

2015 Oil Transportation Safety Act

Overview



Background

2015 Oil Transportation Safety Act ESHB 1449

- Response to the evolving oil spill risk picture in Washington State
 - New oil spill risks, such as transporting oil by rail
- Informed by the 2014 Marine and Rail Oil Transportation Study
 - Identifies risks posed from oil transport
 - Identifies ways to mitigate risks



Policy Initiatives

- Oil Movement Notification Rule
 - First of its kind in the nation
- Contingency Plans – Railroad Rule
 - Extends planning and drill requirements to railroads moving oil in bulk
- Response Equipment Cache Grant Program
 - Targets communities in areas with greatest need for equipment, resources, and training
 - An important opportunity to build local, regional, and statewide response capacity



Policy Initiatives

- Geographic Response Plans
 - Review of existing plans
 - Report back to the Legislature about plan progress
- Vessel Traffic Assessments
 - Update to the 2010 Puget Sound Vessel Traffic Risk Assessment
 - New Evaluation and Assessment for the Columbia River



Oil Movement by Rail and Pipeline Notification Chapter 173-185 WAC

Spill Prevention, Preparedness, & Response Program



Rule Adoption Announcement

Chapter 173-185 WAC

Oil Movement by Rail and Pipeline Notification

- Adopted on August 24, 2016
- Effective on October 1, 2016



What is the scope of this rulemaking?

- Establishes notification requirements for:
 - **Pipelines** (transporting crude oil through transmission pipelines in the state)
 - **Facilities** (receiving crude oil by rail)
- Establishes reporting procedures for:
 - **Ecology** to share information with emergency response agencies and the public.



Why It Matters

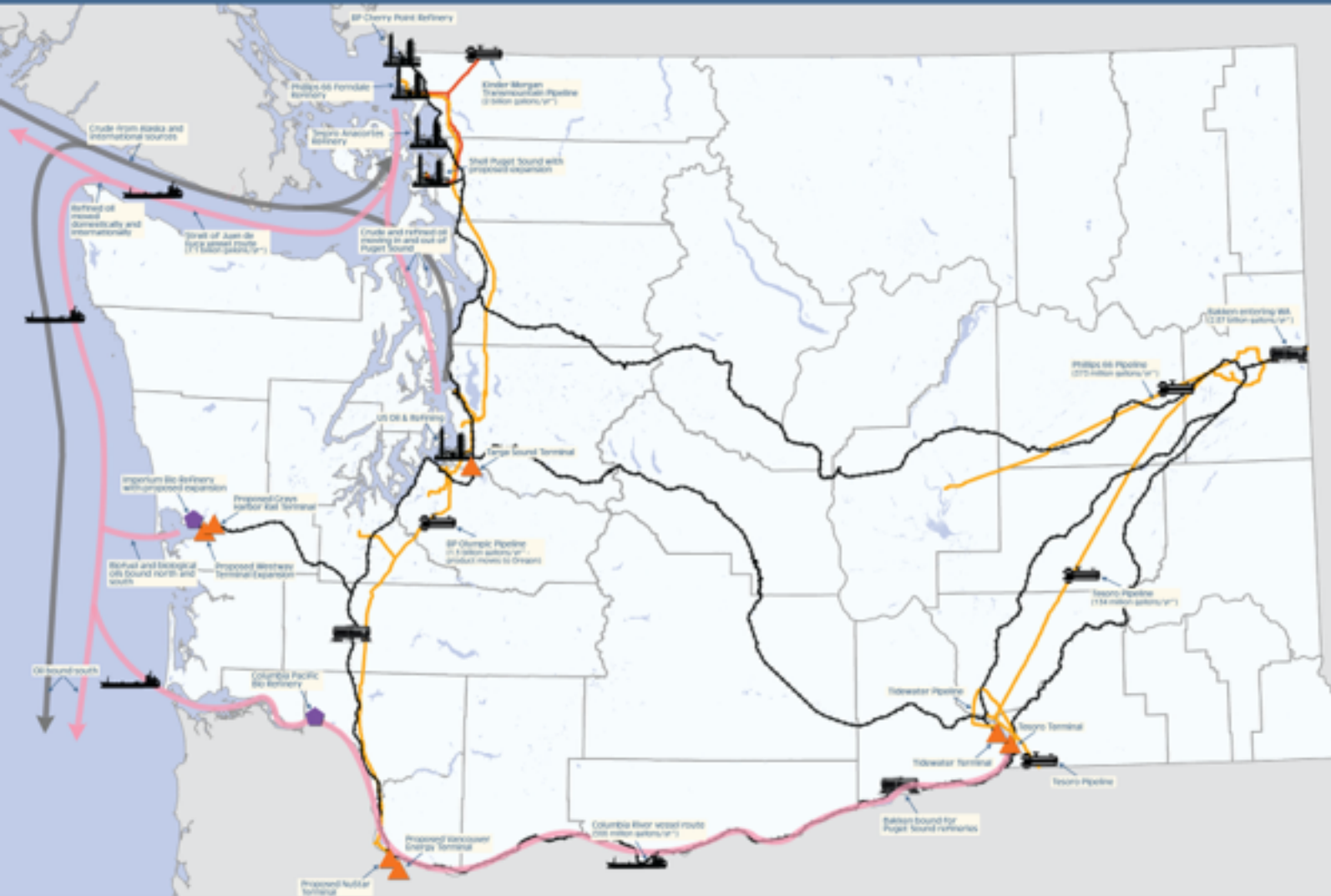
This rule provides emergency response agencies with essential information used to prepare for and respond to spills.

