



Spill Prevention, Preparedness, and Response Program

2021–2023 Program Plan 2022 Update

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Introduction

The Washington Department of Ecology (Ecology) Spill Prevention, Preparedness, and Response (Spills) Program focuses on preventing oil spills to Washington's waters and land, and planning for and delivering a rapid, aggressive, and well-coordinated response to oil and hazardous material spills wherever they occur. The program works with communities, industry, state and federal agencies, Tribes, and other partners to prevent and prepare for oil spills. The program also responds to spills 24/7 from six offices located throughout the state and works to assess and restore environmental damage resulting from spills.

The program's **mission** is to protect, preserve, and restore Washington's environment.

The program's **vision** is creating a zero spills world.

This document presents the 2021-2023 program plan for the Spills Program. The program plan describes the 2021-2023 biennium budget appropriation for approximately 91 full time equivalent (FTE) positions, the program's core services, intended additional activities, and performance measures. The program plan is used by staff and program management to describe planned activities over the next two years, prioritize work, and track progress. It also communicates to other Ecology programs and stakeholders what work is prioritized alongside core services. A new program plan is developed each biennium, and reviewed annually.

Program overview

The Spills Program contains four sections: Prevention, Preparedness, Response, and Statewide Resources, supporting four major activities:

- Prevent oil spills from vessels and oil handling facilities.
- Prepare for aggressive response to oil and hazardous material incidents.
- Rapidly respond to and clean up oil and hazardous material spills.
- Restore public natural resources damaged by oil spills.

Core services are the program's ongoing work that supports these activities, which include vessel and facility inspections, oil transfer monitoring, plan review and approvals, contingency plan drills, environmental restoration, and 24/7 response to oil and hazardous materials spills. In delivering these services, the Spills Program plays a key role in minimizing the long-term release of toxics into the environment and helps to protect the waters, soil, air, and public health of the state. The core services of each section are described starting on page 7.

Relationship between the strategic and program plans



Figure 1: Strategic and program plan framework

The strategic and program plans are developed under a consistent framework, using the following operational definitions:

The program's **mission** describes the purpose of the program by answering: "Why does the program exist?"

The program's **vision** supports the mission. It provides a framework for the strategic planning process by describing the desired future state of the program. The vision answers: "Where does the program want to be?"

The program's **goals** are broad, high-level and issue-oriented statements of outcomes that an agency will strive to achieve. They fit well with the mission statement and answer the question, "What must we do to accomplish our mission or achieve a result?"

Strategies support the goals. They define directions, methods, processes, or steps used to achieve the goals. Strategies are more specific than goals and act as a link between goals and action items.

Action items implement strategies. They have measurable outcomes and describe the specific projects or activities necessary to reach the goals. Action items are linked to specific resources and have a timeline for completion. They answer the question: "What will move the program's work forward?"

The goals support the vision, the strategies support the goals, and the action items support the strategies. This hierarchy makes it clear how the program's work connects to higher-level policies and guidance.

The 2021-2025 Strategic Plan aligns with the goals of the Governor’s Results Washington, Ecology’s strategic framework, and the Spills Program’s mission and vision. It contains the program’s current goals and strategies. The goals and strategies incorporate ongoing strategic initiatives as well as recent studies, legislation, and rulemaking that impact the program, including:

- 2019’s Engrossed Substitute House Bill 1578, the Reducing Threats to Southern Resident Killer Whales by Improving the Safety of Oil Transportation Act
- The Governor’s Executive Order 18-02
- The 2020 Washington Rail Transportation Safety Study
- 2022’s Engrossed Second Substitute House Bill 1691, concerning financial responsibility requirements related to oil spills.
- 2022’s Senate Bill 5747, concerning the statewide master oil and hazardous substance spill prevention and contingency plan.

These developments focused the program’s attention on the risks of changing oil transportation trends and provided new analytical and regulatory tools to address them.

This program plan supports the strategic plan by describing the action items to complete in the next two years. The program plan also describes the program structure, budget, core services, and performance measures. The program plan is revised regularly to identify new action items that will address near-term priorities.

Program funding

In the wake of the 1988 *Nestucca* fuel barge spill in Washington and the catastrophic 1989 *Exxon Valdez* tanker spill in Alaska, the 1991 Washington Legislature created two dedicated accounts to fund Ecology’s oil spill prevention, preparedness, and response activities.

These two accounts are the Oil Spill Prevention Account (OSPA) and Oil Spill Response Account (OSRA). These accounts receive revenue from the Oil Spill Administration Tax and Oil Spill Response Tax (commonly known as the barrel tax). The barrel tax is five cents per barrel (42 gallons) of oil imported into the state by vessel, rail, and pipeline. Of this five cents per barrel tax, four cents goes into the OSPA and one cent goes into the OSRA. However, oil that leaves the state receives an export tax credit at an equal rate of five cents per barrel, and the credits are deducted in the same amounts from the OSPA and OSRA, respectively.

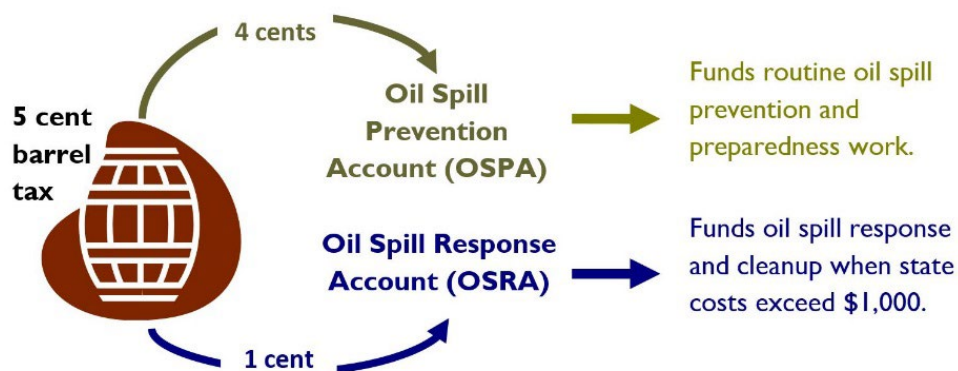


Figure 2: Barrel tax allocation

The Department of Ecology and the Department of Fish and Wildlife traditionally receive appropriations from the OSPA. Ecology's appropriation from the OSPA supports prevention and preparedness activities, which include facility and vessel inspections, oil transfer monitoring, contingency plan reviews, and spill readiness drills. The Model Toxics Control Act (MTCA) Operating Account also supports these activities. The Department of Fish and Wildlife receives funding from the OSPA to support recovery of oiled wildlife during spills.

