## **REPORT TO THE LEGISLATURE**



2021 Geographic Response Plans Statewide Review



### **Publication information**

This report is available on the Department of Ecology's website at https://apps.ecology.wa.gov/publications/SummaryPages/2108019.html

**Related Information** 

- Geographic Response Plan Library: <a href="https://rrt10nwac.com/GRP/Default.aspx">https://rrt10nwac.com/GRP/Default.aspx</a>
- Geographic Response Plans at Ecology: <u>https://ecology.wa.gov/Regulations-Permits/Plans-policies/Contingency-planning-for-oil-industry/Geographic-response-plans-for-oil-spills</u>
- Spill Prevention, Preparedness, Response Story Map: <u>https://apps.ecology.wa.gov/coastalatlas/storymaps/spills/spills\_sm.html</u>

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<sup>&</sup>lt;sup>1</sup> Spills Program - Washington State Department of Ecology

#### Background

Geographic Response Plans (GRPs) are plans that guide oil spill responses in Washington State. They are written for specific areas, such as a river, lake, or portion of Puget Sound. They contain site descriptions, maps, oil spill response strategies, and important contact information. The response strategies found in GRPs are deployed immediately after a spill is reported to minimize damage to natural, cultural, and economic resources. Response strategies are pre-prioritized within a GRP to avoid delays in response, and are the initial protocols for response personnel until incident-specific information becomes available. GRPs are a key planning tool for a rapid, aggressive, and well-coordinated response to oil spills. All Washington GRP strategies can be viewed on the Department of Ecology's <u>Story Map</u>.

This is the fourth and final report on GRPs required by the 2015 Oil Transportation Safety Act (<u>RCW</u> <u>90.56.569</u>). The 2015 legislation directed the Department of Ecology (Ecology) to:

- Review all GRPs in the state,
- Review any federal requirements, as needed, in oil spill contingency plans required under RCW <u>90.56.210</u> and <u>88.46.060</u>, and
- Identify corresponding gaps in GRP coverage.

The 2015 Act required that, at minimum, fifty percent of the GRPs needed for contingency (plans per RCW 90.56.210 and 88.46.060) be completed by December 1, 2017.

In 2018, the Strengthening Oil Transportation Safety Act (RCW 90.56.210, and 88.46.060) directed Ecology and oil spill contingency plan holders to identify the resources impacted by non-floating oil spills (water column species and seafloor resources) in response plans. To implement the 2018 legislative direction, Ecology updated Chapters <u>173-182</u> and <u>173-186</u> Washington Administrative Code (WAC). In 2018, the Legislature also extended the dates for submitting these reports until December 2021.

#### RCW 90.56.569 Updates to the Senate and House of Representatives

(1) The department must provide to the relevant policy and fiscal committees of the Senate and House of Representatives updates by December 31, 2019, and December 31, 2021, consistent with the requirements of RCW 43.01.036, as to the progress made in completing state and federal geographic response plans as needed in contingency plans required under RCW 90.56.060, 90.56.210, and 88.46.060.

(2) In its updates of geographic response plans, the department must address situations where oils, depending on their qualities, weathering, environmental factors, and method of discharge, may submerge or sink in water.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described.

#### Purpose of this Report

This final report summarizes the three previous reports from 2015, 2017, and 2019, and gives an update on the legislatively directed GRP work accomplished in 2020 and 2021, which addressed non-floating oils. This report also describes Ecology's current and future GRP priorities.

#### Overview of the 2015 Report to Legislature

The first report in this series, Geographic Response Plans – Preparing to Respond to Oil Spills, 2015 Statewide Review, describes the state and federal requirements for oil spill contingency plans. These requirements include information on sensitive resources and the response tactics to protect them; GRPs can be cited to meet these requirements. Under the 2015 Oil Transportation Safety Act (RCW 90.56.569), the Legislature directed Ecology to make significant progress in creating new GRPs, and updating existing GRPs. To begin this task, Ecology analyzed GRP coverage gaps in the state.

The GRP coverage analysis included both marine and inland environments, and considered oil spill risks (rail transport corridors, pipeline corridors, oil handling facilities, interstate highways, and historic spill locations), the presence or absence of GRPs in vulnerable areas, and the dates that existing GRPs were last updated.

The areas most in need of GRPs, or GRP updates, were listed and prioritized in a combined gap-ranking matrix. Based on this gap analysis, and the priorities of the Northwest Area Committee, Ecology selected GRPs for immediate development or update.

The 2015 report is available on the Department of Ecology's website at <a href="https://fortress.wa.gov/ecy/publications/SummaryPages/1508015.html">https://fortress.wa.gov/ecy/publications/SummaryPages/1508015.html</a>.

