



Oil Spill Contingency Planning Annual Report Fiscal Year 2024

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Executive Summary

This report documents fees collected for oil spill contingency planning and preparedness activities conducted by the Oregon Department of Environmental Quality, for fiscal year 2024 beginning July 1, 2023, and ending June 30, 2024 (FY 2024). This report provides an analysis of the fees collected to ensure that revenue is sufficient to meet DEQ's budgetary needs to operate an effective oil spill contingency planning program.



State of Oregon
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Quality

This report is required by ORS 468B.412 and ORS 468B.405, which establish fees to be submitted to DEQ for covered vessels and facilities. The fees are dedicated to implement work required of DEQ by ORS 468B.300 through 468B.500, the statutes governing oil spill contingency planning and preparedness. Each year DEQ publishes a report for the previous fiscal year documenting:

- Fees assessed and collected under ORS 468B.405 on covered vessels, and facilities located offshore and onshore
- DEQ activities conducted during the year as required by ORS 468B.410(4)
- Details on penalties received due to willful or negligent discharge of oil and the use of those funds

Fees collected by DEQ under ORS 468B.405 are used to review industry-prepared oil spill contingency plans, prepare geographic response plans for specific areas, and participate in drills and exercises to ensure plan holders and state responders may quickly and effectively respond to oil spills.



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Program revenue and expenditures

DEQ has two mechanisms for funding its Oil Spill Preparedness Program: The Oil Spill Prevention Fund and the Oil Spill Control Fund. The prevention fund is primarily supported by fees paid by oil storage facilities that transfer oil over Oregon's navigable waters and fees on covered vessels. [ORS 468B.450](#) establishes the Oil Spill Control Fund which is supported by civil penalties imposed for the "willful or negligent discharge of oil".

Oil Spill Prevention Fund

Oregon Revised Statute [468B.405](#) establishes fees to fund DEQ's oil spill contingency planning program. The allowable uses of the prevention fund include reviewing required contingency plans, conducting inspections of the facilities, exercises, training, and plan development activities required under ORS [468B.345](#) to 400. DEQ collects these fees from facilities (including pipelines) that transfer oil in bulk over state-defined navigable waters and covered vessels. Covered vessels include vessels more than 300 gross tons, tank ships, barges transporting oil in bulk and dredges. Specific definitions for covered vessels and facilities are in Oregon Revised Statute [468B.300](#).

Fee categories

Table 1 shows the fees for the various activities and facilities along with the fee-generating activities and revenue for FY 2024.

Table 1 – Fees by Category, Fee-Generating Activities and Revenue for FY 2024

Activity Type	Fees	FY 2024 Activity	2024 Fee Revenue
Facilities	\$ 20,000	12	\$ 240,000
Pipelines <= 6"	\$ 15,000	1	\$ 15,000
Pipelines > 6"	\$ 25,000	4	\$ 100,000
Cargo Vessel	\$ 220	1225	\$269,500
Tank Vessel >300T	\$ 5,500	105	\$ 577,500
Tank Vessel <300T	\$ 160	0	\$ -
Barge T1	\$ 160	76	\$12,160
Barge T2	\$ 220	664	\$146,080
Barge T3	\$ 1,850	93	\$172,050
Dredges (/Day Ops)	\$ 100	109	\$ 10,900
Total Revenue			\$ 1,543,190

Fee-generating activities

Facilities and pipelines are charged fees annually, and vessel fees are charged based on the number of trips conducted. A trip, for the purpose of assessing fees, means travel to the appointed destination and return travel to the point of origin within the navigable waters of the state (see ORS 468B.405). Table 1 (above) shows the actual fee-generating activities for FY 2024. Note that actual revenue (shown in subsequent section) versus fee-generating activities differ slightly based on the timing of arrivals, the dates when billing and collection of the fees occur, and the interest on the funds held in the account. Figure 1 (below) shows the fees collected by fee category for the past 10 years.

