Harbor Safety Committee

of the San Francisco Bay Region

*Mandated by the California Oil Spill Prevention and Response Act of 1990*

**Harbor Safety Committee of the San Francisco Bay Region**
**Thursday, September 8, 2011**
**Exhibit Room, Port of Oakland, Oakland, California**

**John Berge** (M), Pacific Merchant Shipping Association (PMSA), Acting Chair of the Harbor Safety Committee of the San Francisco Bay Region (HSC), called the meeting to order at 1008. **Alan Steinbrugge** (A), Marine Exchange of the San Francisco Bay Region (Marine Exchange), confirmed the presence of a quorum of the HSC.

Committee members (M) and alternates (A) in attendance with a vote: **Jim Anderson** (M), California Dungeness Crab Task Force; **Margot Brown** (M), National Boating Federation; **Ron Chamberlain** (M); Port of Benicia; **Capt. Andy Cook** (M), Chevron Shipping; **Capt. John Cronin** (M), Matson Navigation; **Aaron Golbus** (M), Port of San Francisco; **Capt. Lynn Korwatch** (M), Marine Exchange; **Jim McGrath** (M), Bay Conservation and Development Commission, BCDC; **Maj. Shaun Martin** (A), US Army Corps of Engineers (USACE); **Capt. Jonathon Mendes** (M), Starlight Marine Services; **Chris Peterson** (M), Port of Oakland; **Capt. John Schneider** (M), Tesoro Refining & Marketing; **Deb Self** (M), San Francisco Bay Keeper; **Capt. Cynthia L. Stowe**, United States Coast Guard (USCG); **Gerry Wheaton** (M), National Oceanic and Atmospheric Administration (NOAA).

Alternates present, and those reporting to the HSC on agenda items: **Capt. Esam Amso** (A), Valero Marketing and Supply; **Capt. Mathew Bliven**, USCG; **Bob Chedsey**, California State Lands Commission (State Lands); **Capt. Jeff Cowan**, California Office of Spill Prevention and Response (OSPR); **Ken Danielson**, USACE; **Tom Evans**, (NOAA); **Capt. Noapose Fotu** (A), National Cargo Bureau; **Lt. Cmdr. DesaRae Janzen**, USCG; **Rob Lawrence**, USACE; **Paul Milkey**, California Air Resources Board (ARB); **William Needham** (A), National Boating Federation; **Bill Nickson** (A), Transmarine Navigation; **Lt. Cmdr. Salas**, USCG; **Linda Scourtis** (A), BCDC; **Lt. Cmdr. Jason Tama**, USCG.

The meetings are always open to the public.

**Approval of the Minutes**

There were corrections to the minutes of the meeting of July 14, 2011. On page five the tug work group report was given by **Partika**. A motion to accept the minutes as corrected was made and seconded. It passed without discussion or dissent.

**Comments by the Chair – Berge**

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- **Berge** welcomed the new members to the HSC: **Anderson**, **Capt. Cook**, **McGrath**, and **Self**, who was promoted from alternate.
- Assembly Bill 1112 was being voted on the day of this meeting of the HSC, and looked likely to pass. The bill would raise funds for OSPR and State Land's Marine Facilities division and create new

regulations for the inspection of fuel transfer operations at Anchorage 9. The new law would take effect January 1, 2012.

- **Berge** asked whether members of the HSC would be interested in a briefing from the Coast Guard on voluntary compliance with off shore lanes recommended by the British Columbia/Pacific State Oil Spill Task Force. The recommended distance from shore is fifty miles for tank vessels and twenty-five miles for dry cargo vessels. **Anderson** said that he was interested in the briefing since vessels closer than twenty-five miles from shore would be transiting through fishing grounds. **Capt. Stowe** said that the Coast Guard was interested to hear comments on the traffic scheme. **Capt. Cook** also expressed interest in the briefing.
- At the juncture between the Coast Guard and USACE reports **Berge** introduced **Capt. Korwatch** as the new member representing the Maritime Information Exchange Community with **Steinbrugge** as her alternate.

**Coast Guard Report – Capt. Stowe**

- **Capt. Stowe** introduced **Capt. Jay Jewess**, Deputy Commander Sector San Francisco, and **Lt. Cmdr. Donald Montoro**, Chief of the new command center and search and rescue operations.
- The summer season had been a busy one with many recreational boaters on the water. Rule 9 violations are a serious concern to the Coast Guard.
- Planning for Fleet Week continues. It is expected to be a large event with more ships than usual in the parade including the Coast Guard cutters *Alert* and *Bertholhf* – the latter being the first cutter of the new *Legend* class.
- **Capt. Stowe** introduced **Capt. Bliven** to give a briefing on the status of planning for the America's Cup events scheduled for 2012 and 2013.
- **Capt. Bliven** said that the Coast Guard is following ongoing World Series events to see what may be learned before the World Series events in 2012.
- The Coast Guard is partnered with the National park Service as co-lead agencies on the Federal environmental assessment process for the events. USACE and the Presidio Trust are cooperating agencies. Three public scoping meetings were held in August. They were lightly attended. Outreach to port partners and maritime stakeholders continues.

**Wheaton** said that a number of NOAA agencies, including the National Weather Service, National Ocean Service, National Marine Fisheries Service, and National Marine Sanctuaries were concerned whether there would be sufficient instrumentation and resources to provide effective information to the large numbers of small boaters expected to attend the events.

- **Capt. Stowe** introduced **Lt. Cmdr. Salas** to brief the HSC on changes to three channel buoys to bring them in line with the new channel alignment in San Pablo Bay and the North Channel. That briefing is attached to these minutes.

- **Capt. Stowe** said that in order to learn more about the loss of propulsion incidents in the Bay Area the Coast Guard had begun to collect more information from ships inbound to the pilot station. The new data points include where and when the ships are switching as well as where, when, and what kind of test are being preformed after switching.
- **Capt. Stowe** introduced **Lt. Cmdr. Tama** to brief the HSC on the summary addendum to the usual to the detailed list of loss of propulsion incidents attached to these minutes. The summary highlights the increased number of incidents, as well as the higher rate of incidents in the Bay Area as a percentage of visiting vessels. **Capt. Stowe** said that she had met with the Bar Pilots and Class Societies to discuss the findings. Two possibilities were discussed: One is that the reporting threshold is lower in the Bay Area. The second is that the more demanding maneuver characteristics of the local ports are more demanding.
- **Capt. Stowe** said that going forward the Coast Guard would use the pre-arrival data to inform the Bar Pilots about any vessels with a history of loss of propulsion. The data that is being developed can also be used to determine when a tug escort may be required. The Coast Guard will continue to work with the Class Societies to develop best practices. When there are incidents, Class Society representatives are called to investigate whether the factors are human or mechanical. The Class Societies are actively engaged in the problem, but they too feel the lack of data so far. The Coast Guard's response posture will remain aggressive, and proactive with the HSC, Bar Pilots, and Class Societies. Coast Guard senior leadership are being kept in the loop due to the present serious concerns for safety and the environment in the region, as well as the impending Emission Control Area regime set to take effect nationwide.

