



Prepared for Washington State Citizens Committee on Pipeline Safety

Submitted by Department of Ecology Spill Prevention, Preparedness and Response Program – Pipeline Oil Spill Contingency Plan, Drill, and GRP Updates

11/08/2023

Background

Ecology's Spills Program is a comprehensive program for preventing, preparing for, and responding to oil spills in Washington State for vessels, facilities, rail, and pipelines.

Contingency Plan Review: Ecology is responsible for the review and approval of pipeline oil spill contingency plans as outlined in an interagency agreement with the Utilities and Transportation Commission. Contingency plans are approved for five years.

Drills/Readiness Exercises: Ecology evaluates oil spill drills for pipelines in Washington State. Plan holders are required to have one tabletop exercise and two deployment exercises per year within a three-year drill cycle. In one of the years, of this cycle, the plan holder is required to hold a worst-case tabletop drill. Integrated contingency plans covering multiple facilities typically have alternative drill programs. The Northwest Area Committee Exercise Schedule can be found [here](#).

Geographic Response Planning: Geographic Response Plans (GRP) contain pre-identified response strategies to protect sensitive natural, cultural, and economic resources at risk from an oil spill. Ecology develops GRPs for the water bodies near pipelines or other regulated facilities. These geographic response plans are referenced in industry contingency plans, and can be viewed [here](#).

Pipeline Oil Spill Contingency Plan and Drill Updates

[Phillips 66 Integrated Contingency Plan Washington State](#)

The Phillips 66 Washington State ICP includes four terminals and the portion of Yellowstone Pipeline from the Idaho border to Moses Lake. After going through a review process, which included a 30-day public comment period, the plan was recently approved. The plan's new 5-year approval will expire on September 14, 2028.

2023 Drills:

- 03/29/2023: Equipment Deployment and Tabletop Drill, Renton
- 03/30/2023: Equipment Deployment and Tabletop Drill, Tacoma
- 06/29/2023: Wildlife Response Equipment Deployment, Everett
- 07/12/2023: Tabletop Drill, Spokane
- 07/13/2023: Equipment Deployment Drill, Spokane
- 07/19/2023: Large Scale Equipment Deployment, Tri-cities

Spills: None

Tidewater Transportation & Terminals, Washington Pipeline

The Tidewater Transportation & Terminals contingency plan includes a 4.2-mile long, 4-inch diameter pipeline connecting their Snake River Terminal and Burlington Northern Railroad's refueling depot, and three 4,903-foot long, 6-inch diameter pipelines connecting to the Marathon/Andeavor Pasco Terminal. Their plan received 5-year approval on October 30, 2019. The most recent plan updates included changes to the internal notification list and Spill Management Team and were approved on August 17, 2023.

2023 Drills:

- 05/18/2023: Equipment Deployment and Tabletop, Vancouver
- 06/29/2023: Wildlife Response Equipment Deployment, Everett
- 07/19/2023: Large Scale Equipment Deployment, Tri-cities
- 11/02/2023: Tabletop, Hermiston, OR

Spills: None

SeaPort Sound Terminal, LLC

SeaPort Sound Terminal is located on the Hylebos Waterway in Tacoma. The facility includes a 3-mile-long pipeline that connects to the Olympic Pipeline at the Tacoma Station. Their plan received a new 5-year approval on February 14, 2022. The most recent plan update consisted of updates due to changes at their rail terminal and changes to their spill management team. This update is still in the review process.

2023 Drills:

- 04/27/2023: Equipment Deployment, Tacoma
- 06/29/2023: Wildlife Response Equipment Deployment, Everett
- 08/17/2023: Equipment Deployment, Tacoma
- 08/30/2023: Tabletop, Tacoma

Spills: None

Andeavor Logistics Northwest Products System

The Northwest Products System contingency plan covers the Andeavor Logistics pipeline from the Oregon border near Pasco to Spokane. The plan received a 5-year approval on February 3, 2020. The most recent plan update was a PHMSA requested change to the QI language, which was approved on April 24, 2023.

2023 Drills:

- 06/29/2023: Wildlife Response Equipment Deployment, Everett
- 07/19/2023: Large Scale Equipment Deployment, Tri-cities
- 09/28/2023: Tabletop and Equipment Deployment, Spokane River

Spills: None

BP Pipelines (North America) Northwest Pipelines District

The BP Pipelines plan covers the 392-mile long Olympic Pipeline and the 5-mile-long Cherry Point Crude Pipeline. The plan received a 5-year approval on June 9, 2021. The most recent plan update was an annual update of the plan which included a change in one of the alternate Qualified Individual's and minor administrative updates. This update was approved on September 29, 2023.

