

Spill Prevention,
Preparedness, and
Response Program

2023
**STRATEGIC
PLAN**



DEPARTMENT OF
ECOLOGY
State of Washington

CONTENTS

Message from the Program Manager	3
Introduction	4
Goals	4
Methodology	5
Relationship between Strategic and Program Plans	5
Plan terminology	6
Goals and Objectives	7
Goal 1: Organizational Culture	8
Goal 2: Community Outreach	9
Goal 3: Funding	10
Goal 4: External Partnerships	11
Goal 5: Risk Reduction	12
Goal 6: Preparedness	13
Goal 7: Response and Restoration	14

FROM THE PROGRAM MANAGER

Where do we need to improve the system to help us, and the entire spill response community come closer to our “zero spills goal”? With continued changes in oil types and the modes of oil transportation, there is no better time than now for us to talk about our preferred future and begin the hard work to get there.

The Spills Program has been protecting Washington for over 30 years. During that time, we have seen significant changes in how crude oil is transported through the state. Historically, 90 percent of crude oil bound for Washington’s refineries was delivered here by tank ship from Alaska or from international sources of oil. Today, crude oil transportation is rapidly shifting to delivery by rail and pipeline. Crude oil also passes through our rail corridors bound for other coastal states. These shifts were well documented in the 2014 Marine and Rail Oil Transportation Study developed by the Spills Program in 2014–2015.

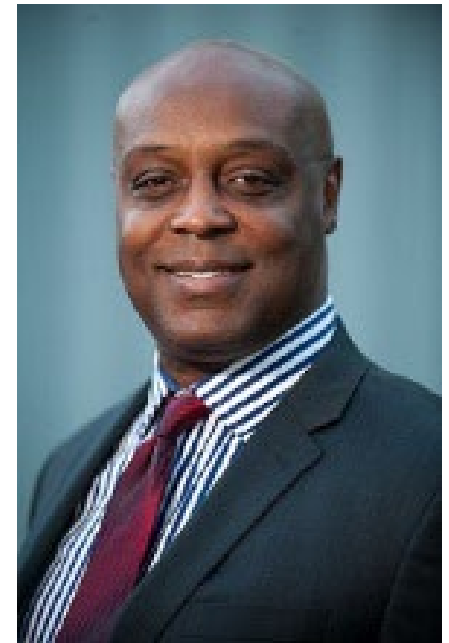
The properties of oils produced today present new concerns. Canadian bitumen crude oil in various forms raises spill response challenges — it may weather and sink, or submerge in water if spilled, making oil recovery difficult. Bakken crude oil has shown a propensity to catch fire during tank car derailments, putting public safety at risk. These hazards have come to light through several rail incidents in the United States and Canada, notably in a tragic rail incident in Quebec when 47 people lost their lives as an oil train derailed and burned.

A catastrophic incident is not required to make changes to improve our Program. Since 1997, we have looked for ways to prevent oil spills and improve our preparedness and response posture through lessons learned from spills and drills. Washington is a national leader in oil spill prevention, preparedness, and response because of our forward-leaning leadership that makes significant, strategic investments.

The 2015 Legislature took another significant step forward through passage of the Oil Transportation Safety Act. Additional steps were later taken in the 2018 Strengthening Oil Transportation Safety Act and the 2019 Reducing Threats to Southern Resident Killer Whales by Improving the Safety of Oil Transportation Act.

In 2021, the Legislature directed us to establish a Certificate of Financial Responsibility Program to ensure that owners and operators of certain vessels and oil handling facilities operating in Washington waters have the financial resources necessary to pay for the full cost of spills for which they are responsible. The improvements from these new laws help address the risks resulting from the changing transport of oil and help our state maintain its status as a national leader.

We have adapted and evolved with changing political and economic situations, and we will continue to into the future. In an organization as dynamic as oil spill prevention, preparedness, and response, we must react and change by implementing lessons learned. We must also lead change. Our current and future success depends on all of us having a shared vision, a commitment to continuous improvement, and a mission to protect Washington’s environment, economy, and way of life.



Carlos Clements, Program Manager

INTRODUCTION

More than 20 billion gallons of oil and hazardous materials are transported through Washington State each year by vessel, pipeline, and rail. Human error, equipment failure, and natural disasters can lead to releases of these materials with potentially disastrous consequences. Oil and chemical spills threaten Washington's valuable natural, cultural, and economic resources.