**Berge** said that it would be a good idea to get a Coast Guard briefing at the state summit of HSC's scheduled for October. **Capt. Cowan** said that the British Columbia/Pacific States Oil Spill Task Force would also be represented at the summit. **Capt. Stowe** said that it sounded like a good idea. **Berge** said he would talk to **Scott Schaffer**, OSPR Administrator, to secure invitations for the Coast Guard.

**Capt. Peter Bonebakker**, ConocoPhilips, said that the Coast Guard's meeting with the operators had been very helpful and suggested more similar meetings. **Capt. Stowe** said that they were collecting some of their best information from ship's engineers and operators.

- **Lt. Cmdr. Janzen** read from the Prevention/ Response report that is attached to these minutes.

**Self** asked whether the number of loss of propulsion incidents was higher now in Oakland in proportion to losses on approach. **Capt. Stowe** said that the ratio was fairly constant although the total number of incidents had gone up.

**Milkey** asked what process kept a loss of propulsion investigation pending. **Lt. Cmdr. Tama** said that after the initial Coast Guard response, and Class Society tests, that they continued to follow the evidence as far as they could. He said that there was not always a "smoking gun," but the Coast Guard would make a determination where there was a preponderance of evidence.

**US Army Corp of Engineers Report – Maj. Martin**

- **Maj. Martin** introduced himself as the Hydro Survey chief and said that he was glad to have the opportunity to meet everyone.
- **Lawrence** read from the report that is attached to these minutes.

**Capt. Bonebakker** said that the time gap between the end of dredging Pinole Shoal Channel in July and the subsequent sounding in August had resulted in a net gain of one tenth of a foot in depth. He said that timelier sounding would allow for remedial dredging. **Maj. Martin** said that USACE is very aware of the problem and is working to fix it.

- **Danielson** reported that there had been no change to the debris removal budget. He said that as the money ran out staff would be let go or redeployed. He said that if that were to happen they would not be staffed in time for the major marine events already scheduled for 2012 and 2013.

**Clearing House Report – Steinbrugge**

- **Steinbrugge** read from a report that is attached to these minutes.

**NOAA Report – Wheaton, Evans**

- **Carl Kammerer** had met with interested parties to discuss the placement of sensors in the Bay Area during 2012 and 2013. New current prediction will be published in early 2014.
- **Wheaton** introduced **Evans** to discuss NWS's concern regarding America's Cup events scheduled for 2012 and 2013. Evans said that the NWS's concerns were heavy fogs, strong winds, and tsunamis. He said there major concern was how any of those events, or a combination of them, might effect spectators on the water. **Evans** said that the NWS did not have sufficient instrumentation to create effective models that would be of help to the safety of spectators if anything serious happened.
- **Wheaton** said that it would be a great help to NOAA if the HSC could identify and describe possible worst case scenarios such as a sudden inundation of fog coming up the coast and into the bay without warning. Their goal is a water and traffic plan for the small boat community. NOAA wants to put together a package on the problem that they could present to the Coast Guard.

**Berge** suggested that Wheaton coordinate his efforts with the Navigation workgroup, then reach out to others as needed.

**Brown** said that she did not understand NOAA's concerns. She said that the competitors and race committee would have their own competent meteorologists and that recreational boaters are supposed to know what to do when they see fog coming in the gate. **McGrath** said that strong winds might present problems for kayakers and wind-surfers. **Brown** said that she doubted new information would help those

wise enough to take advantage of what is already available or help those that do not access what is available.

**Capt. Stowe** said that the Navigation and Physical Oceanographic Real Time System (PORTS) work groups were already scheduled to receive a briefing on fog sensors for commercial purposes. She said that the safety of large numbers of recreational boaters is a big concern to the Coast Guard.

**Self** said that San Francisco Baykeeper has been trying to work with the City of San Francisco to develop traffic plans for recreational boaters but that the city was short on good predictions on how many boaters to expect. **Capt. Mendes** asked whether anyone was trying to make any predictions base on previous experience with Fleet Week. He wondered if many more boaters could actually be fit in. **Capt. Stowe** said that the Race Committee would have people in town to observe Fleet Week.

**Berge** suggested those interested in the topic attend the scheduled workgroup on fog sensors. **Capt. Stowe** said that their main concern was commercial, but that it could be a good place to start.

**Brown** said that it was her experience over the years that the best course of action was to launch an aggressive education campaign of serious warnings as the event approached. **Capt. Stowe** said that the Race Committee had been cooperative to date. **Brown** said that the Prevention Through People Workgroup would be happy to assist in any educational campaign.

**Evans** said that NOAA had Federal Emergency Management Agency (FEMA) issues of concern to them. Capt. Stowe said that she was not aware of a FEMA connection to the determination of a Marine Event of National Significance. **Capt. Bliven** said the state was seeking a separate declaration of the races as Events of National Significance like the World Series. The Department of Homeland Security would determine whether they met that level. **Capt. Bliven** said that the Race Committee and the City already had workgroups addressing some of the issues raised.

**Berge** asked the PORTS Workgroup to follow up on the points raised.

**OSPR Report – Capt. Cowan**

- **Charlton Bonham** had been appointed as the new Director of the Department of Fish and Game, which is the parent agency for OSPR. **Bonham** was previously California Director of Trout Unlimited.
- A new training video for best practices during bunkering operations is on the agenda for the State HSC summit scheduled for October. OPSR is already talking to the Maritime training Institute.
- A large response exercise off Ventura and Los Angeles Counties was scheduled for the third week in September. OSPR and Coast Guard were participating.
- **Capt. Cowan** has written an article on loss of propulsion incidents. It was scheduled to be published by *Martime Executive*, *Maritime Reporter*, and *Bunker World*. OSPR was planning to submit the article to the *Coast Pilot* and *Sailing Directions*. The article identifies six types of loss of propulsion incident and

recommends guidelines for operations and training. A copy of the article can be found at this tinyurl: http://tinyurl.com/3g4lp8e

**Capt. Bonebakker** asked what the drill scenario was. **Capt. Cowan** said it would be an off-shore collision and spill.

**State Lands Report – Chedsey**

- **Chedsey** read from a report that is attached to these minutes.
- **Don Hermanson** had been appointed chief of the Marine Facilities Division.

**Berge** asked whether the uptick in activity at Shell was due to changes in pipeline operations. **Chedsey** said that was the case and that he would keep the HSC informed.

**Air Resources Board (ARB) Report – Milkey**

- **Milkey** read from a report that is attached to these minutes.

**Capt. Gary Toledo**, Toledo Marine Consulting, asked whether the non-compliance fee covered situation such as running out of the appropriate fuel or was only intended for normal operations. **Milkey** said that a safety exemption could always be applied for within the twenty-four hour period after the event. Each event was dealt with on a case-by-case basis.