Figure 1 – Comparison of Key Fee-Generating Categories for Fiscal Years 2014 through 2024

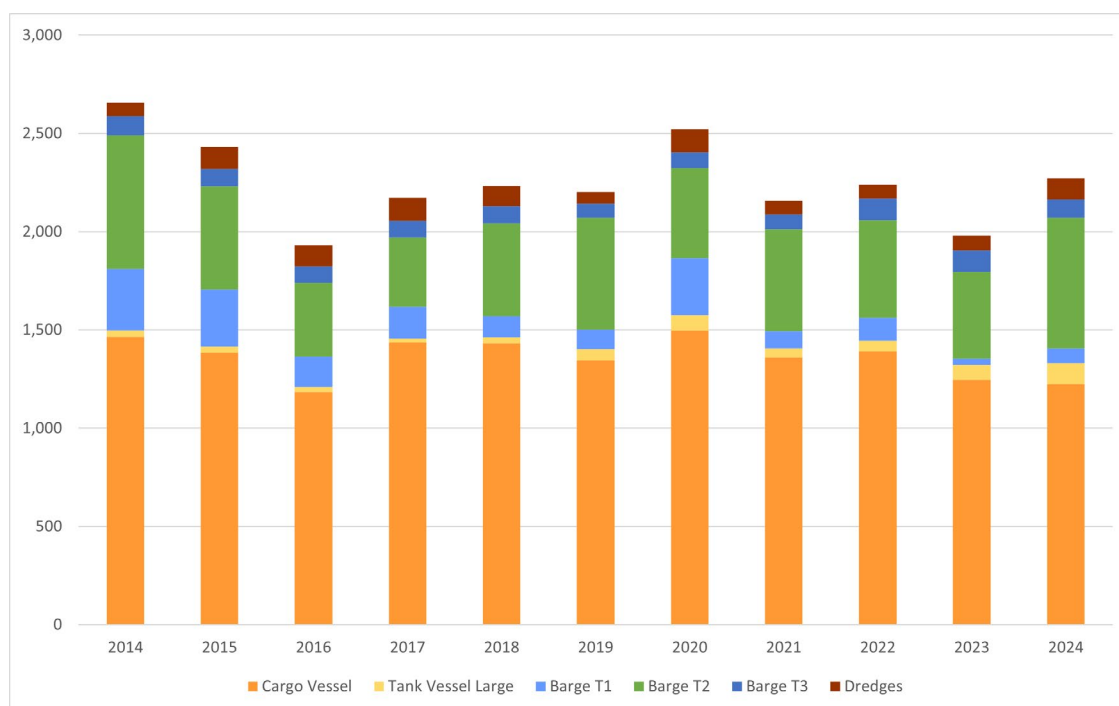


Figure 1 (above) shows that the short-term variability and longer-term trends in the shipping industry make year-to-year projections for funding difficult and have had impacts on the stability of funding for DEQ’s oil spill planning and prevention programs. It continues to be challenging to forecast industry activities and the reasons for the variability are too complex to reliably predict.

Figure 2 – Oil Spill Prevention Fund Revenue Breakdown for Fiscal Years 2020 to 2024