Over the years, the nature of these threats has changed due to the market and new technological innovations. These threats — whether on land or water — endanger public health, safety, and the environment, and can ultimately damage the state's economy and quality of life.

The Washington Department of Ecology's Spill Prevention, Preparedness, and Response Program's work is diverse. 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 oil and hazardous material spills 24/7 from six offices located throughout the state and works to assess and restore environmental damage resulting from spills. The Program values and takes pride in being a results-oriented, collaborative, adaptable organization.

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

The Program's vision is creating a zero spills world.

This Strategic Plan provides a framework for the Spills Program's work over the next four years and will be used to guide progress toward reaching the vision. The Strategic Plan assumes additional program resources will become available. If this occurs, the next several biennia will continue to be a transformational period when the Program will build upon its competencies to address the emerging issues of oil transportation and risk.

Goals

Seven goals are identified in this Strategic Plan that further the vision of the Spills Program. The goals are supported by objectives discussed in this plan. The goals include the following:

1. Build and maintain a positive organizational culture to attract and retain a talented workforce.
2. Support and engage the public.
3. Achieve robust and sustainable funding to meet legislative priorities and public expectations.
4. Build strong external partnerships through innovative collaboration, effective communication, and transparency.
5. Improve oil transportation safety and analyze risk to continue progress toward zero spills.
6. Continue to diligently prepare for and respond to spills to protect people and the environment.
7. Respond and restore the environment in a rapid, aggressive, and well-coordinated manner.

Methodology

The Strategic Plan reflects and is aligned with the goals of the Governor's Results Washington, Ecology's strategic framework, applicable laws, the Spills Program's mission and vision, and other strategic documents.

The Governor's Results Washington sets clear goals for improvement and tracks results to show how state government is delivering services and meeting performance goals. Ecology's work supports Goal 3: Sustainable Energy and a Clean Environment and Goal 5: Efficient, Effective and Accountable Government. Work in the Spills Program also supports the agency's strategic priorities of preventing and reducing toxic threats and protecting and manage state waters. Improvement of oil spill preparedness and response is specifically identified as an Ecology strategy for protecting and restoring Puget Sound.

Additionally, the 2014 Marine and Rail Oil Transportation Study, 2017 Columbia River Vessel Traffic Safety Assessment, 2018 Grays Harbor Vessel Traffic Risk Assessment, and 2019 Report of Vessel Traffic and Vessel Traffic Safety: Strait of Juan de Fuca and Puget Sound, which looked at the changing oil transportation landscape in the state and provided a number of key recommendations, are significant drivers of this Strategic Plan.

Legislatively, the 2015 Oil Transportation Safety Act, 2018 Strengthening Oil Transportation Safety Act, and 2019 Reducing Threats to Southern Resident Killer Whales by Improving the Safety of Oil Transportation Act, and the 2021 laws regarding financial responsibility demonstrations for vessels and oil handling facilities provided several new measures to assist the Spills Program address the changing oil picture, focusing on crude oil shipped by rail and medium-sized tank vessels, as well as non-floating oils. Many of the recommendations and provisions of these studies and safety acts will be implemented as part of the strategies described in this plan and action included in the Program Plan.

Relationship between Strategic and Program Plans

The Strategic Plan provides broad direction for new and existing policy efforts. This plan provides guidance to the Program for over the next several biennia. Large-scale policy decisions made by the Spills Program, including future agency-request legislation, will be guided by the Strategic Plan. Goals and strategies identified in the plan will be further defined, prioritized, and implemented in the Program Plan.

The Program Plan supports the Strategic Plan by describing for staff and external stakeholders the activities to be completed to support the goals and objectives in the Strategic Plan. The Program Plan also contains details regarding performance measures to reflect progress and identifies funding needs that must be met in order to reach these goals. A new Program Plan is written each biennium to address the near-term priority objectives. The Program Plan is adjusted to reflect external events, changes in the program structure and resources, and progress on activities and performance goals.

INTRODUCTION

Plan terminology

The Strategic and Program Plans are developed using a consistent framework so decision makers, staff, and stakeholders understand the structure of each plan, and the connection between the two plans is clear. This framework presents a hierarchy of guidance that defines the broad purpose of the Spills Program and provides more specific levels of guidance that show how the Program intends to support its purpose and reach its goals.

The Strategic Plan is based on 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 is a broad statement that 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, 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 are developed to 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, have identified levels of responsibility, and have a timeline for completion. They answer the question: "What will move our work forward?"