**Tug Work Group – Capt Mendes**
**Vote Anticipated: Bunkering Best Maritime Practices**

- A copy of the proposed best practices was attached to the minutes of the July 2011 meeting. The subsequent discussion was based on that document**. Capt. Mendes** said that the work group had put in a great deal of effort to seek input locally and to harmonize their recommendations with the efforts of the Los Angeles/Long Beach HSC.

**Self** said that she was excited by what the workgroup had produced. She recommended some modifications to the use of the word *shall* on page eleven to bring it more inline with OSPRS's intention to focus on risk rather than randomness in its inspection program. **Capt. Stowe** agreed with that and suggested that the basis and time frames discussed on that page be left to OSPR. Capt. Cowan said it was OSPR's intent to rely on the Paris and Tokyo memoranda of understanding supported by Coast Guard data.
**Capt. Cook** drew attention to questions of proper sequence on page eight and clarification of language on page nine to make it friendlier to non-native speakers of American English. **Capt. Mendes** said that the Los Angeles/Long Beach HSC continued to circulate their version and that any changes aside from the grammatical ones proposed could be suggested at a later time as amendments.

**Brown** asked why the HSC had to vote on the matter now instead of delaying the vote until the October meeting. She suggested that that the workgroup make the suggested changes while waiting to see what came out of Los Angeles/Long Beach. **Capt. Mendes** expressed concern that a great deal of time and effort had been put into rounding up input to gain consensus and that he was concerned about reopening the process without some end in sight.

**Berge** asked whether September 16, 2011 was a suitable deadline for comments since the topics discussed seemed to be simple matters of language. There was no dissent. **Berge** suggested that anyone interested should get their comments to **Capt. Mendes** as soon as possible.

**Capt. Bonebakker** asked whether the hand signals used in the document were the same as those used in the North West. **Capt. Mendes** said that they were.

**Navigation Work Group –**

- There was nothing to report.

**Ferry Operation Work Group –**

- There was nothing to report.

**Prevention through People Work Group – Brown**

- There was nothing to report.

**Dredge Issues and Physical Oceanographic Real Time System (PORTS) Work Groups –**

- They would meet on September 21 for the fog sensor briefing and discuss the issues raised and discussed during the NOAA report.

**PORTS Report – Steinbrugge**

- Sensors for AMORCO and Avon are scheduled for this year.
- The search for a second wind sensor site on the San Francisco water front will resume after the America's Cup events are over.
- Buoy-mounted sensors were scheduled for service in October

**Shawn Bennet**, BayDelta Maritime, suggested Pier 17 for the new wind sensor. **Steinbrugge** said that the Bar Pilots really wanted pier 27 because it would be closer to the cruise terminal.

**Public Comment**

**Nickson** said that there would be a presentation on new developments in marine engine efficiency at the California Maritime Academy on November 14.

**Old Business**

There was none.

**New Business**

There was none.

**Next Meeting**

**Berge** said that the next meeting of the HSC would commence at 1000, Thursday October 13, 2011 at the Port of Richmond's Harbormaster's Office.

**Adjournment**

**Berge** adjourned the meeting at 1222.

Respectfully submitted:

**Capt. Lynn Korwatch**

# PREVENTION / RESPONSE - SAN FRANCISCO HARBOR SAFETY STATISTICS

## July-11

### PORT SAFETY CATEGORIES

| | |
|---|---|
| **1. Total Number of Port State Control Detentions for period:** | **0** |
| SOLAS (0), MARPOL (0), ISM (0), ISPS (0) | |
| **2. Total Number of COTP Orders for the period:** | **0** |
| Navigation Safety (0), Port Safety & Security (0), ANOA (0) | |
| **3. Marine Casualties (reportable CG 2692) within SF Bay:** Allision (0), Collision (0), Fire (0), Grounding (0), | **9** |
| Sinking (0), Steering **(1)**, Propulsion **(8)**, Personnel (0), Other (0), Power (0) | |
| **4. Total Number of (routine) Navigation Safety related issues / Letters of Deviation:** Radar **(1)** Gyro **(1)**, | **7** |
| Steering (0), Echo sounder **(1)**, AIS **(2)**, AIS-835 (0), ARPA (0), SPD LOG **(1)**, R.C. (0), Other **(1)** | |
| **5. Reported or Verified "Rule 9" or other Navigational Rule Violations within SF Bay:** | **1** |
| **6. Significant Waterway events or Navigation related cases for the period:** | **0** |
| **7. Maritime Safety Information Bulletins (MSIBs):** | **0** |
| **Total Port Safety (PS) Cases opened for the period:** | **17** |

### MARINE POLLUTION RESPONSE

| | |
|---|---|
| *** Source Identification (Discharges):** | |
| **TOTAL VESSELS** | |
| U.S. Commercial Vessels | **0** |
| Foreign Freight Vessels | **0** |
| Public Vessels | **1** |
| Commercial Fishing Vessels | **0** |
| Recreational Vessels | **1** |
| **TOTAL FACILITIES** | |
| Regulated Waterfront Facilities | **0** |
| Regulated Waterfront Facilities - Fuel Transfer | **0** |
| Other Land Sources | **1** |
| **Mystery Spills -** Unknown Sources | **1** |
| **Total Oil/Hazmat Pollution Incidents within San Francisco Bay for Period** | **4** |
| 1. Spills < 10 gallons | **3** |
| 2. Spills 10 - 100 gallons | **1** |
| 3. Spills 100 - 1000 gallons | **0** |
| 4. Spills > 1000 gallons | **0** |
| 5. Spills - Unknown | **0** |
| **TOTAL OIL DISCHARGE AND HAZARDOUS MATERIALS RELEASE VOLUMES BY SPILL SIZE CATEGORY:** | |
| 1. Estimated spill amount from U.S. Commercial Vessels: | **0** |
| 2. Estimated spill amount from Foreign Freight Vessels: | **0** |
| 2. Estimated spill amount from Public Vessels: | **1** |
| 3. Estimated spill amount from Commercial Fishing Vessels: | **0** |
| 4. Estimated spill amount from Recreational Vessels: | **1** |
| 5. Estimated spill amount from Regulated Waterfront Facilities: | **0** |
| 6. Estimated spill amount from Regulated Waterfront Facilities - Fuel Transfer: | **0** |
| 7. Estimated spill amount from Other Land Sources: | **16** |
| 8. Estimated spill amount from Unknown sources: | **0** |
| **TOTAL OIL DISCHARGE AND/OR HAZARDOUS MATERIAL RELEASE VOLUMES (GALLONS):** | **18** |
| Civil Penalty Cases for Period | **0** |
| Notice of Violations (TKs) | **0** |
| Letters of Warning | **1** |
| **TOTAL PENALTY ACTIONS:** | **1** |

## SIGNIFICANT PORT SAFETY AND SECURITY CASES (JULY 2011)

### MARINE CASUALTIES - PROPULSION/STEERING

**Loss of steering, TD-14, (06 Jul):** The CG-inspected amphibious DUKW boat experienced a loss of steering off Pier 50; the vsl was able to safely return to dock. The loss of steering was due to a damaged primary steering cable. Cable was replaced and tested sat. Case pends.