2023 Drills:

- 06/29/2023: Wildlife Response Equipment Deployment, Everett
- 07/27/2023: Equipment Deployment, Tacoma
- 08/02/2023: Tabletop Drill, Oregon WCD
- 08/28/2023: Equipment Deployment, Anacortes

Spills: None

Trans Mountain Pipeline (Puget Sound)

The Trans Mountain Pipeline contingency plan covers the Puget Sound portion of the Trans Mountain Pipeline from the Canadian border near Sumas to three of the four northern refineries. The plan's 5-year approval expires on December 26, 2023. Ecology developed new planning standard spreadsheets, reviewed the present plan, and sent comments to the company to facilitate the review process. A revised plan was submitted on October 2nd. It is presently posted for a 30-day public review period which ends on November 5th.

2023 Drills:

- 03/08/2023: Worst Case Tabletop Drill, Bellingham

- 06/01/2023: Deployment Drill, Donovan Park, Burlington
- 08/10/2023: Wildlife Response and Rehabilitation Equipment Deployment, Bellingham
- 09/18/2023: Deployment Drill, Bellingham

Spills: None

U.S. Oil & Refining Company/McChord Pipeline

US Oil/McChord Pipeline's contingency plan covers the US Oil Refinery and the McChord Pipeline, which connects the Tacoma refinery to Joint Base Lewis McChord. Their plan received 5-year approval on October 4, 2021. The most recent plan update was an annual update which included changes to the Spill Management Team and Emergency Response Action Plan and was approved on August 30, 2023.

2023 Drills:

- 06/29/2023: Wildlife Response Equipment Deployment, Everett
- 10/11/2023: Equipment Deployment and Tabletop, Tacoma

Spills: None

Worst-Case Tabletop Drills in 2023:

- Trans Mountain Pipeline, 03/08/23

Rule Updates

Certificate of Financial Responsibility

Ecology is in the middle of a rulemaking to create a new rule, [Chapter 173-187 WAC - Financial Responsibility](#). The rulemaking will ensure that vessels and facility owners and operators (including pipelines) have adequate financial resources to pay the cleanup and damage costs arising from an oil spill.

The new rule will:

- Define the entities subject to financial responsibility requirements.
- Establish required levels of financial responsibility for oil handling facilities and pipelines.
- Specify the procedures and timelines for obtaining or renewing a certificate of financial responsibility.
- Establish requirements for acceptable evidence of financial responsibility, including self-insurance.
- Outline the process for ensuring timely updates to changes in financial status.

- Define the processes governing the suspension, revocation, and re-issuance of certificates of financial responsibility considering potential liabilities incurred by a covered entity after an oil spill or other incident.
- Incorporate and update financial responsibility requirements currently included in WAC 317-50 – Financial Responsibility for Small Tank Barges and Oil Spill Response Barges, and repeal that chapter.
- Make other changes to clarify language and make any corrections needed.

Under the new rule, regulated entities must demonstrate financial responsibility for response cleanup costs and as necessary to compensate the state and affected federally recognized Indian tribes, counties, and cities for damages that might occur during a spill. The main goal of the rule is to establish a process to implement Washington state certificates of financial responsibility. Anticipated completion of this rule is July 2024. The Financial Responsibility Team is currently conducting outreach with tribes, stakeholders, and interested parties to develop the rule language. Six stakeholder workshops have been held. Additional information about the rulemaking is posted on our website:

<https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-187>

Facility Oil Handling Standards

On June 6, 2023, Ecology adopted amendments to Chapters [173-180 WAC](#), Facility Oil Handling Standards and [173-184 WAC](#), Vessel Oil Transfer Advance Notice and Containments Requirements. Chapter 173-180 WAC establishes oil spill prevention and oil transfer requirements for regulated oil handling facilities. These amendments became effective on July 7, 2023.

These rule amendments implemented updates to RCW 88.46.165. Amendments also include necessary administrative updates, expand on existing requirements, and establish new requirements as described below:

- Clarify and expand plan content and drill requirements for Class 2 facility Oil Transfer Response Plans.
- For Class 1 facilities:
 - Establish facility out of service and decommissioning requirements.
 - Establish seismic protection requirements for transfer pipelines and storage tanks.
 - Clarify and expand plan preparation and plan content requirements for Prevention Plans, including secondary containment permeability and facility spill risk analysis criteria.
 - Clarify training and certification requirements.

Transmission pipelines (interstate and intrastate) and associated breakout tanks do not fall under this rule, both the previous existing rule and the amended rule, due to preemption by PHMSA. Design requirements for transfer pipelines was expanded to include seismic requirements as well as other updates to design codes.

Geographic Response Plan Updates

The following GRP's are presently undergoing full updates, and will affect pipeline contingency plans:

- Lake Washington
- Lower Columbia River
- South Puget Sound
- Chehalis River

Interim updates to Geographic Response Plans are published every quarter, as needed. Ecology publishes a blog summarizing the quarter's interim updates on www.oilspills101.wa.gov under "recent posts". The most recent interim updates were published October 2023 and you can view them here: <https://www.oilspills101.wa.gov/grp-quarterly-newsletter-october-2023/>.

Comments on any GRP's can be submitted to GRPs@ecy.wa.gov

This concludes Ecology's update.