The Spills Program's response activities are primarily funded out of the MTCA Operating Account, which funds routine oil and hazardous materials spill response activities and natural resource damage assessment activity for spills to water. The OSRA is used to pay for oil spill response and cleanup when state costs are anticipated to exceed \$1,000.

Engrossed Substitute House Bill 1449, passed in April 2015, extended OSPA funds to the Washington Military Department – Emergency Management Division (EMD) to support development and annual review of local emergency planning committee (LEPC) emergency response plans through the end of fiscal year 2019. This funding has been supported by transfers from the OSRA to the OSPA. The 2019 budget extended this transfer through 2021. The 2021-23 budget continues the appropriation to the EMD through June 2023, but does not continue the transfer of funds from the OSRA.

The program's 2021-2023 operating budget is \$41.9 million, shown by program activity in Figure 3 below. The core services and staff FTEs under each program activity are shown in Table 1. Program-wide functions that support the program activity areas, including work of the Statewide Resources Section, have been distributed to each program activity in Figure 3 and

Table 1 below.

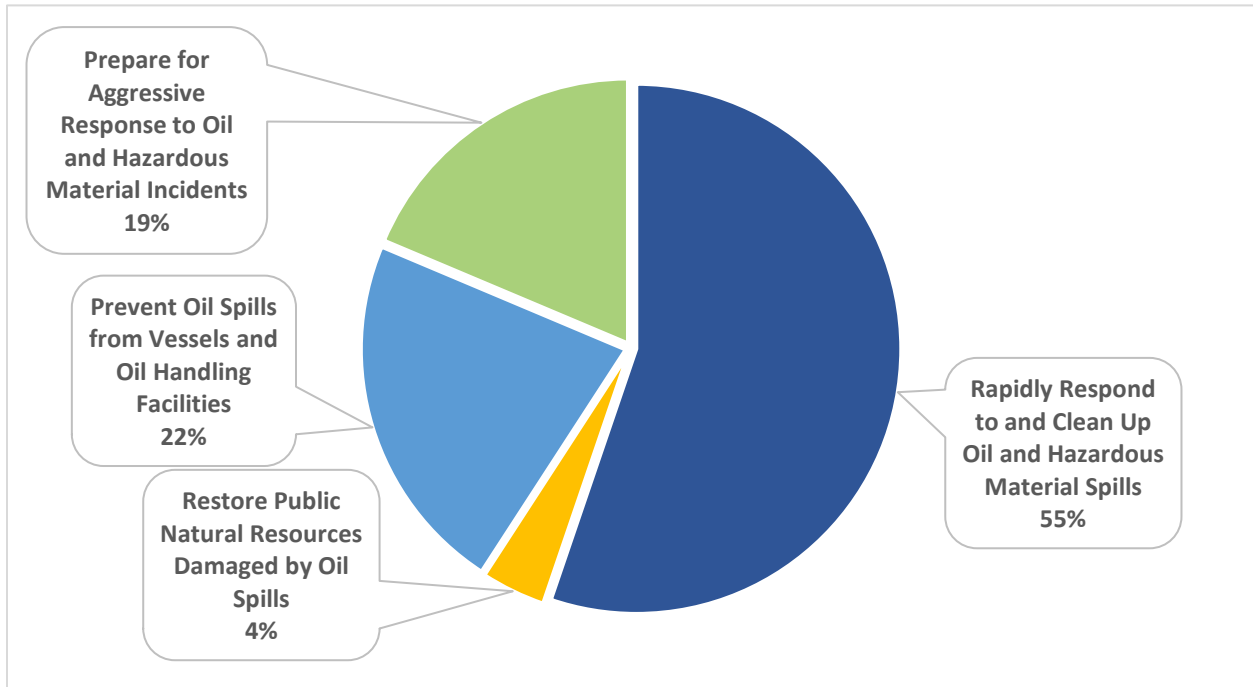


Figure 3: 2021-2023 Operating Budget by Activity, as of enacted 2022 Supplemental

Table 1: 2021-2023 Operating Budget and FTEs by Activity

Program Activity	Amount	FTE
Prevention <ul style="list-style-type: none"> • Vessel screening and inspections • Facility prevention plans and operations manuals • Facility inspections and training certification • Oil transfer monitoring • Tank vessel prevention, including the Exceptional Compliance Program (ECOPRO) • Technical assistance • Investigations and enforcement • Risk modeling and management 	\$9,299,000	25.8
Preparedness <ul style="list-style-type: none"> • Contingency plan review, approval, and continuous improvement • Monitoring financial responsibility compliance by vessel plan • Drill design and evaluation • Primary Response Contractor, Spill Management Team, and Wildlife Response Service Provider application approval and equipment verification • Geographic Response Plan development and maintenance • Regional contingency plan development / Northwest Area Contingency Plan and Regional Response Team participation • Response technology and Best Achievable Protection (BAP) review • Vessel of Opportunity and volunteer coordination development • Incident Command System training • Investigations and enforcement • Technical assistance 	\$7,819,000	26.7
Response <ul style="list-style-type: none"> • Spill response • Safety and competency training • Technical support • Equipment cache and training grant program • Investigations and enforcement 	\$23,154,000	45.4
Natural Resource Damage Assessment <ul style="list-style-type: none"> • Major resource damage assessments • Compensation schedule • Major restoration projects • Coastal Protection Funds projects 	\$1,651,000	2.8
Total	\$41,923,000	100.7

Core services

This section describes the core services of each program section. These services represent the program's ongoing daily work to prevent, prepare for, and respond aggressively to oil spills.

