

<b>USCG/ECOLOGY MOA</b>	<b>Protocols Manual</b>	Procedure: 2 Page: Page 1 of 6 Revision: 01/20/2011
<b>Oil Transfer Operations</b>		

## 1. PURPOSE/SCOPE

The purpose of the Oil Transfer Operations Protocol is to coordinate oil transfer monitoring operations to maximize the effectiveness of combined U.S. Coast Guard District Thirteen (“USCG”) and Washington State Department of Ecology (“Ecology”) resources devoted to safe marine transportation and environmental protection. This protocol is also expected to leverage resources by bringing the diverse expertise of USCG and Ecology inspectors together to achieve safer oil transfer operations, while avoiding undue duplication of effort.

Instructions contained in this procedure apply to oil transfer operations involving commercial vessels in navigable waters of the state of Washington. USCG and Ecology will coordinate monitoring of oil transfer operations including, but not limited to, dockside transfers at facilities, lightering, and bunkering operations.

## 2. AUTHORITY/REFERENCES

This protocol has been established based on the Memorandum of Agreement between the Commander, Thirteenth Coast Guard District and the State of Washington executed June 26, 2007.

### ***Ecology***

#### Statutes

*RCW 88.46 Vessel Oil Spill Prevention and Response*

*RCW 90.56 Oil and Hazardous Substance Spill Prevention and Response*

#### Regulations

*WAC 317-40 Bunkering Operations*

*WAC 173-180 Facility Oil-Handling Standards*

*WAC 173-184 Vessel Oil Transfer Advance Notice and Containment Requirements*

#### Documents/Forms

*Bunker Operations Monitoring Report*

*Facility Bulk Oil Transfer Monitoring Report*

### ***USCG***

#### Statutes

*14 USC 141 - Cooperation with Other Agencies*

*33 USC 1321 (j)(1)(C) - Oil and Hazardous Substance Liability- Regulations*

*46 USC 3703 - Carriage of Bulk Liquid Dangerous Cargoes- Regulations*

*46 USC 3715 - Lightering*

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Regulations

*33 CFR 154 - Facilities Transferring Oil or Hazardous Material in Bulk*

*33 CFR 155 - Oil or Hazardous Material Pollution Prevention Regulations for Vessels*

*33 CFR 156 - Oil and Hazardous Material Transfer Operations*

Documents/Forms

*Pollution Prevention Compliance Report CG-5562B (1-94)*

**3. EFFECTIVE DATE/POINTS OF CONTACT**

This protocol will become effective upon signature of both parties.

The following persons will serve as points of contact for questions concerning this protocol and its implementation:

Ecology

**Spill Prevention Unit Supervisor, Southwest Regional Office**

Phone: 360-407-6238

Fax: 360-407-6305

Mailing Address: Washington Department of Ecology, Southwest Regional Office, P.O. Box 47600, Olympia, WA 98504-7600.

**Spill Prevention Unit Supervisor, Northwest Regional Office**

Phone: 425-649-4491

Fax: 425-649-7098

Mailing Address: Washington Department of Ecology, Northwest Regional Office, 3190 - 160th Ave. SE, Bellevue, WA 98008-5452

USCG

**Sector Columbia River, Facilities and Containers Branch**

Phone: 503-240-9305.

Fax: 503-240-9308

Mailing Address: USCG MSU Portland, 6767 N. Basin Ave., Portland, OR 97217

**Sector Puget Sound, Facilities and Containers Branch**

Phone: 206-217-6165

Fax: 206-217-6227

Mailing Address: USCG, Sector Puget Sound, 1519 Alaskan Way South, Bldg 4, Seattle, WA 98134

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#### 4. POLICIES

It is the policy of the USCG and Ecology:

- To coordinate oil transfer monitoring schedules.
- To monitor oil transfers as appropriate for compliance with federal and state laws and regulations.
- To share documents pursuant to the Disclosure of Records protocol.
- To implement prompt sharing of monitoring results when violations are noted.
- To regularly review data collected for the purpose of identifying unsafe practices commonly encountered during oil transfers or repeat offenders and devise joint strategies for addressing those issues.
- To coordinate oil transfer related training to ensure both consistent and comprehensive transfer monitoring.
- To periodically conduct joint monitors for the benefit of cross training personnel.