**Loss of propulsion (LOP), M/V DRESDEN EXPRESS, (13 Jul):** Vsl failed to respond to an astern bell while attempting to moor at Oakland Berth 57. Determined LOP due to inadequate starting air pressure. LOP was attributed to fuel switching. Case pends.

**Reduction of propulsion, M/V NELVANA, (14 Jul):** The vsl experienced a reduction of propulsion due to a faulty fuel injectors on the #3 cylinder. Injectors were replaced and full engine control was restored. Reduction of propulsion was attributed to fuel switching. Case pends.

**Reduction of propulsion, M/V HOECHST EXPRESS, (15 Jul):** The vsl experienced a drop of RPM's while mooring at Oakland Berth 58. Problem could not be duplicated and the vsl was tested and determined to be fully operational by Class. Case pends.

**Loss of propulsion (LOP), M/V NASSAU PRIDE, (16 Jul):** Vsl experienced a loss of propulsion while departing Richmond Berth 21. The vsl was brought back to berth by the two tugs and moored up safely. The cause of the LOP was failure of the start fuel limit pneumatic valve which was repaired and properly restored full engine control. Case pends.

**Loss of propulsion (LOP), M/V HUMBOLDT EXPRESS, (17 Jul):** Vsl experienced a loss of propulsion while maneuvering in the Oakland Turning Basin. The cause of the LOP was a sticking start air control solenoid valve. The valve was disassembled, cleaned, lubricated, reinstalled and full engine control restored. Case pends.

**Loss of propulsion (LOP), M/V HANJIN MONTEVIDEO, (18 Jul):** Vsl failed to respond to the first bell ordered by the Pilot and took approximately five minutes to start. The main engine system is equipped with a 'Slow Turnover Feature' that will slowly turn the engine if it has been idle for a period of time; this was misinterpreted as a start failure. The LOP was deemed to be human error. Case pends.

**Loss of propulsion, TD-11, (22 Jul):** The CG-inspected amphibious DUKW boat experienced a loss of propulsion and was towed back to shore due to a broken main propeller shaft U-joint. The broken component was replaced and tested sat. Case pends.

**Reduction of propulsion, M/V CAPE MALE, (26 Jul):** The vsl experienced a reduction in power upon departing LA/LB and again a half mile from the SF Pilot Station. The reduction of power occurred as a result of engine automation which was compensating for problems with the high pressure fuel pumps. The Service Engineer boarded the vsl, dismantled pumps and removed lacquer build-up which was causing pump pistons to stick. The repairs restored full engine control. LOP was attributed to fuel switching. Case pends.

### NAVIGATIONAL SAFETY

**Letter of Deviation (LOD) Gyrocompass, M/V ANL BIRRONG (06 Jul):** Vsl issued inbound LOD.

**Letter of Deviation (LOD) Echo Depth Sounder, M/V DELFINI (08 Jul):** Vsl issued an inbound and outbound LOD.

**Letter of Deviation (LOD) X-Band Radar, T/V CLIPPER DAISY (08 Jul):** Vsl issued an inbound LOD.

**Letter of Deviation (LOD) Inop AIS, M/V MOKIHANA (13 Jul):** Vsl issued an inbound LOD.

**Letter of Deviation (LOD) Starboard Anchor, M/V HANJIN MIAMI (20 Jul):** Vsl was issued an inbound and outbound LOD.

**Letter of Deviation (LOD) AIS Pilot Plug, M/V GIANT GLORY (21 Jul):** Vsl was issued an inbound LOD.

**Letter of Deviation (LOD) Speed Log, M/V JADE TRADER (21 Jul):** Vsl was issued an inbound LOD.

**Rule 9 Violation, UNNAMED P/C (25 Jul):** T/V Sierra reported a Rule 9 violation by an ~26 ft unnamed recreational pleasure craft anchored in the outbound shipping channel just South of Angel Island. Case Closed.

## SIGNIFICANT INCIDENT MANAGEMENT DIVISION CASES

On 01 July, small personal aircraft crashed into the bay in Marin County, discharging 15 gallons of jet fuel. No clean up necessary and no enforcement actions taken.

On 12 July, SFPD reported 02 quarts of motor oil discharged from the outboard engine after it malfunctioned. No clean up necessary and no enforcement actions taken.

# PREVENTION / RESPONSE - SAN FRANCISCO HARBOR SAFETY STATISTICS

## August-11

### PORT SAFETY CATEGORIES

| | |
|---|---|
| **1. Total Number of Port State Control Detentions for period:** | **1** |
| SOLAS (0), MARPOL **(1)**, ISM (0), ISPS (0) | |
| **2. Total Number of COTP Orders for the period:** | **0** |
| Navigation Safety (0), Port Safety & Security (0), ANOA (0) | |
| **3. Marine Casualties (reportable CG 2692) within SF Bay:** Allision (0), Collision (0), Fire (0), Grounding (0), | **9** |
| Sinking (0), Steering **(2)**, Propulsion **(6)**, Personnel (0), Other **(1)**, Power (0) | |
| **4. Total Number of (routine) Navigation Safety related issues / Letters of Deviation:** Radar **(1)** Gyro (0), | **3** |
| Steering (0), Echo sounder (0), AIS **(1)**, AIS-835 (0), ARPA (0), SPD LOG **(1)**, R.C. (0), Other (0) | |
| **5. Reported or Verified "Rule 9" or other Navigational Rule Violations within SF Bay:** | **3** |
| **6. Significant Waterway events or Navigation related cases for the period:** | **0** |
| **7. Maritime Safety Information Bulletins (MSIBs):** | **0** |
| **Total Port Safety (PS) Cases opened for the period:** | **16** |