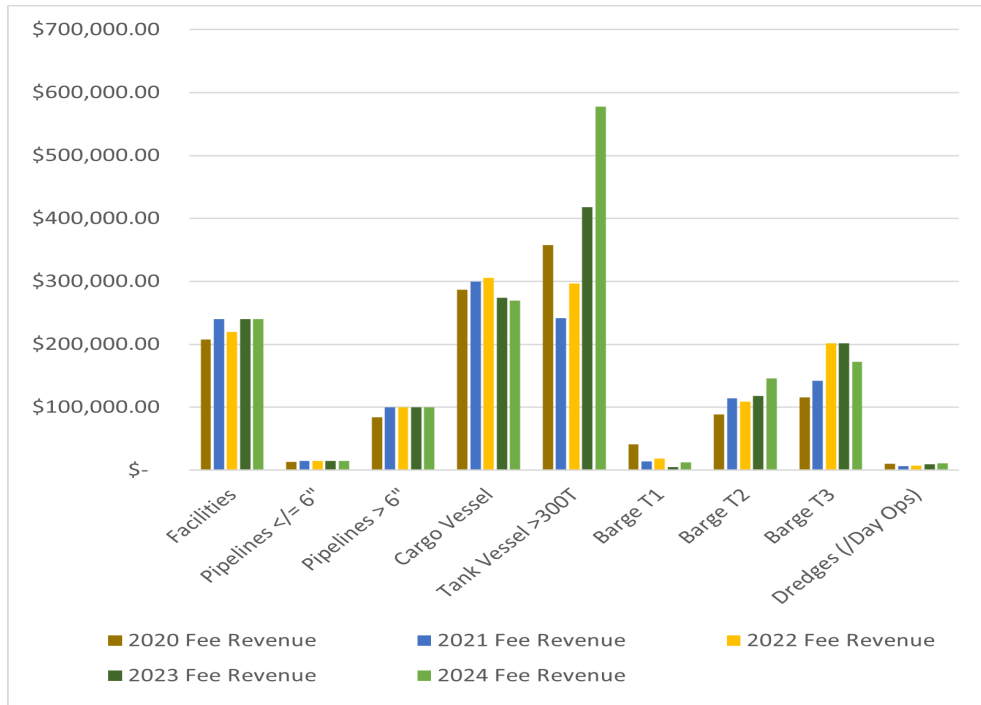


Figure 2 (above) shows the revenue by fee category for the period FY 2020-2024. It shows a marked increase in tank vessel >300T which is attributed to an increase in renewable fuels coming in by tank ships rather than by pipeline. The Olympic pipeline which accounts for 90% of our fuel deliveries does not carry renewable diesel. This is supported by the known shift towards renewable fuels.

Figure 3 – Oil Spill Prevention Fund Revenue, Expenses and Ending Balance for Fiscal Years 2022 through 2024

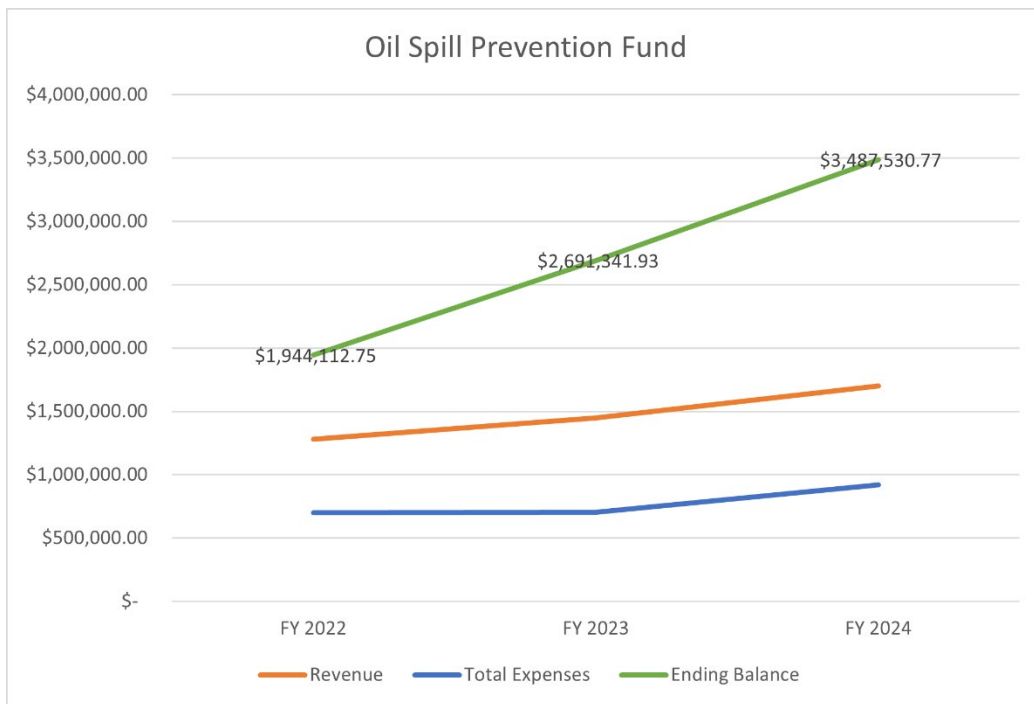


Figure 3 (above) shows fee revenue, total expenses and ending balances for the Oil Spill Prevention Fund for FY 2022 through 2024. The bulk of the Oil Spill Prevention Fund is used to pay for staff time preparing to respond to large oil spills within the oil transport industry. Positive ending balances have stabilized revenue and allowed DEQ to expand participation in drills and exercises, continue work on plan review and development, and oil spill industry coordination.

Oil Spill Control Fund

The original Oil Spill Contingency Planning Act, passed in 1991, established the Oil Spill Control Fund (Oregon Revised Statute 468B.455). All penalties recovered through civil penalties for violations related to the willful or negligent discharge of oil is to be deposited in this fund.

