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Congress of the United States House of Representatives

Washington, DC 20515-4701

October 18, 2005

Chairman Don Young
Committee on Transportation & Infrastructure
2165 Rayburn House Office Building
Washington, DC 20515

Ranking Member Oberstar
Committee on Transportation & Infrastructure
2163 Rayburn House Office Building
Washington, DC 20515

Chairman LoBiondo
Subcommittee on Coast Guard
2165 Rayburn House Office Building
Washington, DC 20515

Ranking Member Filner
Subcommittee on Coast Guard
2163 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Young, Ranking Member Oberstar, Subcommittee Chairman LoBiondo and Subcommittee Ranking member Filner:

Yesterday marked yet another oil spill to hit Puget Sound's pristine environment. A tugboat sank in my district near Port Gamble, Washington, spilling an estimated 100 gallons of diesel fuel into waters that support multimillion-dollar shellfish operations. The Coast Guard was notified around 9 a.m. The first oil-containment boom wasn't in place until 4:30 p.m.

Just one year ago, 1,000 gallons of oil spilled from a tanker in the Dalco Passage, near Tacoma, Washington. Heavy-grade fuel oil spread overnight before being reported. The sheen released from this spill touched over 20 miles of shoreline.

And the most damaging of the three spills occurred just after midnight on Dec. 30, 2003. A Foss Maritime Company barge spilled approximately 4,700 gallons of heavy fuel oil while being filled at the ChevronTexaco terminal at Point Wells in Snohomish County. Response to the spill was delayed by about 30 minutes because vessels dispatched to lay the initial containment boom wouldn't start. The majority of the oil spread from the dock during this time, according to a report by the Washington State Department of Ecology.

We can do a better job preventing and responding to such spills in Puget Sound and across the nation. I urge you to implement recommendations submitted by the U.S. Coast Guard as part of their investigation into the Point Wells oil spill and to commission an independent investigation into ways of improving spill response processes in your conference report of the Coast Guard Reauthorization Act of 2005.

The Coast Guard recommendations set qualifications people must have to transfer oil. A person who meets the current statutory qualifications would need to conduct and oversee the transfer

operation on the barge; and/or on the docks, at least one other person who meets the qualifications of a tanker man-assistant must be on board to maintain an oil spill watch.

They require any person or facility conducting ship refueling and bunkering operations, blending of petroleum products, transferring of low flammability fuel oil to a vessel with an oil capacity of over two hundred and fifty barrels, to deploy a boom prior to the transfer that provides a completely contained area around the vessel. The Coast Guard also would get a plan of operations prior to any refueling operations conducted during evening or nighttime hours.

To ensure that persons who are working on transferring oil from these vessels are aware of a spill as soon as possible, the recommendations call for ship refueling, bunkering and fuel transferring operations to have a backup overfill control panel on the dock capable of receiving an alarm and shutdown signal from the cargo tank.

In an effort to ensure that all owners or operators of a tank vessel are up to code, the U.S. Coast Guard Office of Marine Inspection would get annual documentation on any repairs or alterations made to a vessel's cargo tank liquid overfill protection system.

Puget Sound is the jewel in the crown of our nation's estuaries. We can better protect it and other bodies of water by implementing the Coast Guard recommendations and commissioning an investigation into response times. I look forward to working with you to set higher standards for spill prevention and response.

Sincerely,



JAY INSLEE
Member of Congress