### MARINE POLLUTION RESPONSE

| | |
|---|---|
| *** Source Identification (Discharges):** | |
| **TOTAL VESSELS** | |
| U.S. Commercial Vessels | **0** |
| Foreign Freight Vessels | **0** |
| Public Vessels | **2** |
| Commercial Fishing Vessels | **1** |
| Recreational Vessels | **2** |
| **TOTAL FACILITIES** | |
| Regulated Waterfront Facilities | **0** |
| Regulated Waterfront Facilities - Fuel Transfer | **0** |
| Other Land Sources | **2** |
| **Mystery Spills -** Unknown Sources | **5** |
| **Total Oil/Hazmat Pollution Incidents within San Francisco Bay for Period** | **12** |
| 1. Spills < 10 gallons | **9** |
| 2. Spills 10 - 100 gallons | **0** |
| 3. Spills 100 - 1000 gallons | **0** |
| 4. Spills > 1000 gallons | **0** |
| 5. Spills - Unknown | **3** |
| **TOTAL OIL DISCHARGE AND HAZARDOUS MATERIALS RELEASE VOLUMES BY SPILL SIZE CATEGORY:** | |
| 1. Estimated spill amount from U.S. Commercial Vessels: | **0** |
| 2. Estimated spill amount from Foreign Freight Vessels: | **0** |
| 2. Estimated spill amount from Public Vessels: | **6** |
| 3. Estimated spill amount from Commercial Fishing Vessels: | **0.1** |
| 4. Estimated spill amount from Recreational Vessels: | **2** |
| 5. Estimated spill amount from Regulated Waterfront Facilities: | **0** |
| 6. Estimated spill amount from Regulated Waterfront Facilities - Fuel Transfer: | **0** |
| 7. Estimated spill amount from Other Land Sources: | **0** |
| 8. Estimated spill amount from Unknown sources: | **0** |
| **TOTAL OIL DISCHARGE AND/OR HAZARDOUS MATERIAL RELEASE VOLUMES (GALLONS):** | **8.1** |
| Civil Penalty Cases for Period | **0** |
| Notice of Violations (TKs) | **0** |
| Letters of Warning | **6** |
| **TOTAL PENALTY ACTIONS:** | **6** |

## SIGNIFICANT PORT SAFETY AND SECURITY CASES (AUGUST 2011)

### MARINE CASUALTIES - PROPULSION/STEERING

**Loss of steering, T/V CYGNUS VOYAGER, (03 Aug):** The vsl experienced a momentary loss of steering while transiting from sea to Richmond, CA; two tugs escorted vsl safely to Anchorage 9. The temporary steering failure was due to a faulty electrical wiring terminal block. Vsl switched to other steering pump and responded immediately. The faulty terminal block was replaced and vessel's Class verified repairs to be satisfactory. Case pends.

**Loss of propulsion (LOP), M/V MSC LEIGH, (07 Aug):** Vsl experienced a failure to start the main engine upon departure of Oakland Berth 24 on the first bell. Cause of the failure to start was faulty pneumatic valves in the start air system. Four pneumatic valves were dismantled, cleaned and reinstalled. Class verified repairs to be satisfactory. Case pends.

**Equipment failure, M/V CENTURY LEADER #3, (08 Aug):** The vsl's auxiliary blower providing combustion air to main engine failed prior to entering SF Bay. Vsl anchored off-shore with stand-by tug until repairs completed and was then authorized to transit to berth in Benicia. Class verified repairs to be satisfactory. Case pends.

**Loss of steering (LOP), T/V ASHLEY SEA, (10 Aug):** Vsl experienced a malfunction in steering control for 45 seconds while transiting into SF Bay. Service technician boarded vsl and could not duplicate the problem. The cause was attributed to the steering mode selector switch on the bridge steering console. The steering was tested in all modes and the vsl was determined to be fully operational by Class. Vsl departed without incident. Case pends.

**Reduction of propulsion, M/V HAMMONIA PACIFICUM, (12 Aug):** The vsl experienced a reduction in propulsion during its inbound transit to San Francisco. The engine automation decreased propulsion due to a 'Gas Deviation Alarm' for the #4 cylinder. The cylinder was running 50 degrees cooler than the rest of the cylinders. Class surveyor reported the vsl attempted to reach full sea speed too quickly for the operating conditions (current, wind, & water depth) causing the engine to heat up sporadically. Class attested vsl engine fully operational. Case pends.

**Loss of propulsion (LOP), T/V BUM SHIN, (15 Aug):** While conducting off-shore ahead and astern tests prior to entering SF Bay the vsl's main engine failed to start. The start failure was determined to be due to the starting air stop valve being stuck in the open position causing loss of starting air pressure. The valve was replaced and Class attested vsl fully operational. Case pends.

**Reduction of propulsion, T/V AZIZI, (17 Aug):** The vsl experienced a reduction in propulsion while shifting from anchorage 9 to Oakland Berth 65. Vsl's automation decreased propulsion due to propeller shaft vibration from the vsl staying within 'critical zone' RPMs (between 64-85 RPMs for this vsl) for too long. The automation reacted correctly and there was no mechanical discrepancy. Class attested vsl fully operational. Incident may be attributed to fuel switching (vessel not able to make more than 85 RPM at full ahead on MGO). Case pends.

**Reduction of propulsion, M/V CSAV ITAIM, (21 Aug):** Vsl experienced reduction of propulsion while departing Oakland berth 59. Fuel to the #5 cylinder was secured due to a leaking fuel return line. Vsl dropped anchor in Anchorage 9 to make repairs. Class verified repairs to be satisfactory. Reduced propulsion may be attributed to fuel switching. Case pends.

**Loss of propulsion (LOP), T/V CARMEL, (30 Aug):** Vsl failed to respond to a dead slow astern order. Fuel to the #6 cylinder had been secured earlier by the engineers suspecting malfunctioning fuel injectors. Fuel injectors were replaced with spares on board and the vsl Class verified engine operation to be satisfactory. The Class report attributed the LOP to the engine being down one cylinder. LOP was attributed to fuel switching. Case pends.

### NAVIGATIONAL SAFETY

**Letter of Deviation (LOD) Speed Log, M/V ITAJ EXPRESS (04 Aug):** Vsl issued an inbound and outbound LOD.

**Rule 9 Violation, P/C Sea Raider, (08 Aug):** M/V APL Germany reported that the Pleasure Craft Sea Raider was anchored inside the Eastbound Lane, causing the APL Germany to have to maneuver for safety. Sea Raider was involved with a permitted marine event, and was educated by Coast Guard that even vessels in marine events must not cause a rule 9 violation. Case Closed.

**Letter of Deviation (LOD) Inop AIS, M/V MOKIHANA (10 Aug):** Vsl issued an inbound LOD.

**Letter of Deviation (LOD) Inop X-Band Radar, M/V MANOA (14 Aug):** Vsl issued an inbound and outbound LOD.

**Rule 9 Violation, M/V Golden Eye 2000 (21 Aug):** CG was notified that the M/V Golden Eye 2000 cut dangerously in front of the bow of the M/V Thuringia Express while outbound for sea near Alcatraz. M/V Golden Eye 2000 could not be raised on radio. Case Closed.

**Rule 9 Violation, P/V Happy Days (22 Aug):** M/V APL Denmark reported a rule 9 violation by the Passenger Vessel Happy Days that caused them to maneuver. Case Closed.

### SIGNIFICANT INCIDENT MANAGEMENT DIVISION CASES

On 01 August, a call was received of a suspected discharge at the Richmond Yacht Harbor. The response was federalized and contractors were hired to remove the pollution from the vessel. The contractors determined that the vessel was not the source of the sheen in the marina. It was discovered that the ground soil when disturbed created a sheen. Soil samples were taken and were determined to contain hydrocarbons commonly found in diesel and residual oils. EPA, OPSR and USCG have all been involved with the case and are actively investigating the area to determine if a remedial clean up is required.