The goals support the vision, the strategies support the goals, and the actions support the strategies. This hierarchy makes it clear to plan users that all work connects to higher-level policies and guidance.



Hierarchy of connections

GOALS AND STRATEGIES

The Spills Program's Strategic Plan contains goals and strategies to achieve bolder environmental outcomes for spill prevention, preparedness, and response in the state of Washington. Successful implementation of the Strategic Plan requires support from local, state, federal, and tribal partners.

The remainder of this document contains the goals that will drive the Spills Program's efforts for the next two years. The goals are not listed in a priority order, but in an order of convenience. For instance, Goal 3 is not a greater priority than Goal 5. The seven goals generally address organizational culture (Goal 1), community outreach (Goal 2), funding (Goal 3), external partnerships (Goal 4), risk reduction (Goal 5), preparedness (Goal 6), and response and restoration (Goal 7).

In some cases, the goals require additional funding and staff, and possibly new legislation or rulemaking. Some strategies are already in the current Program Plan but have been updated. Many of the strategies reflect legislative direction, which include new safety measures for crude by rail transport and medium-size tank ships in the Puget Sound. Other strategies will be pursued as opportunities present themselves.



GOALS AND STRATEGIES

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

The Program's staff is its greatest asset. Investing in an organizational culture that respects their skill and commitment, gives them the tools and training to succeed, and recognizes their contributions is key to finding and keeping the dedicated professionals that can accomplish the Spills Program mission and vision.

In 2014, the Program created an internal engagement team to identify organizational health challenges and potential solutions, and collaboratively implement those solutions. That work is key to achieving this strategic goal.

In addition, recent policy updates allowing for additional flexibility will help employees meet both their personal needs and the needs of the Program as it builds a modern work force.

GOAL 1 STRATEGIES

1. Foster a diverse, equitable, inclusive, and respectful workplace.
2. Ensure that Program staff are properly resourced and trained.
3. Incorporate continuous improvement methods and tools into Program work.
4. Commit to provide a work/life balance for staff through prioritization of our work and flexibility in a changing environment.
5. Implement Ecology's Modern Work Environment Strategy to support the Program's mission, flexibility, and mobility in the workplace, and align with the changing culture and expectations of employees.
6. Support an employee-centered, culture of engagement, mission-focused Program to sustain our work into the future.



GOALS AND STRATEGIES

Goal 2: Support and engage the public.

Accomplishing the Spills Program mission and vision depends on the support and assistance of the public in numerous ways. Public reports are frequently the first notification the Program receives of a spill. Individuals can prevent spills from their personal vehicles, vessels, residences, and workplaces. Effective spill response and cleanup requires collaboration with the affected communities and volunteers.

To earn that support and assistance, the Program informs the public of the spill risks in their communities, how it is managing that risk, and the Program's policy decisions.

The Program shares its work using all available tools, including in-person meetings and hearings, releases and interviews to news media, printed materials, and electronic content.

GOAL 2 STRATEGIES

1. Innovate new ways to keep communities and the public informed of the evolving risks associated with oil transportation.
2. Develop educational campaigns to engage the public about our program work.
3. Incorporate the Agency's Environmental Justice initiatives into the Spills Program.



GOALS AND STRATEGIES

Goal 3: Achieve robust and sustainable funding to meet legislative priorities and public expectations.

Funding for the Spills Program has not kept up with legislative appropriations since the barrel taxes were established in 1991. Historically, the Oil Spill Prevention Account has faced significant shortfalls, requiring budget intervention in order to maintain program activities. Additionally, as the risk picture has changed in recent years, the funding structure is no longer allocated to match the risk.

Although the 2015 and 2018 oil transportation safety acts provide additional safety protection measures for the state, the total revenues from this legislation do not provide a long-term funding resolution for the Spills Program.

The Program continues to explore new funding mechanisms, as directed by the Legislature in the 2018 Strengthening Oil Transportation Safety Act. A sustainable funding source can help maintain high morale and retain much-needed expertise in the Program by ensuring job security.

GOAL 3 STRATEGIES

1. Build and maintain organizational capacity to achieve the highest levels of spill prevention, preparedness, and response.
2. Ensure the state is positioned to respond to major hazardous spill incidents.
3. Present accurate data to support effective decision-making, performance measures, and best use of public resources.
4. Recruit and retain legislative champions to help secure funding.