Prevention Section

The Prevention Section works with the regulated community and others to prevent spills from vessels and facilities through the following core services:

- Screening and inspecting covered vessels* to determine if a vessel poses a substantial risk to the environment and to ensure that the unique concerns of Washington State are addressed and our Accepted Industry Standards are understood and implemented.
- Reviewing and approving oil handling facility operations manuals, prevention plans, safe and effective threshold determination reports, and training and certification programs for compliance with state standards, and inspecting Class 1-4 oil handling facilities for compliance with regulatory requirements.
- Monitoring oil transfers for compliance with oil handling regulations and best practices and affirming pre-booming requirements are met to maximize recovery of potential spills.
- Managing the program's voluntary spill prevention programs for tank vessels: Voluntary Best Achievable Protection (VBAP) and the Exceptional Compliance Program (ECOPRO).
- Providing technical assistance to facilities and vessels, including lessons learned and accepted best practices.
- Investigating potential and actual spill incidents from vessels and facilities to identify lessons learned and develop comprehensive prevention activities to help reduce incident reoccurrence.
- Conducting vessel and rail traffic risk assessments to evaluate vessel and rail traffic management and safety.
- Advocating for the implementation of risk reduction measures through harbor and rail safety committees.

Preparedness Section

The Preparedness Section works to ensure that the regulated community and the Spills Program are prepared to respond promptly to oil spills when they occur, and to minimize injuries to resources at risk from oil spills. This includes the following core services:

- Reviewing and approving oil spill contingency plans for facility, vessel, mobile facility, pipeline, and railroad operators (plan holders) to ensure the appropriate equipment and trained personnel are in place to respond to spills when they occur.
- Monitoring financial responsibility compliance by plan holders.
- Working with plan holders to design drills, broaden their scope and scale, vary drill locations and environments, and document personnel training, equipment maintenance, and performance.

* "Covered vessel" means a tank vessel, cargo vessel (including fishing and freight vessels), or passenger vessel required to participate in Chapter 173-182 WAC.

- Evaluating drills and exercises to test the effectiveness of each plan, ensuring that the appropriate equipment can be deployed and personnel are trained and familiar with their plan.
- Reviewing and approving Primary Response Contractor, Spill Management Team and Wildlife Response Service Provider applications and verifying the maintenance and capability of response equipment and personnel readiness.
- Working with industry to maintain and improve the Worldwide Response Resource List (WRRL).
- Developing Geographic Response Plans (GRPs) in consultation with communities, Tribes, and natural, cultural, and economic resource experts.
- Engaging state, federal, local, and Tribal partners in a robust planning process through area committees, the Northwest Area Committee (NWAC), the Regional Response Team, and other state and Tribal planning processes.
- Providing Northwest Area Contingency Plan (NWACP) training and outreach to local, state, federal, Tribal, and other organizations.
- Sponsoring technology conferences and conducting studies to identify new technologies, processes, or techniques that represent BAP.
- Ensuring maintenance of BAP in contingency plans over time through periodic regulatory updates or voluntary standards.
- Managing the Vessel of Opportunity (VOO) program and a system to manage the registration of citizen volunteers.

Response Section

The Response Section responds to spills in a rapid, aggressive, and well-coordinated manner to minimize environmental impacts. The section's Natural Resource Damage Assessment (NRDA) team works to ensure that publicly-owned natural resources impacted by spills are restored.

Response Section work includes the following core services:

- Providing 24/7 response capability for oil and hazardous material spills, and drug labs, from six regional and field offices around the state.
- Conducting aggressive and effective responses to incidents in coordination with responsible parties, federal, Tribal, state, and local governments.
- Managing approximately 4,000 annual spill reports.
- Providing initial and refresher response and safety training to Ecology responders and local partners.
- Outreach and technical assistance activities with local response partners, contractors, and the public.
- Enhancing response capability at the local level by providing equipment cache and training grants to local governments and Tribes.
- Conducting Natural Resource Damage Assessments on all oil spills where 25 or more gallons reach surface water and seeking compensation from responsible parties based on the compensation schedule.
- Assisting in the planning and implementation of restoration projects.
- Investing in effective restoration projects with funding from the Coastal Protection Fund.

Statewide Resources Section

The Statewide Resources Section provides program-wide support through the following core services:

- Coordinating and conducting investigations on incidents and spills to determine circumstances, causes, spill volume, contributing factors, and plan efficacy.
- Coordinating the issuance of enforcement actions resulting from incident investigations.
- Collecting rail and pipeline oil movement information and distributing it to Tribes, local governments, and the public.
- Ensuring accuracy and consistency in program data entry.
- Enhancing existing data systems to improve work processes, tracking, and data quality.
- Developing and managing geographic information system data.
- Developing strategic and program plans based on biennial budgets.
- Implementing an Incident Command System (ICS) credentialing program for the Incident Management Team (IMT) and Crisis Management Team (CMT).
- Coordinating training for staff to participate on the IMT and to conduct field activities safely.
- Developing and maintaining program Standard Operating Procedures (SOPs) consistent with agency guidance, ensuring they are coordinated between sections and regions.
- Managing records, public disclosure requests, and time accounting.
- Maintaining oil spill risk modeling capability.