On 04 August, a USCG Station discharged less than one gallon of bilge slop material into the water. The drum used to clean out the bilge material was accidentally bumped and some material splashed over. No clean-up was necessary, and no enforcement actions were taken.

MARPOL Detention, M/V KOSTAS N (10 Aug): A crewmember aboard the M/V KOSTAS N approached a USCG Inspector alleging that the ship's Oily Water Separator was being by-passed. Investigation continues.

On 26 August, a Coast Guard Cutter discharged approximately 5 gallons of diesel due to over fueling before getting underway. IMD responded, no clean up was necessary. No enforcement actions taken.

**Harbor Safety Committee**
**Of the San Francisco Bay Region**

**Report of the**
**U.S. Army Corps of Engineers, San Francisco District**
**September 8, 2011**

**DEBRIS REMOVAL –** The debris total for August, 2011, was 62 tons: Dillard – 36 tons; misc. – 5 tons; Grizzly and the Raccoon crews were on deployment. The Dillard has been out of action lately due to engine maintenance. She should be ready for service on Sept 9, the crews should be back in full on Sept 10.

**San Francisco Bay to Stockton -** This project is on hold waiting for new funding. No change.

**Sacramento River Deep Water Ship Channel Deepening -** The Corps is scheduled to award the first construction contract in September, 2012. The Corps is actively coordinating with resource agencies and stakeholders to address comments to the DSEIR/EIS (February 2011).

**HYDROGRAPHIC SURVEY UPDATE**

**Address of Corps' web site for completed hydrographic surveys:**

http://www.spn.usace.army.mil/hydrosurvey/

Main Ship Channel: Post-dredge survey completed August 1-2, 2011 has been posted.
Pinole Shoal Channel: August (17-18, 22-24) 2011 Post-Dredge Survey.
Suisun Bay Channel: Post-dredge survey of mid-August 2011 has been posted.
New York Slough: Post-dredge survey of August 11-12, 2011 has been posted.
Bull's Head Channel: March 10, 2011 condition survey has been posted.
Redwood City: Condition survey completed May, 2011 has been posted.
San Bruno Shoal: Condition survey completed in June, 2011 has been posted.
Oakland Entrance Channel: Surveys completed in August and September 2009 have been posted.
Oakland Inner Harbor Turning Basin: Survey completed April 2010 has been posted.
Oakland Inner and Outer Harbors – Condition surveys dated May 19-25, 2011 have been posted.
Oakland Outer-Outer Harbor: The special Delta-Echo survey of May 5, 2010 has been posted.
Oakland Inner Harbor - South Brooklyn Basin: November/December 2010 survey posted.
Southampton Shoal and Richmond Long Wharf: Surveys of May 10-13, 2010 have been posted.
Richmond Inner Harbor: A preliminary post-dredge survey completed in Dec 2010 and Jan 2011 has been posted.
Northship Channel: Condition survey of June 2011 has been posted.
San Rafael Creek and San Rafael Across-the-Flats: Condition surveys completed Feb. 2011.
Alameda Naval Station Survey (Alameda Point Navigation Chanel): Survey completed in June 2011 has been posted.

Disposal Site Condition Surveys:

SF-08 (Main Ship Channel Disposal Site): Survey completed in April 2011 has been posted.

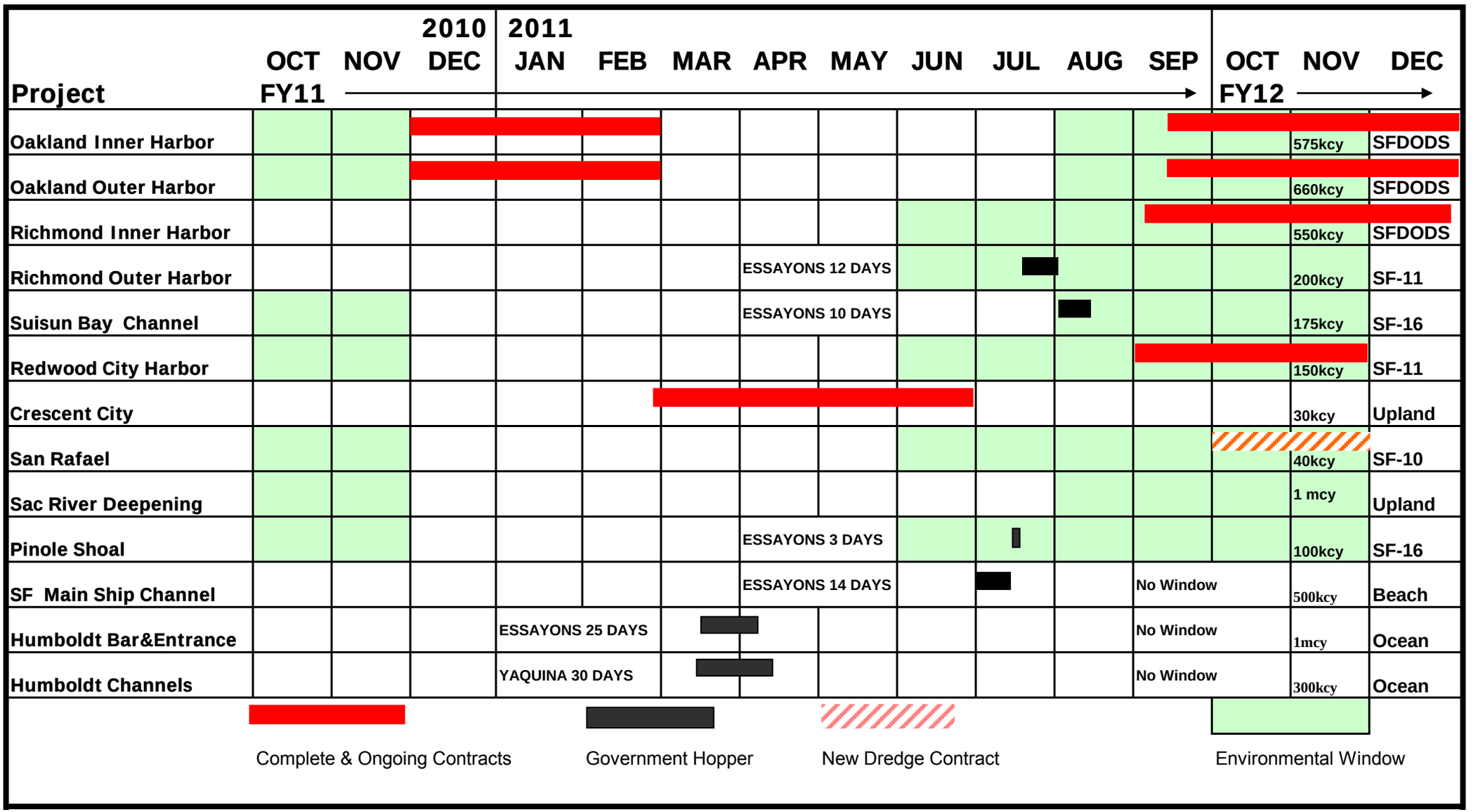
SF-09 (Carquinez): June 2011;

SF-10 (San Pablo Bay): August 2011 survey has been posted;

SF-11 (Alcatraz): Survey of September 6, 2011, has been posted;

SF-17 (San Francisco Harbor or Ocean Beach Disposal Site): August 2011 survey has been posted.