GOALS AND STRATEGIES

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

The Spills Program works closely with federal, tribal, state, and local partners, including the United States Coast Guard, the United States Environmental Protection Agency, the United States Department of Transportation, the Federal Railroad Administration, other federal and state agencies, counties, cities, industry, and environmental organizations.

Recent crude by rail incidents in the United States and Canada highlight the risks of oil transported by rail. Risks to environmental, community, and economic resources are heightened with the increase in crude by rail. Vessel traffic has also changed as a result of increased crude by rail and pipelines from domestic and Canadian oil production. Oil movement in neighboring British Columbia also creates potential risks for Washington State.

The Spills Program will collaborate with its partners to address the new risks posed by this shift in oil transportation and develop sustainable solutions to protect Washington's resources. One example of this collaboration is the Pacific States/British Columbia Oil Spill Task Force. Additionally, the 2018 Strengthening Oil Transportation Safety Act created the 2018-2020 Salish Sea Shared Waters Forum to bring together additional stakeholders representing all levels of government, Tribes, environmental groups, and industry to discuss existing and proposed practices for protecting the region's resources.

The 2014 Marine and Rail Oil Transportation Study identified areas of collaboration needed to increase the protection of Washington's waters. For example, Ecology and the Washington Utilities and Transportation Commission were urged to develop Railroad Safety Committees similar to the U.S. Coast Guard-sponsored Harbor Safety Committees. Other recommendations

identified collaborations with the Federal Railroad Administration, the Northwest Area Committee (NWAC), the Federal Pipeline and Hazardous Material Safety Administration, and with Washington's Congressional delegation.

The report also urged collaboration with state partners such as the Washington State Board of Pilotage Commissioners, the State Fire Marshal, and other state permitting agencies.

The Program will actively work to strengthen relationships with the U.S. Coast Guard and other agencies and stakeholders.

GOAL 4 STRATEGIES

1. Enhance coordination and cooperation with the U.S. Coast Guard and Environmental Protection Agency.
2. Enhance Ecology's involvement with committees and associations to promote prevention measures and achieve more uniform oil spill response standards and equipment capability.
3. Increase our participation with permitting agencies of new oil-related facilities to ensure thorough risk analysis and appropriate safety measures are required.
4. Improve coordination and cooperation with Tribes.
5. Improve coordination with local governments on oil/hazmat incidents.

GOALS AND STRATEGIES

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

The Spills Program was created with the goal of preventing oil spills to the state's unique marine environments. Working with industry, other regulators, tribes, and stakeholders, the Spills Program has made significant progress in reducing oil spills through our technical assistance, plan review, and inspections of vessels, facilities, and fuel deliverers.

We emphasize human and organizational factors as the key to spill prevention. Our goal is to collaborate with other regulators and with industry to ensure compliance with regulations, promote best practices, and reduce oil spill risk. Our compliance efforts range from technical assistance and education to significant monetary penalties, particularly for spills.

We continue to monitor and analyze spill risks associated with changes in oil transportation on the Columbia River, Puget Sound, Grays Harbor, and the Strait of Juan de Fuca. We seek to address emerging risks with all available tools, prioritizing collaborative and effective solutions.

With customers in mind, we will continue our work to heighten oil spill prevention awareness and improve compliance with international, federal, and state regulations. We promote the use of and participation in voluntary programs that exceed regulatory requirements such as Harbor Safety Committee standards of care and our voluntary best achievable protection (VBAP) program and Exceptional Compliance Program (ECOPRO) for oil tankers, articulated tug barges, and towed oil barges.

GOAL 5 STRATEGIES

1. Maintain a clear understanding of spill risks related to changes in cargo commodities transported in Washington and changes in marine fuels, including the use of alternate fuels.
2. Provide incentives and technical assistance to companies to enhance their ability to comply with — and voluntarily exceed — industry, state, federal, and international safety and oil spill prevention and preparedness standards and regulations.
3. Continue to adapt 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.
4. Prioritize the preventative and preparedness marine safety mission, relying on increased inspection activities, outreach, and investigations that will help address incident risks, including risks from commercial fishing and towing operations.
5. Ensure best industry practices and best achievable protection for maritime operations including facilities, vessels, rail, and pipelines.
6. Provide enhanced research and analysis capability for the Program, stakeholders, Tribes, and the public.



GOALS AND STRATEGIES

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

It is important to provide local governments and Tribes with accurate information and initial resources to respond to spills. By providing assistance such as equipment caches, advance notice information, and access to geographic response plans (GRPs), those on the frontline will be better prepared to respond to a spill.