The control fund received \$1016 from fines in FY 2024. There were \$1971 in expenses drawn from this fund in FY 2024, for an ending balance of \$20,226.

Oil spill program activities conducted in fiscal year 2024

DEQ responsibilities under Oregon's statutes on oil spill contingency planning are:

- Ensure all regulated vessels and facilities have prepared oil spill contingency plans, and that those plans meet requirements specific to protecting Oregon's navigable waterways
- Verify that equipment listed in oil spill contingency plans is available and adequately maintained, that personnel listed in the plans are trained, and that drills and exercises are conducted
- Conduct drills and exercises in accordance with the [Northwest Area Contingency Plans](#) and promote a consistent approach to incident response to oil spills through the use of the Incident Command System throughout preparedness and response activities
- Develop and maintain an interagency response plan for oil or hazardous material spills

DEQ activities charged to the Oil Spill Prevention Fund include:

- Geographic Response Plan development and updates (excluding railroad routes which have separate funding)
- Northwest Area Committees and Regional Response Team participation
- Updates to the Northwest Area Contingency Plan/Regional Contingency Plan
- Review of the Sector Columbia River Area Contingency Plan
- Oil spill preparedness training and development of information needed for response
- Assist plan holders in developing and conducting drills and exercises
- Participate in plan holder-led drills and exercises
- General oil spill planning and preparedness
- Pacific States/British Columbia Oil Spill Task Force activities
- Interagency Agreement with ODFW for spill responder training as well as drill and exercise participation

The relative proportions of various planning, plan review and exercise components conducted in FY 2024 by Emergency Response Program staff is like previous years, with the largest proportion of program activities during this period being the participation in oil spill drills and exercises and review of oil spill contingency plans (approximately 40%). Significant work took place on the reorganization and plan development under the NW Area Committee(s) and Regional Response Team (approximately 20%) and participation in the Pacific States-BC Oil Spill Task Force activities (approximately 10%). DEQ continued to provide general oil spill training for staff to strengthen our core response team's readiness (approximately 25%) and the progress on the Oregon Coastal Geographic Response Plan update (approximately 5%). Details of these program activities are covered in more detail in following sections.

The variations in activities year to year are typically due to Oregon hosting a States/BC Oil Spill Task Force Annual Meeting, initiating a Geographic Response Plan update, or review and approval of significant contingency plan changes. Significant time was spent in NW Area Committee activities and reconfiguring the NW Area Contingency Plan. That process is described in more detail below.

Contingency plan review and coordination

Fees collected by DEQ under ORS 468B.405 are used to review industry oil spill contingency plans and participate in drills and exercises to ensure plan holders and state responders quickly and effectively respond to oil spills. To be approved by DEQ, oil spill contingency plans must meet requirements specific to protecting Oregon's navigable waterways. Fourteen individual contingency plan holders submit plans for DEQ review and approval.

DEQ approves plans for a five-year period and reviews any significant changes made during the year. DEQ has a public comment period of no less than 30 days for each plan under review and makes plans available for public review through its website or by hard copy at the headquarters office.

Drills and exercises conducted in FY 2024

Drills and exercises are an important aspect of the program to test the organizational and operational skills of plan holders and prevent or reduce the impact of possible future disasters. DEQ participated in seven in-person drills and exercises in FY 2024. In some instances, DEQ staff were connected to an exercise remotely to test our ability to support incidents with wider geographic scope.

Additionally, DEQ has been building an Incident Management Team (IMT) with 50 staff from all regions and many DEQ programs participating; a significant increase over the past several years. DEQ is using the drill and exercise program to train staff in the Incident Command System. When we have an incident to respond to which does not have a responsible party, the agency is expected to have a more effective response.

DEQ also invited and encouraged attendance from OEM, OHA, ODFW, NWS, NOAA and numerous county emergency managers totaling 19 attendees from these various agencies. The participation of outside agencies increases the realism of these exercises and provides training to their staff.

DEQ follows the Northwest Area Contingency Plan (NWACP) and the Incident Command System at drills and exercises. DEQ typically staffs positions in the Unified Command including Command Staff, Joint Information Center, Planning Section, Safety Officer, Liaison, and GIS Specialist. Per the NWACP, DEQ is responsible for staffing and leading the Environmental Unit, Public Information Officer, and Liaison Officer in drills and actual responses.