Other core services

Other core services are conducted by multiple program sections or by program management. These core services include:

- Oil spill risk modeling, analysis, and forecasting.
- Developing and managing the program budget and monitoring revenue sources.
- Coordinating implementation of the U.S. Coast Guard (USCG)/Washington State Memorandum of Understanding through development of appropriate USCG/Ecology pollution prevention protocols.
- Participating in agency-wide committees, including the Sustainability Committee, Climate Science Network, Enforcement Coordination Team, Grant Advisory Group, Cultural Resources Environmental Workgroup, Technical Resources for Engineering Efficiency, Climate Resiliency Team, Environmental Justice Workgroup, and the Healthy Environment for All (HEAL) Community Engagement Plan Workgroup.
- Providing expertise to specific initiatives led by other programs, including providing State Environmental Policy Act support for ongoing Environmental Impact Statements for proposed new oil handling facilities.
- Advocating the program's mission with the Legislature.
- Publishing compliance guides, focus sheets, safety bulletins, reports, and videos.
- Providing timely, accurate information to the public and media about emergency response incidents.
- Coordinating community engagement and outreach opportunities.
- Managing program web content.

- Working with other state, federal, and Tribal agencies and participating in work groups to build partnerships and further the program’s vision. This includes the following groups:
 - Pacific States – British Columbia Oil Spill Task Force
 - Puget Sound Partnership
 - Washington Military Department – Emergency Management Division
 - State Emergency Response Council (SERC) and Local Emergency Planning Committees (LEPCs)
 - Statewide and agency-wide emergency management initiatives
 - Washington Department of Natural Resources
 - Washington State Board of Pilotage Commissioners (BPC)
 - Oregon Board of Maritime Pilots
 - Area Maritime Security Committees
 - Olympic Coast National Marine Sanctuary Advisory Council
 - U.S. Coast Guard Sectors Puget Sound and Columbia River
 - Harbor Safety Committees
 - Northwest Area Committee
 - Regional Response Team 10
 - Environmental Protection Agency
 - U.S. Department of Transportation – Pipeline and Hazardous Materials Safety Administration and Federal Railroad Administration
 - Puget Sound/Georgia Basin International Task Force
 - Washington Utilities and Transportation Commission (UTC)
 - Washington Department of Fish and Wildlife (DFW) Oil Spill Team
 - Columbia River Inter-Tribal Fish Commission
 - Northwest Indian Fisheries Commission
 - Canada–United States Pacific and West – South Geographical Annex work groups

2021-2023 Action Items

In addition to the core services above, the Spills Program has developed action items that address the strategies in the 2021-2025 Strategic Plan. The action items describe the tasks that the program plans to accomplish in the next two years beyond its core services. The program selects action items based on available resources and strategic priorities.

The action items are aligned with the structure of the strategic plan. Each action item primarily supports a specific strategy or goal and is listed below it. Strategies without an associated action item for this biennium are not shown.

Goal 1: Build and maintain a positive organizational culture to attract and retain a talented workforce.

Strategy 3. Incorporate continuous improvement methods and tools into program work.

Action A: Document the current structure and use of the program's data systems.

Who: Statewide Resources Section

Why: Managing data issues (inefficient data entry, data errors, disconnected data, etc.) is an ongoing concern for the program. Key to addressing these issues is acquiring a comprehensive understanding of how program staff use data in their work. Critical to acquiring that understanding is knowing the data needs of the program, the day-to-day workflows, and the existing systems.

2022 Status: Complete

Action B: Develop and implement procedures for data quality projects.

Who: Statewide Resources Section

Why: We rely on our data to provide information about our work to legislators, stakeholders, media, and the public. Accurate data is important for decision-making, telling our story, and expressing our positive impact to stakeholders and the public. We need accurate, consistent, and timely data for budgeting, reporting on performance measures, tracking our progress, and sharing oil spill-related information.

2022 Status: Complete

Strategy 6. Support an employee-centered, culture of engagement, mission-focused program to sustain our work into the future.

Action A: Update the Spills Engagement Team to meet new challenges.

Who: Spills Engagement Team

Why: The Spills Engagement Team has been in place for over 7 years. In that time, it has made significant progress towards a positive, inclusive, and engaged culture. Continued attention to culture and evolution of our resources and approach is a continued commitment for the Program. This project will consider new processes and structures to support staff.

2022 Status: In progress

Goal 2: Support and engage the public.

Action A: Develop governance for program web maps.

Who: Communications Team and Statewide Resources Section

Why: The program has a variety of online maps to disseminate information to the public. Creating governance documents that address roles and responsibilities, approval processes, development, modification, upkeep, and removal of these maps will help the program manage them consistently and efficiently.

2022 Status: On hold

Action B: Develop universal outreach materials for external audiences.

Who: Communications Team

Why: Our program goal is to keep the public and other key stakeholders informed of program work. We want to ensure there are relevant and timely educational materials produced and made available to our staff for use in their engagement with the public and key stakeholders. An updated, more user-friendly, version of the Spills Communications SharePoint page is a first step to providing staff outreach and internal communications materials. The second step is to create any materials staff need that we don't already have, or update outdated materials.

2022 Status: Complete

Action C: Develop a program outreach plan.

Who: All Sections

Why: Outreach and education occurs at every level of the program. This plan will provide outreach strategies to define clear goals and desired outcome for engagement with the public.

2022 Status: On hold

Strategy 3. Incorporate the Agency's Environmental Justice initiatives into the Spills Program.

Action A: Establish a program workgroup to enhance understanding of environmental justice (EJ) and look for opportunities to address EJ issues in our work.

Who: All Sections

Why: EJ is a priority for the agency, and a critical part of our transparency and service to the communities impacted by oil spills.

2022 Status: Complete

Goal 4: Build strong external partnerships through innovative collaboration, effective communication, and transparency.

Action A: Develop a process and system to measure our collaboration and meaningful engagement with the communities we serve, including Tribes, during the GRP update and development process.

Who: Preparedness and Statewide Resources Sections

Why: Setting metrics for our engagement demonstrates our commitment to building trust, credibility, and familiarity with the state's oil spill planning efforts among Tribes and the other communities we serve.

2022 Status: Complete

Action B: Participate in a Utilities and Transportation Commission rail safety workshop.

Who: Prevention Section

Why: The 2021-2023 Transportation Budget contains a proviso directing UTC to prepare an inventory of rail safety oversight conducted by state agencies in other states. In preparing this inventory, UTC must hold a workshop with interested parties. The proviso identifies Ecology as a mandatory participant in the workshop.