The Spills Program aims to ensure that measures for the best achievable protection (BAP) for a spill are in place. BAP includes evaluation of best achievable technology, staffing levels, training procedures, and operational methods. BAP is achieved by promoting the highest standards through the use of technology, maintaining the best model for use of multi-vessel, facility, pipeline, and umbrella plans in this state, focusing on a rigorous drill program that measures the effectiveness of our plans, and folding lessons learned back into the contingency plans and updated contingency planning regulations to improve them.

The Program held its first BAP conference for our communities and response partners in 2015 and a second conference in 2019. Initially the Legislature applied the requirement to maintain BAP only to regulated vessels. In the 2015 legislative session, the requirement to ensure BAP was also applied to facilities. With the increase of crude by rail, the changing properties of oils, and changing vessel traffic, the broader application of BAP evaluation supports our goal of continuous improvement in preparedness for oil spill response.

Recent BAP updates to the Northwest Area Contingency Plan (NWACP) include Spills Program work to enhance GRPs to protect areas vulnerable to spills from oil transported by vessel, rail, and pipeline, or oil stored at facilities.

By having contingency plans in place for rail, vessels, and facilities, industry will be able to demonstrate through drills that they are prepared for an oil spill no

matter the mode of transport.

GOAL 6 STRATEGIES

1. Test and enhance GRPs to ensure swift and effective spill response throughout the state to protect sensitive resources.
2. Improve the capability to respond to spills in difficult environments and situations using best achievable protection and technology. This includes incidents in open and fast waters, under limited visibility, and with oils that may sink or submerge in water.
3. Evolve the state's drill program to respond to various types and sizes of spills.
4. Build on successful transboundary spill preparedness efforts.
5. Ensure all vessels, facilities, pipelines, and rail demonstrate their ability to pay for response, recovery costs, and damages from spills.
6. Leverage the Washington State Oil Spill Volunteer Coordination System (RCW 88.46.210) and actively enroll volunteers, including Vessels of Opportunity, to assist before, during, and after oil spills.
7. Coordinate with WDFW and NOAA in the identification and training of whale research and whale watching vessels as Vessels of Opportunity for orca deterrence assistance.
8. Ensure that area and regional planning remains coordinated, and that plans present consistent policies and tools for response at all levels.

GOALS AND STRATEGIES

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

The public, elected officials, and other stakeholders expect the private sector and government agencies to carry out a rapid, aggressive, and well-coordinated response when incidents or threats of spills occur.

Experience shows that anything less will not protect the environment, economy, or meet public expectations.

The Spills Program has made excellent progress since the late 1990s to improve response capabilities. The Program is always looking to improve and enhance program work, particularly in co-managing major spills and incidents.

This Strategic Plan commits the Program to expanding its work with the broader response community through the Northwest Area Committee. This applies during every spill in which an incident command is established, and in other venues, to deliver the most seamless, effective response possible. This includes expanding work with first response agencies and Tribes throughout Washington to provide training and equipment.

Washington's unique Natural Resource Damage Assessment program allows compensation for injury to publicly owned natural resources and restoration of impacted resources. The Program will work with other federal and state resource trustee partners on efficient damage assessments. The Program will also look for coordinated restoration opportunities for recovering injured resources.

The rapid, aggressive, and well-coordinated response posture will require continued interagency collaboration and expansion of the NWACP policy and regional coordination.

The NWACP does not change the Incident Command System's response objectives for specific incidents. For example, the first priority will always be the health and

safety of the public and responders, followed by source control and environmental protection. A rapid and aggressive response must not be at the expense of safety.

GOAL 7 STRATEGIES

1. Employ demonstrated best available technology when responding to spills.
2. Provide local governments, Tribes, and first responders the necessary tools and training to effectively respond to spills.
3. Address hazardous spill risk associated with derelict vessels, coordinating with the Department of Natural Resources for vessel disposal.
4. Work collaboratively with federal, tribal, state, and local response partners to receive and provide timely notification of incidents and near misses.
5. Enhance well-managed incident and crisis management teams where Ecology provides essential personnel and equipment to protect the interests of Washington State.
6. Continuously improve investigations, enforcements, and cost recovery coordination processes to hold responsible parties accountable.
7. Ensure spillers restore resources impacted by oil spills.
8. Ensure responders are equipped and trained to respond to evolving spill risks.



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