# DREDGING PLAN FOR FY11




Updated: 06 Sept 11

OSPR
Office of Spill Prevention and Response

Harbor Safety Committee of the
San Francisco Bay Region Clearing House
c/o Marine Exchange of the San Francisco Bay Region
505 Beach Street, Suite 300
San Francisco, California 94133-1131
415-441-6600 fax 415-441-3080 hsc@sfmx.org

# San Francisco Clearinghouse Report

## September 8, 2011

- In July the clearinghouse did not contact OSPR regarding any possible escort violations.
- In August there was 1 possible escort violation.
- In July & August the clearinghouse did not receive any notifications of vessels arriving at the Pilot Station without escort paperwork.
- The Clearinghouse contacted OSPR 3 time in 2011 regarding possible escort violations. The Clearinghouse called OSPR 6 time in 2010, 8 time 2009; 4 times 2008; 9 times in 2007; 9 times in 2006; 16 times in 2005; 24 times in 2004; twice in 2003; twice in 2002; 6 times in 2001; 5 times in 2000.
- In July there were 91 tank vessels arrivals; 3 Chemical Tankers, 17 Chemical/Oil Tankers, 22 Crude Oil Tankers, 1 LPG, 27 Product Tankers, and 21 Tugs with Barges.
- In July there were 327 total arrivals.
- In August there were 102 tank vessel arrivals; 6 Chemical Tankers, 18 Chemical/Oil Tankers, 29 Crude Oil Tankers, 3 LPG's, 20 Product Tankers, and 26 Tugs with Barges.
- In August there were 340 total arrivals.

# San Francisco Bay Clearinghouse Report For July 2011

## San Francisco Bay Region Totals

| | 2011 | | 2010 | |
|---|---|---|---|---|
| Tanker arrivals to San Francisco Bay | 70 | | 69 | |
| Barge arrivals to San Francisco Bay | 21 | | 35 | |
| Total Tanker and Barge Arrivals | 91 | | 104 | |
| Tank ship movements & escorted barge movements | 296 | | 403 | |
| Tank ship movements | 213 | 71.96% | 221 | 54.84% |
| Escorted tank ship movements | 133 | 44.93% | 95 | 23.57% |
| Unescorted tank ship movements | 80 | 27.03% | 126 | 31.27% |
| Tank barge movements | 83 | 28.04% | 182 | 45.16% |
| Escorted tank barge movements | 37 | 12.50% | 85 | 21.09% |
| Unescorted tank barge movements | 46 | 15.54% | 97 | 24.07% |

Percentages above are percent of total tank ship movements & escorted barge movements for each item.

| | | |
|---|---|---|
| Escorts reported to OSPR | 0 | 1 |

| Movements by Zone | Zone 1 | % | Zone 2 | % | Zone 4 | % | Zone 6 | % | Total | % |
|---|---|---|---|---|---|---|---|---|---|---|
| Total movements | 185 | | 290 | | 0 | | 126 | | 601 | |
| Unescorted movements | 139 | 75.14% | 212 | 73.10% | 0 | 0.00% | 88 | 69.84% | 439 | 73.04% |
| Tank ships | 98 | 52.97% | 133 | 45.86% | 0 | 0.00% | 55 | 43.65% | 286 | 47.59% |
| Tank barges | 41 | 22.16% | 79 | 27.24% | 0 | 0.00% | 33 | 26.19% | 153 | 25.46% |
| Escorted movements | 46 | 24.86% | 78 | 26.90% | 0 | 0.00% | 38 | 30.16% | 162 | 26.96% |
| Tank ships | 27 | 14.59% | 36 | 12.41% | 0 | 0.00% | 18 | 14.29% | 81 | 13.48% |
| Tank barges | 19 | 10.27% | 42 | 14.48% | 0 | 0.00% | 20 | 15.87% | 81 | 13.48% |

Notes:
1. Information is only noted for zones where escorts are required.
2. All percentages are percent of total movements for the zone.
3. Every movement is counted in each zone transited during the movement.
4. Total movements is the total of all unescorted movements and all escorted movements.

# San Francisco Bay Clearinghouse Report For August 2011

## San Francisco Bay Region Totals

| | 2011 | | 2010 | |
|---|---|---|---|---|
| Tanker arrivals to San Francisco Bay | 76 | | 65 | |
| Barge arrivals to San Francisco Bay | 26 | | 35 | |
| Total Tanker and Barge Arrivals | 102 | | 100 | |
| Tank ship movements & escorted barge movements | 311 | | 333 | |
| Tank ship movements | 220 | 70.74% | 186 | 55.86% |
| Escorted tank ship movements | 91 | 29.26% | 88 | 26.43% |
| Unescorted tank ship movements | 129 | 41.48% | 98 | 29.43% |
| Tank barge movements | 91 | 29.26% | 147 | 44.14% |
| Escorted tank barge movements | 45 | 14.47% | 64 | 19.22% |
| Unescorted tank barge movements | 46 | 14.79% | 83 | 24.92% |

Percentages above are percent of total tank ship movements & escorted barge movements for each item.

| | | | | |
|---|---|---|---|---|
| Escorts reported to OSPR | 1 | | 0 | |

| Movements by Zone | Zone 1 | % | Zone 2 | % | Zone 4 | % | Zone 6 | % | Total | % |
|---|---|---|---|---|---|---|---|---|---|---|
| Total movements | 206 | | 301 | | 0 | | 129 | | 636 | |
| Unescorted movements | 155 | 75.24% | 218 | 72.43% | 0 | 0.00% | 88 | 68.22% | 461 | 72.48% |
| Tank ships | 71 | 34.47% | 90 | 29.90% | 0 | 0.00% | 39 | 30.23% | 200 | 31.45% |
| Tank barges | 84 | 40.78% | 128 | 42.52% | 0 | 0.00% | 49 | 37.98% | 261 | 41.04% |
| Escorted movements | 51 | 24.76% | 83 | 27.57% | 0 | 0.00% | 41 | 31.78% | 175 | 27.52% |
| Tank ships | 32 | 15.53% | 42 | 13.95% | 0 | 0.00% | 21 | 16.28% | 95 | 14.94% |
| Tank barges | 19 | 9.22% | 41 | 13.62% | 0 | 0.00% | 20 | 15.50% | 80 | 12.58% |

Notes:
1. Information is only noted for zones where escorts are required.
2. All percentages are percent of total movements for the zone.
3. Every movement is counted in each zone transited during the movement.
4. Total movements is the total of all unescorted movements and all escorted movements.

