

Anna Doty

Public testimony provided 9-17-19.

Hi. Good afternoon. My name is Anna Doty. I'm the director of the Stand Up to Oil Coalition which is a diverse coalition of organizations across the Pacific Northwest working to improve the safe transportation of oil already in our communities. Thank you for being here today and for your presentation and for all your work leading up to today on this rule update.

In the last several years, thanks to concerned activists and community leaders and to Washington's Spills program, Washington has made significant gains in improving the safety of oil transportation in our communities and waterways. However, these gains were also in response to growing and changing risks of new and new types of oil being transported through our state and our protections and response requirements are still catching up to those changing risks.

The 2018 Strengthening Oil Transportation Safety Act gave Ecology a clear directive to address one of these risks, which is the possibility of a catastrophic oil spill of potentially nonfloating tar-sands crude oil. As you know, tar-sands are already being transported and stored throughout Washington, through eastern Washington, along the Columbia River, particularly in newly converted facilities that are creating new risk, as well as biweekly barge to Tacoma after the recently acquired Par Pacific refinery that has stated an intent to likely expand in the near future, and by pipeline to our northern refineries.

And even as those thoughts are already here, there is also the looming threat of the Transmountain pipeline which could create additional risk in our communities and in our waterways. This draft rule does not go far enough. It does make important incremental change. I appreciate all the work that you've done in improving the wildlife protection requirements and also improving the response times -- or excuse me, the assessment times to determine whether a spill may become potentially nonfloating.

However, there needs to be faster response time requirements for a nonfloating oil spill. As many people before me have already said, to protect our waters and communities, we need scientifically sound planning requirements that will result in containment and recovery of tar-sands crude oil before it submerges and sinks and becomes impossible to fully recover.

This rule doesn't provide the insurances that we need that the response times and equipment requirements are sufficient to respond to a worst-case scenario spill. And even as we wait for federal studies to be completed to improve our modeling requirements, we can still make sound estimations that a worst-case scenario spill is not currently being planned for with the response time requirements that are in the draft rule.

The scope and the ambition for this rule is still too narrow. And I appreciate all the work that Ecology has done to work with our community and our member organizations to adjust the scope of the rule. I look forward to continuing to work with you to understand what an exploratory rulemaking might look like and how to establish a new rule update in advance of the five-year rule update. Exploratory study is not sufficient to create new protections that we need as requirements for oil handlers in our state.

So thank you for your work thus far. Looking forward to continuing to work with you.