Table 2 – Drills and Exercises Conducted in FY 2024

Plan Holder	Date	Drill Type	# DEQ Staff Attended	DEQ Hours
Olympic Pipeline	8/2/2023	WCD	6	48
McCall Oil	9/7/2023	TTX	1	8
MFSA	9/21/2023	WCD	11	88
Seaport	10/12/2023	WCD	10	80
Marathon	10/26/2023	WCD	8	64
Tidewater	11/12/2023	TTX	4	32
Kinder Morgan Linnton	5/15/2024	WCD	13	104
			Total Staff Time	424

TTX = Tabletop Exercise; Virtual = Participants connecting remotely via collaboration platform (MS Teams, etc.)

TTX/Deployment = Tabletop Exercise combined with an equipment deployment drill

WCD = Worst Case Discharge Exercise; GUIE = Government Initiated Unannounced Exercise

Six plan-holders are scheduled for worst-case discharge exercises in FY 2025.

Training conducted in FY 2024

Training is an important element in maintaining and extending DEQ’s preparedness to respond to incidents and participate within the Unified Command under an Incident Command System response.

In FY 2024 DEQ used funds from the Oil Spill Prevention Fund to allow for an increased number of DEQ staff to gain training in Emergency Response related classes, expanding the total amount of DEQ staff to 50 people with at least basic Emergency Response training.

In April of 2024, DEQ and Washington Department of Ecology co-hosted a communications workshop to introduce new elements of the NWACP for PIOs and Liaisons. New skills included hosting virtual town halls, changes to working with Tribes, local community groups and federal partners.

In May 2024, DEQ hosted the G-0191 Emergency Operations Center/Incident Command System collaboration class which explored ways to set-up our Agency Operations Center (AOC), and how to integrate that work with county and state Emergency Operation Centers (EOC).

Many staff participated in specialized training, annual OSHA-required Hazardous Waste Operations (HAZWOPER) refreshers, ICS classes and oil spill exercises to develop their skills and develop better understanding of the physical and chemical properties of oil and hazardous materials. Some ICS classes included the core training of ICS 100, 200, 300, 400, 700 & 800

and some staff chose to pursue specialized training in Planning Section Chief, Liaison Officer, Environmental Unit Leader, Documentation Unit Leader, Resource Unit Leader, Safety Officer, Public Information Officer, and Incident Commander which is helping DEQ to further develop its Incident Management Team (IMT.) With continued support and training DEQ is hoping to train other critical ICS positions such as Finance, Logistics and Operations Section Chiefs, additional Unit Leader positions, and continue training staff to develop our emergency response skills.

These trainings and exercises were put into play during Oregon's largest coastline oil spill event since the New Carissa. On May 19, 2024, until June 27, 2024, coastlines were impacted by a mystery oil-like substance impacting beaches and shorelines from southwest Washington to northern California including the entire Oregon coast. An after-action report is currently being prepared to review this response and capture areas where we succeeded and where improvements are needed.

In 2024 DEQ also entered into an Interagency agreement with the Oregon Department of Fish and Wildlife (ODFW) to address ORS 468B.400 which requires ODFW to create a wildlife rescue training program but does not provide a funding source for them to obligate funds towards completing that work. Over the past 14 years ODFW has sent volunteers to some drills and exercises and real-world spills which DEQ staffed, however DEQ and ODFW have identified additional training as a need to better fulfill their statutory authorities. This Agreement allows for DEQ to share the fees collected under ORS 468b.405 in order to pay for ODFW staff to train in the Incident Command System, participate in drills and exercises, and complete work on modernizing the Natural Resource Damage Assessments as required by DEQ statutes.

Regional Response Team/Northwest Area Committee

The Region 10 Regional Response Team consists of key federal and state agencies in Oregon, Washington and Idaho, and member tribal nations involved in emergency response to hazardous materials. The team is chaired by the US Coast Guard, District 13 and the US Environmental Protection Agency, Region 10. For over 20 years, the RRT/NW Area Committee has published the NW Area Contingency Plan, which is a joint Regional and Area Contingency Plan covering both the marine and inland areas of Oregon, Washington and Idaho. This joint planning effort has resulted in a comprehensive and effective plan, and the shared workload has been an efficient way to conduct expansion and update of the content on a yearly basis.