2022 Status: Complete

Strategy 4. Improve coordination and cooperation with Tribes.

Action A: Incorporate consultation and engagement from federally recognized Tribes into statewide master spill planning

Who: All Sections

Why: Tribes in Washington have key interests at risk from oil spills. Formalizing processes to include their input in our planning, in accordance with recent direction from the legislature, will make those plans more effective and build on our crucial working relationship with the sovereign Tribes.

2022 Status: New item, in progress

Strategy 5. Improve coordination with local governments on oil/hazmat incidents.

Action A: Identify and implement ways to enhance our engagement, outreach, and coordination with Local Emergency Planning Committees (LEPCs).

Who: Statewide Resources, Response, and Preparedness Sections

Why: LEPCs provide their communities with emergency response resources and information. By identifying the capacity, challenges, and interests of each LEPC, our program can improve our engagement and outreach with them. Streamlining our internal coordination will allow us to assist LEPCs in understanding the hazardous materials in

their community and resources available to them. Enhancing the capacity of LEPCs helps Washington State better prepare for potential spill incidents, pushing us closer to our goal of zero spills.

2022 Status: In progress

Goal 5: Improve oil transportation safety and analyze risk to continue progress toward zero spills.

Strategy 1. Maintain a clear understanding of spill risks related to changes in cargo commodities transported in Washington and changes in marine fuels.

Action A: Deliver a synopsis of changing vessel trends to the legislature.

Who: Prevention Section

Why: This synopsis will help determine whether vessel traffic patterns changed following the implementation of the tug escort requirements in Rosario Strait and connected waters east of Rosario Strait.

2022 Status: Complete

Action B: Complete a risk model assessment and report on a possible inner Salish Sea emergency response towing vessel.

Who: All Sections

Why: This report to the legislature and modeling project is required to assess whether an emergency response towing vessel serving Haro Strait, Boundary Pass, Rosario Strait, and connected navigable waterways will reduce oil spill risk.

2022 Status: In progress

Action C: Complete a risk model assessment and report on tug escorts.

Who: All Sections

Why: This report to the legislature and modeling project is required to evaluate and compare various tug escort strategies in waters east of New Dungeness Light/Discovery Island Light for their potential to reduce oil spill risk from covered vessels.

2022 Status: In progress

Strategy 2. Provide incentives and technical assistance to companies to enhance their ability to comply with – and voluntarily exceed – industry, state, national, and international safety and oil spill prevention and preparedness standards and regulations.

Action A: Update the Voluntary Best Achievable Protection/Exceptional Compliance Program standards

Who: Prevention Section

Why: This voluntary certification program for tank vessels was last updated in 2008. This update will ensure the program remains relevant and impactful.

2022 Status: New item, in progress

Strategy 3. Update inspection, preparedness, and enforcement activities to anticipate evolving trends, while focusing on reducing risk through appropriate safety recommendations with industry and all levels of government.

Action A: Update prevention plan review guidance for Class 1 facilities.

Who: Prevention Section

Why: WAC 173-180-650(7) requires Ecology to prepare a manual to aid staff in reviewing prevention plans for facilities that transfer oil in bulk to and from tank vessels and pipelines, and to make this manual available to those facilities. The current manual is outdated and needs significant revision.

2022 Status: Cancelled

Action B: Update rules for facility and vessel oil handling and transfers.

Who: Prevention, Statewide Resources, and Preparedness Sections

Why: Engrossed Substitute House Bill (ESHB) 1578 (section 8), passed in 2019, provided funding for the 2021-23 biennium to support rulemaking to amend Chapters 173-180 and 173-184 WAC. This includes updates to advance notice of oil transfer reporting requirements for Class 1, 2, and 3 facilities and delivering vessels.

2022 Status: In progress

Strategy 6. Create world-class modeling and analysis capability.

Action A: Produce a tool to quantitatively assess current and potential oil spills risks from covered vessels in Washington waters and provide a framework for future oil spill risk analyses.

Who: All Sections

Why: Engrossed Substitute House Bill 1578 (ESHB 1578) requires the development of an oil spill risk model to be used in evaluating the risks associated with transport of oil in Washington waters.

2022 Status: Complete

Goal 6: Continue to diligently prepare for and respond to spills to protect people and the environment.

Strategy 3. Evolve the state's drill program to respond to various types and sizes of spills.

Action A: Innovate wildlife play in drills to advance our knowledge and capability.

Who: Preparedness Section

Why: Evolve the state's drill program by creating realistic and meaningful ways to enhance our ability to respond to wildlife impacts. This will allow us to test and evaluate new planning standards for wildlife response.

2022 Status: In progress

Action B: Assess training needs both internally and externally and revamp the delivery and content of critical trainings.

Who: Preparedness Section

Why: There is a need to modernize the delivery of training, both external and internally. Modern delivery methods will reduce our costs, increase efficiency, and produce better results.

2022 Status: Complete

Strategy 4. Build on successful transboundary spill preparedness efforts.

Action A: Work with other agencies and response partners to design and deliver Environmental Unit (EU) training to responders in the Columbia River region.

Who: Preparedness and Statewide Resources Sections

Why: This will improve the region's capability to respond to spills on the Columbia River and strengthen relationships within the spill response community.

2022 Status: Complete

Action B: Work with response partners to design and deliver a region-wide training on Shoreline Cleanup and Assessment Techniques (SCAT).

Who: Preparedness and Response Sections

Why: This will be an opportunity to the wider response community to attend and hear from SCAT experts and gain field experience.

2022 Status: In progress

Strategy 5. Ensure all vessels, facilities, pipelines, and rail demonstrate their ability to pay for response, recovery costs, and damages from spills.

Action A: Conduct rulemaking establishing financial responsibility criteria.

Who: Preparedness and Statewide Resources Sections

Why: Vessels and facilities transporting oil in bulk through Washington must be able to pay for the costs associated with a worse case spill. Without financial responsibility requirements, or a certificate program to ensure ongoing compliance, there are no assurances that funds exist to pay for oil spills.

