

Janet Alderton

Rulemaking Comment Period for Chapter 173-180 WAC and Chapter 173-184 WAC

I'm grateful for the excellent job Governor Inslee does to protect the environment of Washington state. I also very much appreciate the work done by the Washington Dept. of Ecology led by Laura Watson.

I am writing to urge Ecology to protect the Salish Sea by tightening the rules to improve the safety of oil transfer operations in remote anchorages. I have deep concerns over the damage that oil spills do to the marine waters of the San Juan Archipelago, which is a nursery for juvenile salmon.

Many oil transfer operations occur over water in remote anchorage areas. I live on Orcas Island, not far from Vendovi Island. The Vendovi Island Preserve is one of the wildest private islands in the San Juan archipelago. It was a priority for permanent conservation for many years leading up to its protection in perpetuity by the San Juan Preservation Trust in 2010.

There are five anchorage areas near Vendovi Island that are also in proximity to the federally protected San Juan Islands National Monument, San Juan Islands National Wildlife Refuge, and the Padilla Bay National Estuarine Research Reserve.

No oil transfer operations occurred before 2014 in the Vendovi anchorages. But the total volume of oil transfer operations there has increased from 82,500 gallons in 2014 to 18,236,304 gallons in 2021. The Rate B oil transfer operations that were not pre-boomed increased from two in 2014 to a high of 15 in 2020, and 13 in 2021. The volume of oil transferred close to the Vendovi Island Preserve rose from 82,500 gallons in 2014 to 705,567 gallons in 2020.

These oil transfers pose a huge risk because they are in relatively remote areas and lack the spill response resources immediately available like those at terminals and refineries. If an oil spill occurs in a remote anchorage area, it takes time for oil spill response resources to arrive from other locations.

Specifically, I urge the Washington Department of Ecology to take the following actions:

1. Reduce the threats to southern resident killer whales by requiring all oil transfer operation to be PRE-BOOMED when safe and effective to do so.
2. Eliminate the Rate B loophole that allows oil transfers at 500 gallons per minute or less to occur without pre-booming.
3. With a major earthquake in Washington state a real possibility, require all secondary containment structures that prevent spilled oil from reach waters of the state to withstand seismic forces.
4. Restrict all oil transfer operations to daylight hours.

These actions by Ecology would improve the regulations that went into effect in 2007 in response to

the 2003 Foss Barge Point Wells oil spill involving about 5,000 gallons of heavy fuel oil spilled in an oil transfer operation.

Serious damage to about 400 acres of the Suquamish Indian Reservation's prime cultural and environmental lands, including saltwater marsh, old growth timber, beaches, and clam beds. That spill occurred WITHOUT pre-booming and in the middle of the night.

It's extremely important for Ecology to tighten these oil transfer and oil containment regulations so that we reduce the likelihood of such a disaster.

Thank you for considering my views.

Sincerely,

Janet Alderton