In 2018, the USCG Sectors were directed by the Commandant to prepare individual area contingency plans for their areas of operation. This directive (incorporated into the 2020 USCG Emergency Management Manual - Volume 1) [\[1\]](#) ultimately required a reorganization of the Northwest Area Committee, which is still in progress. A new charter has been in development for a few years, and the long-standing committees and sub-committees also need to be reorganized to adapt to the new organizational model.

The Regional Response Team member agencies, tribes, and departments have overseen the reorganization of the NW Area Committee required by the USCG planning system changes.

Although the necessity to complete the reorganization has caused delays in updating the NW Area Contingency Plan. Unfortunately, the USCG subsequently refused to sign the NW Area Contingency Plan, even after rebranding to the NW Regional Contingency Plan and Inland Area Plan had been agreed upon in previous negotiations. This impasse has resulted in the necessity to contract with the William D. Ruckelshaus Center ^[2] for Collaborative Policy at Washington State University to assist with stalled negotiations on regional and area contingency planning structures suitable to the northwest planning partnering agencies. The Washington Department of Ecology has provided the funding to support the Ruckelshaus Center's leadership, and DEQ has committed time and staff resources to the process. It is anticipated that the negotiations and planning process will take approximately one year, which kicked off in earnest in Summer of 2023.

As a result of a 2018 USCG Commandant directive, a new Area Contingency Plan structure was mandated. This new plan structure will require three distinct plans to take the place of the existing Northwest Area Contingency Plan:

- Sector Columbia River Area Contingency Plan
- Inland Contingency Plan
- Regional Contingency Plan

DEQ is working with the northwest response community to adapt the Sector Columbia River Area Contingency Plan to the new format and to create the associated plans.

In FY 2024, DEQ participated in the following Northwest Area subcommittees and task forces:

Geographic Response Plan Sub-Committee: DEQ participated as co-lead with the Washington Department of Ecology. During FY 2024 the subcommittee completed work on resources at risk and GRP standardization and began to address Endangered Species Act compliance within the plan and an update and expansion of the Best Management Practices appendix.

¹ [2019/2020 Commandant Instruction M3010.11E – USCG Emergency Management Manual, Volume 1: Emergency Management Planning Policy](#)

² [William D. Ruckelshaus Center](#)

After establishing a work plan for the 2024-2025 period, the subcommittee has completed a review of the policies and procedures for formally adopting geographic response strategies, how to vet the strategies for protection of cultural and natural resources protection, and how they can be used as “provisional strategies”

Tribal Engagement Subcommittee: DEQ resumed its role as an advisory member to the Tribal Engagement Subcommittee after completing our term as co-chair. The task force conducted a tribal perspectives survey to better understand the obstacles that tribes face in incident response. A tribal needs and gap assessment is being developed, along with a timeline for filling these identified gaps through online surveys and other means.

The task force continues to work with the GRP Sub-Committee/Resources at Risk Workgroup to determine resource protection important to tribes in the northwest. The Subcommittee continues to provide outreach, training and exercise opportunities to Tribal members.