#### Overview of the 2017 Report to Legislature

The second report in this series, 2017 Geographic Response Plans Statewide Review, describes how the updates to existing GRPs and the creation of new GRPs dramatically improved the state's readiness to respond to spills. This is especially true along the new crude-by-rail routes in the eastern region of the state where GRPs did not previously exist.

The 2017 report describes the creation of ten new GRPs, and the full update to seven pre-existing plans. This expansion of coverage raised the total number of GRPs in Washington to forty-two. With this monumental achievement, all of the major transportation routes and handling locations of bulk oil throughout the state are now covered by a GRP.

Ecology, with the help of contractors, met the legislative deadline. This allowed railroad companies to cite GRPs in their newly required oil spill contingency plans and helped the railroad industry identify sensitive resources in their operating areas. This work promotes a common approach to preparing for, and responding to, oil spills wherever they occur within our state.

The 2017 report is available on the Department of Ecology's website at <a href="https://apps.ecology.wa.gov/publications/SummaryPages/1708021.html">https://apps.ecology.wa.gov/publications/SummaryPages/1708021.html</a>.

#### Overview of the 2019 Report to Legislature

The third legislative report from Ecology, *2019 Geographic Response Plans Statewide Review*, describes Ecology's initial efforts in response to the 2018 Strengthening Oil Transportation Safety Act. The legislative mandate required GRPs to address the threat of oils that may submerge or sink if spilled into state waters.

Ecology first identified all planning areas where the potential for a spill of non-floating oil existed, and coordinated with Washington State Department of Fish and Wildlife to begin this work. The 2019 report also described the results of a GRP user survey that Ecology conducted to learn about current and future

needs of GRP users. The survey suggested that Ecology could improve GRP access if they were available in a digital format, rather than single document PDFs. Work began in 2019 to transition GRPs to an online format, including the development of an interactive map for locating and selecting GRPs.

# The 2019 report is available on the Department of Ecology's website at <a href="https://apps.ecology.wa.gov/publications/SummaryPages/1908023.html">https://apps.ecology.wa.gov/publications/SummaryPages/1908023.html</a>.

#### Non-floating oils and GRP Work in 2020 and 2021

As required by the 2018 legislation, all twenty-eight GRPs with threat of spills of non-floating oil received updates. With the help of Washington State Department of Fish and Wildlife and other state and federal trustee agencies, each of these plans has an updated *Resources at Risk* section, which now describes the benthic and water column species potentially impacted by non-floating oil.

Two new sections have been added to each plan: a section describing the environmental factors (turbidity, salinity, flow rates, etc.) that could make an oil more likely to sink, and a section with response options and considerations specific to non-floating oils. Ecology completed these updates in time for contingency plan holders to cite the updated GRPs to comply with the new regulations.

Ecology worked with the National Oceanic and Atmospheric Administration (NOAA) and other agencies to develop a <u>Non-Floating Oil Response Tool</u>, an interactive online tool to support responder and community awareness of the risks and response options for non-floating oils.

Ecology also used this opportunity to transition the original single document PDF GRPs to a modern online format. Sixty-seven percent of the states GRPs have been converted to this new format. The interactive map and the new easy-to-use GRP format significantly increase the accessibility and usability of the state's GRPs. Links to these new web-based GRPs are located on the <u>Region 10 Regional Response</u> <u>Team Northwest Area Committee</u> website, as well as on <u>oilspills101.wa.gov</u>.

Ecology continued the regular work of comprehensively updating the plans on a rotating schedule. Five GRPs received a full update during this time, and work began on the comprehensive updates to ten additional GRPs.

#### Priorities for GRP work in 2022, 2023, and beyond

With GRPs now covering all major oil handling areas and oil transportation corridors in Washington, it is important to maintain their utility through frequent and thorough updates. Ideally, GRPs will be updated every five years. This involves extensive outreach, coordination, and collaboration with tribes, federal, state, and local partners, oil spill response contractors and the public. This also entails significant fieldwork and data entry.

Historically, the average GRP update has taken approximately 12-18 months from start to finish. The recent change to digital formats for GRPs is expected to reduce this time. The new GRP format allows rapid interim updates to be completed before the plans are opened for comprehensive review. Interim updates to GRPs can significantly reduce the amount of content in need of revision over time. Ecology is committed to finding additional efficiencies in the GRP update process, and is striving to update GRPs on a five-year cycle.

#### Conclusion

GRPs remain an important tool to maintain oil spill preparedness in the state of Washington. In response to legislative investment, updated rules, and valued feedback from our stakeholders, Ecology has expanded GRP planning to consider threats from non-floating oils, and has improved the plan format to increase their accessibility and utility. Looking ahead, Ecology is committed to updating all GRPs on a revolving cycle, ensuring that all plans maintain the information needed to aid in the state's ability to facilitate a rapid, aggressive, and well-coordinated response to oil spills.