2022 Status: New item, in progress

Strategy 6. Manage a coordinated system for locating spill and orca deterrent vessels of opportunity and other volunteers to assist before, during, and after oil spills.

Action A: Recruit, train, and organize a robust group of volunteers and Vessels of Opportunity (VOO) to assist before, during, and after oil spills, including orca deterrence operations.

Who: Preparedness Section

Why: This work continues implementation of the Governor's directive in Executive Order 18-02 for Southern Resident Killer Whale Recovery.

2022 Status: In progress

Strategy 7. Ensure that area and regional planning remains coordinated; and that plans present consistent policies and tools for response at all levels.

Action A: Work to clarify governance and update processes for the NWACP and two new USCG area plans.

Who: Preparedness Section

Why: This work will continue our collaborative partnerships, with forward leaning and consistent planning that has existed for decades in the region. This will help ensure area plan content remains consistent with the regional plan.

2022 Status: In progress

Goal 7: Respond and restore the environment in a rapid, aggressive, and well-coordinated manner.

Action A: Implement Ecology's new waste management protocol.

Who: Response Section

Why: As drug lab waste generation has increased, Ecology has revised its generator status to 'Large Quantity Generator'. This change brings additional administrative and workload requirements for managing our waste. Spills is partnering with the Hazardous Waste and Toxics Reduction Program on managing this change within the agency.

2022 Status: In progress

Strategy 4. Work collaboratively with federal, Tribal, state, and local response partners to receive and provide timely notification of incidents and near-misses.

Action A: Draft procedures for external incident notifications.

Who: All Sections

Why: External notification occurs from different spills management teams in the program. The standard procedures will document these notifications for coordinating during a response.

2022 Status: In progress

Strategy 6. Continuously improve investigations, enforcements, and cost recovery coordination processes to hold responsible parties accountable.

Action A: Improve enforcement workflow procedures to ensure efficiencies in enforcement actions.

Who: Response and Statewide Resources Sections

Why: Current Spills enforcement processes and actions result in delays on providing timely enforcement actions to spills. Additionally, enforcement resources and training intended to guide staff and track decisions do not meet staff needs.

2022 Status: In progress

Action B: Develop one Response enforcement matrix for spills of all volumes.

Who: Response and Statewide Resources Sections

Why: The current two matrices are 25 years old. The criteria in the two do not match each other, and there is limited guidance for their use. This has led to inconsistency and confusion between and within regions. With one condensed, updated matrix and clear guidance, we will have more consistency in enforcement decision-making.

2022 Status: In progress

Action C: Improve the cost recovery workflow.

Who: Budget Manager and Statewide Resources and Response Sections

Why: Cost recovery is one of four processes required under statute which involve coordination and input from state on-scene coordinators. The program has made a process improvements to coordinate these functions so that responsible parties receive enforcements, cost recoveries, and/or damage assessment notices concurrently. We have created a workflow diagram for the process. We plan to review the diagram and discuss elements of the process that are working well and elements that could be improved with each of the response regional teams and others involved in the process. A revised process will be developed and shared with the teams for review, discussion, and training. Ultimately, we are hoping to create and deploy a more efficient and intuitive process.

2022 Status: On hold

Strategy 7. Ensure spillers restore resources impacted by oil spills.

Action A: Conduct review and prepare to update Natural Resource Damage Assessment rule.

Who: Response Section

Why: The core assumptions and scientific data supporting the rule have not been reevaluated since its adoption in 1990.

2022 Status: Not yet started

Strategy 8. Secure sustainable funding to ensure responders are equipped and trained to respond to evolving spill risks.

Action A: Update safety and operational procedures for emerging illegal drug manufacturing facilities.

Who: Response Section

Why: Current standard operating procedures do not address new and emerging trends in illegal drug manufacturing, such as white powder/pill manufacturing and clandestine marijuana grows. Current training materials do not cover related hazards, such as black mold and exposed/overloaded electrical systems.

2022 Status: In progress

Appendix A: Performance Measures

The Spills Program uses performance measures to track progress and evaluate how program work meets the goals and mission of the program. Table 2 shows the program's current performance measures for the 2019-2021 biennium. The measures represent the six major program activities and are for both internal and external audiences. The internal measures are used by the program for planning. External measures are reported to the Washington Office of Financial Management.

Table 2: 2019-2021 Performance measures by activity

Activity	Description	Audience	Target	Reporting Frequency	2013-2015	2015-2017	2017-2019	2019-2021	2021-2023
Prevention	Number of spills to surface water from all sources	External	0	Quarterly	1,024	1,344	1,545	1,618	977
Prevention	Total volume of oil spilled to surface waters from all sources (gallons)	External	0	Quarterly	15,748	18,740	16,446	12,475	11,873
Prevention	Percent of unique potential high-risk vessels inspected	External [†]	20%	Quarterly	25.0%	22.4%	13.4%	21.1%	NA
Prevention	Percent of unique potential high-risk vessels inspected	External	20%	Quarterly	NA	NA	NA	20.8%	26.1%
Prevention	Gallons of oil spilled to surface waters during an oil transfer for every 100 million gallons transferred	External	0	Quarterly	2.5	0.7	3.0	0.5	0.9

[†] The calculation methodology for the measure of high-risk vessel inspections changed at the end of the 2017-2019 biennium. Historical data in this row was not reported externally, but is provided here for reference.

