

# Inspecting Vessels for Substantial Risk



*Cargo vessel bunkering in Washington waters.*

## Contact

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## Accommodations

To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-7211 or visit [ecology.wa.gov/accessibility](http://ecology.wa.gov/accessibility). People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

## Why does Washington have a vessel oil spill prevention program?

Washington State's strategic location makes it a center for domestic and international trade. Our maritime sector is a cornerstone of the state's economy. Large deep-draft vessels transit Puget Sound, Grays Harbor, the Columbia River and the outer coast, carrying goods into and out of ports in Washington, British Columbia, and Oregon.

Washington legislators decided that our waters require an additional level of protection from vessel oil spills than is afforded by federal law due to the volume of ship traffic and the peculiarity and environmental sensitivity of our waterways. Washington State's legislature and residents are motivated to prevent oil spills from vessels and have authorized the Department of Ecology to implement measures that would result in "zero spills."

## What is Ecology's role in vessel oil spill prevention?

State law RCW 88.46.050 authorizes Ecology to screen vessels for potential oil spill risk and inspect cargo and passenger vessels for conformity with state, federal, and international standards, rules, and regulations. We work within the framework of federal and international oil spill prevention standards, rules, and laws.

As part of our vessel oil spill prevention strategy, Ecology inspectors board vessels to ensure the unique concerns of Washington State are addressed and our Accepted Industry Standards are understood and implemented. Our inspections are conducted under WAC 317-31 to determine if a vessel poses a "substantial risk" of harm to public health and safety, or to the environment.

Inspectors coordinate with the United States Coast Guard (USCG) under a memorandum of understanding (MOU) in support of our joint goal to

prevent oil spills. We also work with Oregon's Department of Environmental Quality and have an interstate agreement with them to build a cooperative partnership to promote maritime safety.

## Why does Ecology inspect vessels for substantial risk?

We believe a strong oil spill prevention program is the only way to achieve the goal of zero spills. Boarding vessels and conducting inspections to see firsthand if a vessel is meeting our Accepted Industry Standards is the foundation of our vessel oil spill prevention program. This hands-on approach allows our inspectors to use their knowledge and maritime expertise to ensure adequate safety and spill prevention policies are in place. Ecology vessel inspections fill a critical role in ensuring marine safety and protecting Washington waters. If serious omissions or violations of U.S. or international regulations are found during an inspection, we immediately share this information with the USCG.

## What are Washington's Accepted Industry Standards?

We worked closely with industry partners to develop Washington's Accepted Industry Standards for cargo and passenger vessels and a separate set of standards for fishing vessels. These standards were based on industry best practices, international conventions, and federal regulations.

## What is defined as "substantial risk"?

A vessel is a substantial risk if it falls below Accepted Industry Standards to a degree where there is a serious threat to public health, safety, or the environment.

## What is the difference between the state and federal inspections?

Although both Ecology inspectors and the USCG Port State Control (PSC) inspectors board vessels to ensure marine safety, the philosophy, focus, and process of these inspections are quite different.

**Ecology's** philosophy is that prevention is best achieved through training and education. Because our inspectors have many years of experience in ship operations and regulatory requirements, we are able

to engage meaningfully with vessel crews to discuss the operating company's safety management system as it relates to marine safety and oil pollution prevention. Our inspectors compare a company's policies and procedures with Ecology's Accepted Industry Standards, Washington State regulations (including our bunkering rules), and federal and international standards to help vessels identify opportunities to increase marine safety and prevent oil spills.

The **USCG Port State Control (PSC)** examination focuses on substantial compliance with international conventions and federal laws and rules regarding the material condition of operational and life-saving equipment for foreign vessels calling at U.S. ports. The PSC exam also ensures the crew is trained in life-saving and shipboard firefighting operations, and that critical equipment, systems, and operations are adequate to meet federal and international requirements.

While there may be some overlap in the scope of the respective vessel examinations, Ecology inspections do not duplicate but rather complement Coast Guard inspections.

## How do Ecology inspections reduce the risk of a spill?

By boarding vessels and interacting with vessel crew members, our inspectors are able to identify deficiencies and recommend improvements. Our unique approach of hiring vessel inspectors with years of experience in maritime operations allows us to have informed discussions with crewmembers. These conversations help bring safety and oil spill prevention to the forefront of their minds during their transit through Washington waters.

Our inspectors regularly provide vessels with educational materials and training aids on how to reduce oil spill risk. After an inspection, vessel operating companies are sent a copy of the inspection checklist, educational materials, and any recommendations the inspector has for enhancing vessel safety and decreasing the risk of an oil spill in Washington waters. When companies implement these recommendations, marine safety is enhanced across their entire fleet.