This information can be used by emergency response agencies in many ways:

- Plan response strategies.
- Inform equipment selections.
- Make staffing level decisions.
- Improve public health and safety.



OIL MOVEMENT IN & OUT OF WASHINGTON STATE



Legend

- pipeline
- vessel
- oil train
- refinery
- terminal
- bio refinery
- crude oil via barge & tanker
- refined product via barge & tanker
- refined product via pipeline
- crude product via pipeline
- railroad

*based on best annual estimates and 2015 data



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Advance Notice of Transfer System (ANT)

- Designed for Emergency Response Agencies.
- Shares Information submitted by Facilities specific to Crude-by-Rail transport through Washington.
- Accessed through SecureAccess Washington Login.
- Information available through the ANT system cannot be shared with the public unless it is aggregated.

Who can request advance notice information?

- State Emergency Management Division
- County, City, Tribal, Port, and Local Emergency Response Agencies



What information cannot be released to the public?

Unaggregated or “raw” data about individual notices of transfer that include:

- Proprietary, Commercial, or Financial information

Applies to Ecology and all eligible emergency response agencies that receive this type of information.

- Public Records Act – RCW 42.56.270(23)



Aggregated Quarterly Reports

- Each quarter, Ecology will publish a report on the Agency's website.
 - Volume totals summarized by:
 - Week of delivery during the quarter.
 - Weight classification of crude transported by rail.
 - Rail route through the state used to transport the crude oil.
- Pipeline data is received on a different schedule than rail.
 - Will be added to quarterly reports when it is received by the Agency.
- The target date for the first quarter report is January 15th.



Route Segments



Railroad Routes



Oil Spill Contingency Plan - Railroad

Chapter 173-186 WAC

Spill Prevention, Preparedness, & Response Program



Rule Adoption Announcement

Chapter 173-186 WAC

OIL SPILL CONTINGENCY PLAN - RAILROAD

- Adopted on August 31, 2016
- Effective on October 1, 2016



What is the scope of this rulemaking?

This rule establishes requirements for:

- Oil spill contingency plans
- Drill and equipment verification
- Provisions for inspection of records

The rule applies to owners and operators of all railroads (not owned by the state) operating in Washington that transport or stores bulk oil as cargo.