Activity	Description	Audience	Target	Reporting Frequency	2013-2015	2015-2017	2017-2019	2019-2021	2021-2023
Prevention	Percent of unique over-water oil transfer operations inspected	External [‡]	6%	Quarterly	2.8%	2.9%	4.2%	5.6%	4.7%
Prevention	Total volume of oil spilled to water from regulated facilities and vessels (gallons)	External	0	Quarterly	649	194	385	211	117
Prevention	Total number of vessel inspections	Internal	375	Annually	600	540	348	495	374
Prevention	Percentage of entering vessels that receive an inspection	Internal	10%	Annually	21.4%	19.0%	11.7%	22.8%	NA
Prevention	Percentage of entering cargo and passenger vessels that receive an inspection	Internal	10%	Annually	NA	NA	NA	29.7%	23.2%
Prevention	Total number of oil transfer inspections	Internal	900	Annually	1,868	1,523	1,761	1,648	635
Prevention	Percent of Rate A oil transfer operations in compliance with regulatory requirements for pre-booming	Internal	100%	Annually	NA	97.2%	97.9%	98.7%	99.8%
Prevention	Percent of Class 1 facilities that receive an annual inspection	Internal	100%	Annually (CY)	NA	NA	76%	78%	96%
Preparedness	Number of Geographic Response Plans completed for inland and marine spill response	External	14	Annually	9	17	0	5	1

[‡] The calculation methodology for oil transfer inspections changed in July 2019. Historical data was not reported externally, but is provided here for reference.

Activity	Description	Audience	Target	Reporting Frequency	2013-2015	2015-2017	2017-2019	2019-2021	2021-2023
Preparedness	Percent of vessel emergency occurrences reported to Ecology	External	100%	Quarterly	31.8%	22.5%	29.6%	11.1	7.1%
Preparedness	Number of self-certified drills	Internal	0	Annually (CY)	47	88	27	47	TBD
Preparedness	Number of Geographic Response Plan strategies tested	Internal	NA	Annually (CY)	0*	60	47	36	23
Response	Percent of reported spill incidents that receive a field response	External	20%	Quarterly	20.45%	17.9%	19.9%	18.5%	20.53%
Response	Total number of reported incidents	Internal	NA	Quarterly	7,394	7,955	8,192	8,158	4,417
Response	Percent of total oil recovery for spills of oil of 25 gallons or more to water	Internal	Gas: 15% Diesel: 20% Other: 25%	Annually	NA	NA	Gas: 2.3% Diesel: 27.3% Other: 20.1%	Gas: 15.7% Diesel: 43.9% Other: 29.8%	Gas: 50.1% Diesel: 23.1% Other: 64.3%
Response	Percent of response costs billed to spillers	Internal	100%	Biennially	NA	NA	84.4%	21.6%	TBD
Response	Percent of oil spills from Class 1 facilities, pipelines, and covered vessels that receive a field response	Internal	100%	Quarterly	NA	NA	Overall: 78.3% Facilities: 86.9% Pipelines: 100% Vessels: 71.4%	Overall: 62.5% Facilities: 60% Pipelines: 100% Vessels: 61.6%	Overall: 62.5% Facilities: 60% Pipelines: 100% Vessels: 61.6%
NRDA	Percent of completed restoration projects that meet restoration plan specifications	External	100%	Quarterly	100%	100%	100%	100%	100%

Activity	Description	Audience	Target	Reporting Frequency	2013-2015	2015-2017	2017-2019	2019-2021	2021-2023
NRDA	Percent of NRDA cases presented to the RDA Committee within 60 days of incident	Internal	100%	Annually	NA	NA	72.9%	28.9%	40.0
Equipment grants	Percent of grant money awarded to eligible applicants during grant cycle	Internal	100%	Biennially	NA	NA	100%	TBD	TBD
Equipment grants	Number of individuals that received oil or hazardous materials training as a result of the equipment grant program	Internal	750	Biennially	NA	NA	330	TBD	TBD
Equipment grants	Dollars requested for eligible projects that the program was unable to award	Internal	NA	Biennially	NA	NA	\$150,000	TBD	TBD
Equipment grants	Percent of grant applications that are new applicants	Internal	NA	Biennially	NA	NA	74%	TBD	TBD
Statewide Resources	Number of local and Tribal emergency response agencies receiving real-time crude-by-rail ANT data	Internal	60	Annually	NA	NA	41	47	46
Statewide Resources	Percent of staff in compliance with ICS training requirements	Internal	100%	Annually	NA	NA	60.9%	66.7%	72.4%

Notes: Results are calculated by fiscal year, July 1 – June 30, unless otherwise specified.

NA = Measure was not tracked during the biennium.

*Activity conducted but data not collected during this time period.

Appendix B: 2019-2021 Action Item Results

The 2019-2021 Program Plan described 51 program action items that went beyond core services. These actions items supported the strategic direction described in the 2019-2021 Strategic Plan. This section briefly describes each of these program initiatives and their status.

2019-2021 Goal and Strategy	Action Item	Action Lead	Status
Goal 1 Strategy 1	Provide a report to the Legislature that describes program activities, recommendations for funding sources and allocation of funding, and a forecast of funding needs. Complete report by July 1, 2020.	Statewide Resources, Policy Analyst, Budget Manager	Complete
Goal 1 Strategy 3	Document the current state of the program's data systems.	Statewide Resources	In Progress
Goal 2 Strategy 4	Discuss emergency response system options and impact of vessel traffic on Tribal fisheries before and at the Salish Sea Shared Waters Forum.	Preparedness	Complete
Goal 3 Strategy 1	Develop internal tools for sharing information on trends in the operating environment.	All Sections	Complete
Goal 3 Strategy 1	Update advance notice of transfer (ANT) rules to implement new rail and pipeline requirements (Chapter 173-185 WAC).	Statewide Resources	Complete
Goal 3 Strategy 1	Update the program's ANT computer system to record new data.	Statewide Resources	Complete
Goal 3 Strategy 1	Provide a synopsis of vessel activities to the Legislature.	Prevention	Complete
Goal 3 Strategy 1	Update covered fishing vessel inspection checklists and processes.	Prevention	Complete
Goal 3 Strategy 4	Research ways to improve the program's substantial risk screening and inspections within the scope of the program's current authorities.	Prevention	In Progress
Goal3 Strategy 4	Coordinate with and support the BPC in the implementation of the tug escort components of ESHB 1578.	Prevention, Statewide Resources	Incorporated Into Ongoing Work