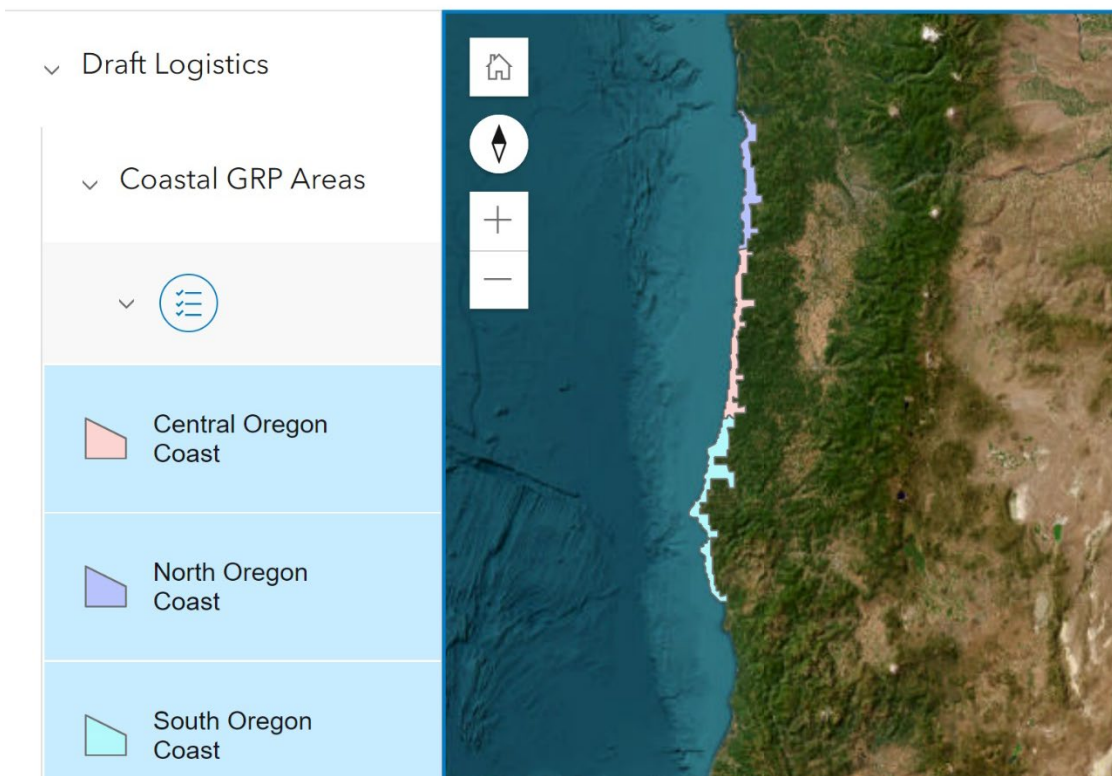
Health and Safety Task Force: DEQ participated as co-lead with the Washington Department of Ecology. The purpose of this task force is to identify ways to increase protection of responder health and safety by implementing tools developed by the National Response Team and to track responder and monitor exposures to hazardous materials during and after significant responses. The task force is also charged with developing guidance for incorporation of Public Health Assessment Units into the NW Area Contingency plan to streamline and better integrate public health protection actions into responses.

Coastal Geographic Response Plan updates

In fiscal year 2024, DEQ planning staff continued to develop the information and publishing systems needed to finalize the coastal GRPs. The strategy information is nearly complete, and is available online on a provisional basis to support drills/exercises and incidents. The complete strategy information will be shared with stakeholders, Tribes, and trustees of natural and cultural resources prior to official adoption by the Northwest Area Committee in 2025.

DEQ’s participation in the NWAC GRP Subcommittee has helped to establish policies for the validation of Geographic Response Plans and the use of newly developed spill response strategies until they are formalized in a final plan. The policy covers industry developed strategies as well as draft strategies that have not been vetted for cultural resources protection, a key component and one that has held up finalization of response strategies in formally adopted GRPs. DEQ has explored ways to support the review of cultural resources protection in the GRP development process, including entering into formal partnerships with the State Historic Preservation Office (SHPO) or contracting with a local university to provide the expertise needed.

Draft Oregon Coast GRP Viewer



Pacific States/British Columbia Oil Spill Task Force

Oregon is a member of the Pacific States/British Columbia Oil Spill Task Force. The task force provides a regional forum for coordination and collaboration on oil spill prevention and response policy issues. Task force members are the state and provincial government directors of the oil spill prevention and response programs in Hawaii, California, Oregon, Washington, British Columbia, and Alaska. DEQ's Land Quality Administrator serves as Oregon's representative to the task force.

DEQ is selective about participation in task force activities, as some projects are not within scope of the Oregon Oil Spill Contingency Planning and Preparedness program. Task force projects that DEQ participated in during FY 2024 include:

- Crude oil transport information
- Abandoned & Derelict Vessels (ADVs)
- Oil spill data collection and statistics
- Drills & Exercise workgroup
- Mutual Aid Agreement
- Legacy awards
- Federal partnership meetings
- Assessment of state spill response capacity through personnel and training

- NOAA-sponsored Workshop on Renewable Fuels
- Oil spill research and development coordination

Due to new and emerging oil spill risks based on changes in types of oil and transportation/storage/use, the task force members review and refresh the strategic plan allowing for adaptation to new hazards. The strategic plan can be found on the [Pacific States – British Columbia Oil Spill Task Force Strategic Plan page](#). The task force also develops biennial work projects based on the strategic plan.