#### 5. STANDARD OPERATING PROCEDURES

*Operational Task Summary Matrix* -- (Key: P=Primary Responsibility; A= Assist)

Task	USCG		ECOLOGY	
	Branch Chief	Inspector	HQ/F.O. Supv.	Inspector
A. Coordinate sharing of advance notices of transfer between Coast Guard and Ecology.	P	A	P	A
B. Ecology calls USCG to coordinate monitoring of operations.		A		P
C. Monitor oil transfer operations.		P		P
D. Advise one another of violations observed.	P	A	P	A
E. Fax checklists for operations where violations were observed.	P	A	P	A
F. Make oil transfer monitoring records available when requested.	P	A	P	A
G. Review monitoring results.	D13(dp) P		P	

**Oil Transfer Operations**

***Frequency of Communication***

- A. As needed to provide advance notice of transfers not entered into web based system, to coordinate monitoring activities and advise one another of violations observed, as well as training.
- B. Both parties will participate in statistical analysis and discussions should occur at local level regarding results of identified commonly used unsafe practices, protocol effectiveness, etc.

***USCG Task Detail***

Sector Branch Chiefs will oversee the following tasks:

- A. Coast Guard Sector will fax or email Ecology HQ any notice of transfer in WA received directly from MTR facility that is not included on Ecology's web based system. (see Section 3 for contact information).
- B. Advise Ecology of WAC violations observed during the course of an oil transfer operation if the violation is not a duplicate of a CFR violation (see Frequency of Communication). There is no expectation that USCG inspectors will be fully conversant with Ecology regulations and policy; however, if a violation or suspected violation is observed, notification to the appropriate Ecology Regional/Field Office is appropriate.
- C. Make oil transfer monitoring records available via Disclosure of Records Protocol and cooperatively review monitoring results for statistical and causal analysis (see Frequency of Communication).

***Ecology Task Detail***

Ecology HQ will oversee the following tasks:

- A. Maintain web-based Advance Notice of Transfer (ANT) system, including the entry of all reports of transfers received via facsimile or other accepted means ultimately into web-based system. Ecology will promptly inform appropriate USCG Sector of any reports received by means other than web-based system to ensure opportunity for monitoring such transfer operations is not missed due to administrative delays in system updates.
- B. Ensure USCG is advised of any CFR violations observed during the course of the oil transfer operation (see Frequency of Communication). There is no expectation that Ecology inspectors will be fully conversant with USCG regulations and policy; however,

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if a violation or suspected violation is observed, notification to the cognizant sector is appropriate.

- C. Provide USCG Sector personnel training in ANT system use upon request.

**Ecology Regional/Field Office Supervisors** will oversee the following tasks:

- A. Ensure Ecology Vessel Inspectors call their counterparts at USCG Sectors to coordinate oil transfer monitoring operations (see Frequency of Communication).
- B. Copy USCG on all correspondence regarding CFR violations noted during Ecology inspections. (see Frequency of Communication).
- C. Make oil transfer monitoring records available via Disclosure of Records Protocol and cooperatively review monitoring results for statistical and causal analysis (see Frequency of Communication).

## 6. MEASURES OF EFFECTIVENES

### *Partnership Measures*

- Number of Transfer Monitors conducted (aggregate of USCG and Ecology/Number of Transfers in Washington State Waters. (Target 10% per year of total).
- Annual percentage of Transfer Monitors conducted by vessel/facility type compared to total number of vessels/facilities (by type).

### *Environmental Protection Measures*

- Number of spills resulting from an oil transfer operation.
- Number of gallons of oil spilled during an oil transfer operation per gallons of oil transferred by vessel/facility type.

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**7. APPROVAL**

  
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S. W. BORNEMANN  
Captain, U. S. Coast Guard  
Thirteenth Coast Guard District  
Chief, Prevention Division

DATE: 4/24/11

  
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DALE JENSEN  
Program Manager  
Spill Prevention, Preparedness, and  
Response Program  
Washington Department of Ecology

DATE: 4-26-2011