2019-2021 Goal and Strategy	Action Item	Action Lead	Status
Goal 3 Strategy 5	Begin preliminary studies and planning for possible future update to the facility design standard rules (Chapter 173-180 WAC).	Prevention	In Progress
Goal 3 Strategy 5	Conduct projects related to Safe and Effective Threshold Reports and Pre-booming (Chapter 173-184 WAC) to include compliance evaluation and outreach and education.	Prevention	Incorporated Into Ongoing Work
Goal 3 Strategy 5	Finalize the Rail Traffic Safety Study and begin implementing its recommendations.	Prevention	Complete
Goal 3 Strategy 6	Develop and maintain a vessel traffic risk model.	Prevention, Statewide Resources	In Progress
Goal 4 Strategy 1	Deliver a GRP progress report to the Legislature.	Preparedness	Complete
Goal 4 Strategy 1	Undertake the development of a governing structure around the area planning process.	Preparedness	In Progress
Goal 4 Strategy 1	Improve and streamline the GRP development process, in part based on the NWAC GRP user survey.	Preparedness	In Progress
Goal 4 Strategy 2	Finalize and implement vessel, facility, and rail contingency plan rule updates for BAP (Chapters 173-182 and 173-186 WAC).	Preparedness	In Progress
Goal 4 Strategy 2	Continue a long-term assessment of how response capacity is best measured and determine whether rule updates are necessary.	Preparedness	On Hold
Goal 4 Strategy 3	Expand drill design to address emerging issues, encourage industry partnership with local agencies, and assist development of relevant mid-drill scenario modifications ("injects").	Preparedness	In Progress
Goal 4 Strategy 3	Innovate the external delivery of training on drill expectations, drill design, area plan policies and tools, and other things relevant to success for plan holders at drills in Washington.	Preparedness	In Progress
Goal 4 Strategy 3	Bring additional responders, community stakeholders, Tribes, and other plan holders into drills.	Preparedness	In Progress

2019-2021 Goal and Strategy	Action Item	Action Lead	Status
Goal 4 Strategy 3	Undertake enhancement work to incorporate drill and evaluation related data entry and tracking into SPIIS or another electronic platform.	Preparedness, Statewide Resources	In Progress
Goal 4 Strategy 5	Analyze enrollment lists for vessel plan holders. Follow up on gaps in vessel information provided on membership in protection and indemnity insurance (P&I) clubs.	Preparedness	Incorporated Into Ongoing Work
Goal 5 Strategy 1	Evaluate field observation alternatives to overflights.	Preparedness	Complete
Goal 5 Strategy 3	Update checklist guidance on best practices for addressing the spill risk from a derelict vessel.	Response	Complete
Goal 5 Strategy 4	Develop formal protocols to notify Canadian and other external response partners in the case of a spill incident.	Policy Analyst, Response, Preparedness	In Progress
Goal 5 Strategy 5	Continue to evaluate the use of the IMT/CMT roster in program operations.	Program Management	Incorporated Into Ongoing Work
Goal 5 Strategy 7	Begin preliminary planning to update the NRDA rules, including identifying necessary studies and funding.	Response	In Progress
Goal 5 Strategy 7	Investigate coordinated restoration efforts.	Response	Abandoned
Goal 5 Strategy 8	Respond to the evolving nature of illegal drug manufacturing facilities by developing safety and operational procedures.	Response	In Progress
Goal 6 Strategy 1	Initiate regular meetings between the Preparedness and Prevention Sections to share information.	Preparedness, Prevention	Incorporated Into Ongoing Work
Goal 6 Strategy 1	Increase Spills engagement with regional leadership.	Program Management	Incorporated Into Ongoing Work
Goal 6 Strategy 2	Plan for the move to Shoreline and resulting impacts on the program's operations.	All Sections	Complete
Goal 6 Strategy 2	Develop a Core SOP that specifically addresses paper records management for the program, consistent with agency direction and guidance.	Statewide Resources	Complete

2019-2021 Goal and Strategy	Action Item	Action Lead	Status
Goal 6 Strategy 2	Develop a program accessibility plan.	Statewide Resources	Complete
Goal 6 Strategy 2	Evaluate environmental justice in the Spills Program.	All Sections	In Progress
Goal 6 Strategy 3	Document the program's enforcement processes.	Response, Statewide Resources	On Hold
Goal 6 Strategy 3	Improve the program's staff contact list update process.	Administrative Team	Abandoned
Goal 6 Strategy 4	Expand flexible work policies and evaluate their effectiveness in maintaining productivity while improving work/life balance.	Program Management	Incorporated Into Ongoing Work
Goal 6 Strategy 5	Continue Environmental Report Tracking System (ERTS) transition.	Statewide Resources	Complete
Goal 6 Strategy 5	Assess the state of the GRP database.	Preparedness, Statewide Resources	Complete
Goal 6 Strategy 5	Develop an electronic tool to receive, organize, and track all requests for IT and data work.	Statewide Resources	Complete
Goal 6 Strategy 5	Develop governance for program web maps.	Statewide Resources	In Progress
Goal 6 Strategy 6	Document, standardize, and improve program onboarding processes.	All Sections	Complete
Goal 6 Strategy 6	Increase conference and networking opportunities.	All Sections	Incorporated Into Ongoing Work
Goal 6 Strategy 6	Expand debriefing to collect and use more lessons learned.	All Sections	Incorporated Into Ongoing Work
Goal 6 Strategy 6	Improve employee engagement in the program to meet new challenges.	Spills Engagement Team	In Progress
Goal 7 Strategy 1	Develop universal outreach materials for external audiences.	Communications Manager	In Progress

2019-2021 Goal and Strategy	Action Item	Action Lead	Status
Goal 7 Strategy 1	Explore additional ways to use our incident and investigation information.	All Sections	Incorporated Into Ongoing Work
Goal 7 Strategy 2	Develop a program outreach plan.	Communications Manager	In Progress