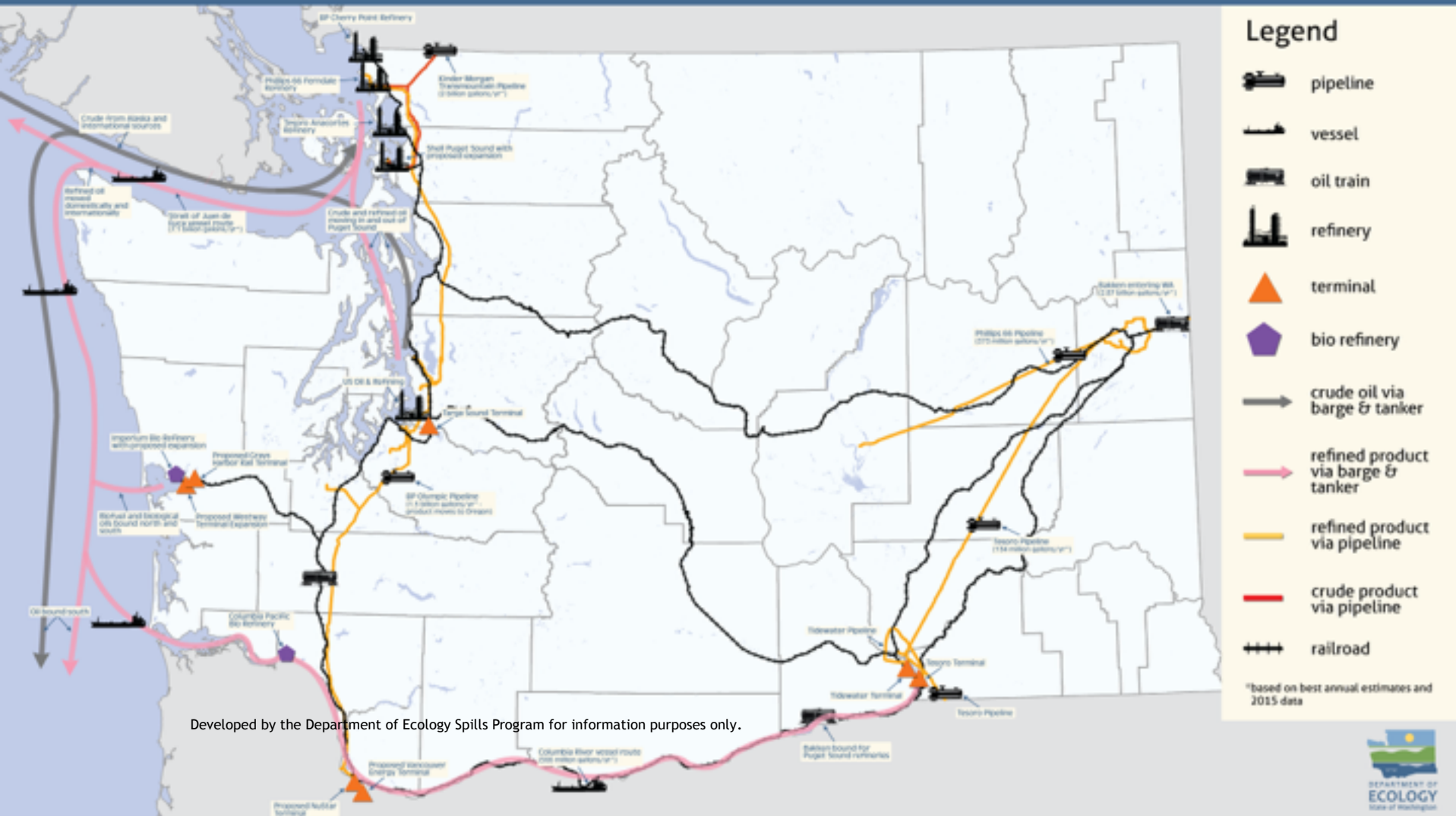


Why It Matters

- The railroad corridors in Washington travel along some of its largest rivers and water bodies.
- The rule requires equipment to be pre-staged in strategic locations and trained contractors and equipment verification which reduces damages and cleanup costs.
- Drills demonstrate the plan and provides opportunities for improvement and updating plans.



OIL MOVEMENT IN & OUT OF WASHINGTON STATE



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Contingency Plan Development and Review

- Plans are submitted by owner, operator, or primary response contractors.
- Plans are approved for 5 years.
 - Plans are reviewed annually and updates are submitted if necessary or after “lessons learned” from drills.
 - Significant changes are reported and plans are updated promptly.
 - There is a continuous cycle of improvements with plans.



Drill Program

- Each plan holder has a 3 year drill cycle to receive credit for 15 core components.
 - Ecology designs and evaluates all drills.
 - Each plan holder is required to conduct 2 deployments and 1 tabletop scenario driven drill per year.
 - Once in the 3 year cycle, one of the tabletop exercise is a worst case scenario.



Schedule for Implementation

Existing railroads that transport crude oils:

- By December 30, 2016, all existing railroads that transport crude oil in Washington must submit a contingency plan.
- If from the initial review of the plan, it is determined that there is insufficient access to equipment, rail plan holders will have an additional 18 months after initial plan review to be in full compliance with the equipment planning standards described in WAC 173-186-310.



Schedule for Implementation

Existing railroads that are transporting oils other than crude oils:

- By March 30, 2017, all existing railroads that transport oil other than crude oil in Washington must submit a contingency plan or be enrolled in an integrated plan.
- If from the initial review of the plan, it is determined that there is insufficient access to equipment, rail plan holders will have an additional 18 months after initial plan review to be in full compliance with the equipment planning standards described in WAC 173-186-310.



Equipment Cache Grant Program

2015 Oil Transportation Safety Act

Spill Prevention, Preparedness, & Response Program



Overview

- Oil spill and hazardous materials response and firefighting equipment.
- Grant application period was Oct. 1st – Nov. 30th.
- Currently in the Evaluation period.
- 42 complete application submitted.
- Over \$2.2 million in requested equipment, enhancements, and training related to spill response.



2017-19 Grant Cycle

- Dependent upon funding allocated by the Legislature.
- If approved, the application period will open after the start of the next biennium.





Questions?