (Chapter 1000) describes the difficulties of responding to coastal spills in the Northwest, including the long transit distances from equipment caches to the rugged coastal environment. Advance notice of spill threats enables us to work together under a unified command to mount a rapid, aggressive and well coordinated response to potential spills

We know that ship operators and industry groups are working now to educate their crews and landside staff on this requirement. We have been asked for some guidance on this early implementation piece.



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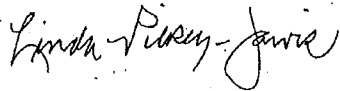
For now I would suggest you consider some common-sense, reasonable factors if you are trying to determine whether a vessel emergency substantially threatens the natural resources of the state include. These include but are not limited to:

- Ship location and proximity to land or other navigational hazards;
- Weather;
- Tidal currents;
- Sea state;
- Traffic density;
- Severity and nature of damage to vessel and
- Timing or likelihood of vessel repairs

These factors may look familiar because they are the factors that the Coast Guard uses. We understand that it will take some time to educate all vessel operators and plan holders, and other agencies about this new requirement. Ecology is initiating a rule writing process beginning in early 2012 to put this and other requirements from the enabling legislation into regulation. We will take a flexible approach on this reporting requirement for several months, learning lessons while further guidance is developed.

For your convenience, I've attached an excerpt from the legislation, which may be viewed at <http://leg.wa.gov> under bill information. I am happy to discuss this with you further. Please let me know if you have questions, (360) 407-7447 or [jpil461@ecy.wa.gov](mailto:jpil461@ecy.wa.gov).

Sincerely,



Linda Pilkey-Jarvis

lp/bl

cc: D13 Rear Admiral Keith Taylor  
Captain Scott Ferguson, Sector Puget Sound  
Captain Bruce Jones, Sector Columbia River  
Chris Field, US EPA  
Jeff Christensen, Oregon Department of Environmental Quality

**ESHB 1186, Section 8 - requires:**

*“In addition to any notifications that the owner or operator of a covered vessel must provide to the United States coast guard regarding a vessel emergency, the owner or operator of a covered vessel must notify the state of any vessel emergency that results in the discharge or substantial threat of discharge of oil to state waters or that may affect the natural resources of the state within one hour of the onset of that emergency. The purpose of this notification is to enable the department to coordinate with the vessel operator, contingency plan holder, and the United States coast guard to protect the public health, welfare, and natural resources of the state and to ensure all reasonable spill preparedness and response measures are in place prior to a spill occurring.*”