# San Francisco Bay Clearinghouse Report For 2011

## San Francisco Bay Region Totals

| | 2011 | | 2010 | |
|---|---|---|---|---|
| Tanker arrivals to San Francisco Bay | 513 | | 699 | |
| Barge arrivals to San Francisco Bay | 217 | | 371 | |
| Total Tanker and Barge Arrivals | 730 | | 1,070 | |
| Tank ship movements & escorted barge movements | 2,340 | | 3,528 | |
| Tank ship movements | 1,523 | 65.09% | 2,070 | 58.67% |
| Escorted tank ship movements | 765 | 32.69% | 925 | 26.22% |
| Unescorted tank ship movements | 758 | 32.39% | 1,145 | 32.45% |
| Tank barge movements | 817 | 34.91% | 1,458 | 41.33% |
| Escorted tank barge movements | 318 | 13.59% | 683 | 19.36% |
| Unescorted tank barge movements | 499 | 21.32% | 775 | 21.97% |

Percentages above are percent of total tank ship movements & escorted barge movements for each item.

| | | | | |
|---|---|---|---|---|
| Escorts reported to OSPR | 3 | | 6 | |

| Movements by Zone | Zone 1 | % | Zone 2 | % | Zone 4 | % | Zone 6 | % | Total | % |
|---|---|---|---|---|---|---|---|---|---|---|
| Total movements | 1,462 | | 2,257 | | 0 | | 965 | | 4,684 | |
| Unescorted movements | 1,028 | 70.31% | 1,502 | 66.55% | 0 | 0.00% | 583 | 60.41% | 3,113 | 66.46% |
| Tank ships | 590 | 40.36% | 755 | 33.45% | 0 | 0.00% | 306 | 31.71% | 1,651 | 35.25% |
| Tank barges | 438 | 29.96% | 747 | 33.10% | 0 | 0.00% | 277 | 28.70% | 1,462 | 31.21% |
| Escorted movements | 434 | 29.69% | 755 | 33.45% | 0 | 0.00% | 382 | 39.59% | 1,571 | 33.54% |
| Tank ships | 186 | 12.72% | 292 | 12.94% | 0 | 0.00% | 158 | 16.37% | 636 | 13.58% |
| Tank barges | 248 | 16.96% | 463 | 20.51% | 0 | 0.00% | 224 | 23.21% | 935 | 19.96% |

Notes:
1. Information is only noted for zones where escorts are required.
2. All percentages are percent of total movements for the zone.
3. Every movement is counted in each zone transited during the movement.
4. Total movements is the total of all unescorted movements and all escorted movements.

# CALIFORNIA STATE LANDS COMMISSION

## HARBOR SAFETY COMMITTEE MONTHLY REPORT - AUGUST COMPARISON

### VESSEL TRANSFERS

| | Total Transfers | Total Vessel Monitors | Total Transfer Percentage |
|---|---|---|---|
| AUGUST 1 - 31, 2010 | 232 | 103 | 44.40 |
| AUGUST 1 - 31, 2011 | 203 | 86 | 42.36 |

### CRUDE OIL / PRODUCT TOTALS

| | Crude Oil ( D ) | Crude Oil ( L ) | Overall Product ( D ) | Overall Product ( L ) | GRAND TOTAL |
|---|---|---|---|---|---|
| AUGUST 1 - 31, 2010 | 12,013,586 | 0 | 17,318,835 | 8,184,007 | 25,502,842 |
| AUGUST 1 - 31, 2011 | 14,291,500 | 0 | 18,218,911 | 8,803,769 | 27,022,680 |

### OIL SPILL TOTAL

| | Terminal | Vessel | Facility | Total | Gallons Spilled |
|---|---|---|---|---|---|
| AUGUST 1 - 31, 2010 | 0 | 0 | 0 | 0 | 0 |
| AUGUST 1 - 31, 2011 | 1 | 0 | 0 | 1 | 1 Gal - Crude Other |

*** Disclaimer:
Please understand that the data is provided to the California State Lands Commission from a variety of sources; the Commission cannot guarantee the validity of the data provided to it.

*Generated by: MRA 12-09-11*
*CSLC NCFO*

# CALIFORNIA STATE LANDS COMMISSION

## HARBOR SAFETY COMMITTEE MONTHLY REPORT FOR YEAR 2010

### VESSEL TRANSFERS

| | Total Transfers | Total Vessel Monitors | Total Transfer Percentage |
|---|---|---|---|
| JANUARY 1, 2010 to DECEMBER 31, 2010 | 2631 | 1139 | 43.29 |

### CRUDE OIL / PRODUCT TOTALS

| | Crude Oil ( D ) | Crude Oil ( L ) | Overall Product ( D ) | Overall Product ( L ) | GRAND TOTAL |
|---|---|---|---|---|---|
| JANUARY 1, 2010 to DECEMBER 31, 2010 | 147,016,955 | 300,000 | 205,374,688 | 93,651,082 | 299,025,770 |

### OIL SPILL TOTAL

| | Terminal | Vessel | Facility | Total | Gallons Spilled |
|---|---|---|---|---|---|
| JANUARY 1, 2010 to DECEMBER 31, 2010 | *** PLEASE SEE ATTACHED. *** | | | | |

*** Disclaimer:
Please understand that the data is provided to the California State Lands Commission from a variety of sources; the Commission cannot guarantee the validity of the data provided to it.

# Harbor Safety Committee-San Francisco Bay Region

# ARB OGV Clean Fuel Rule Update

**Oakland, California**
**September 8, 2011**

**California Environmental Protection Agency**

Air Resources Board

# ARB OGV Clean Fuel Rule
# Essential Modifications Exemption
# Applications Summary*

| Vessel Applications | No. of Vessels |
|---|---|
| Total Applications | 475 |
| Applications Completed | 441 |
| Approved | 383 |
| Partially Approved | 58** |
| No Longer Active*** | 33 |
| Pending/Under Review | 0 |

* Summary from July 1, 2009 to August 31, 2011.

** Includes denial of 58 main engine requests and 8 auxiliary engine requests and approval of all accompanying auxiliary boiler requests.

*** ARB is awaiting further information or applicant is no longer pursuing exemption.

# ARB OGV Clean Fuel Rule
# Use of Safety Exemptions*

| Use of the Safety Exemption | |
|---|---|
| July – December 2009 | 11 |
| Jan – December 2010 | 29 |
| January 2011 | 1 |
| February 2011 | 2 |
| March 2011 | 4 |
| April 2011 | 0 |
| May 2011 | 7 |
| June 2011 | 1 |
| July 2011 | 2 |
| August 2011 | 1 |
| **Use of the Noncompliance Fee Provision** | |
| Total July 2009 – August 31, 2011 | 5 |

*Summary from July 1, 2009 to August 31, 2011

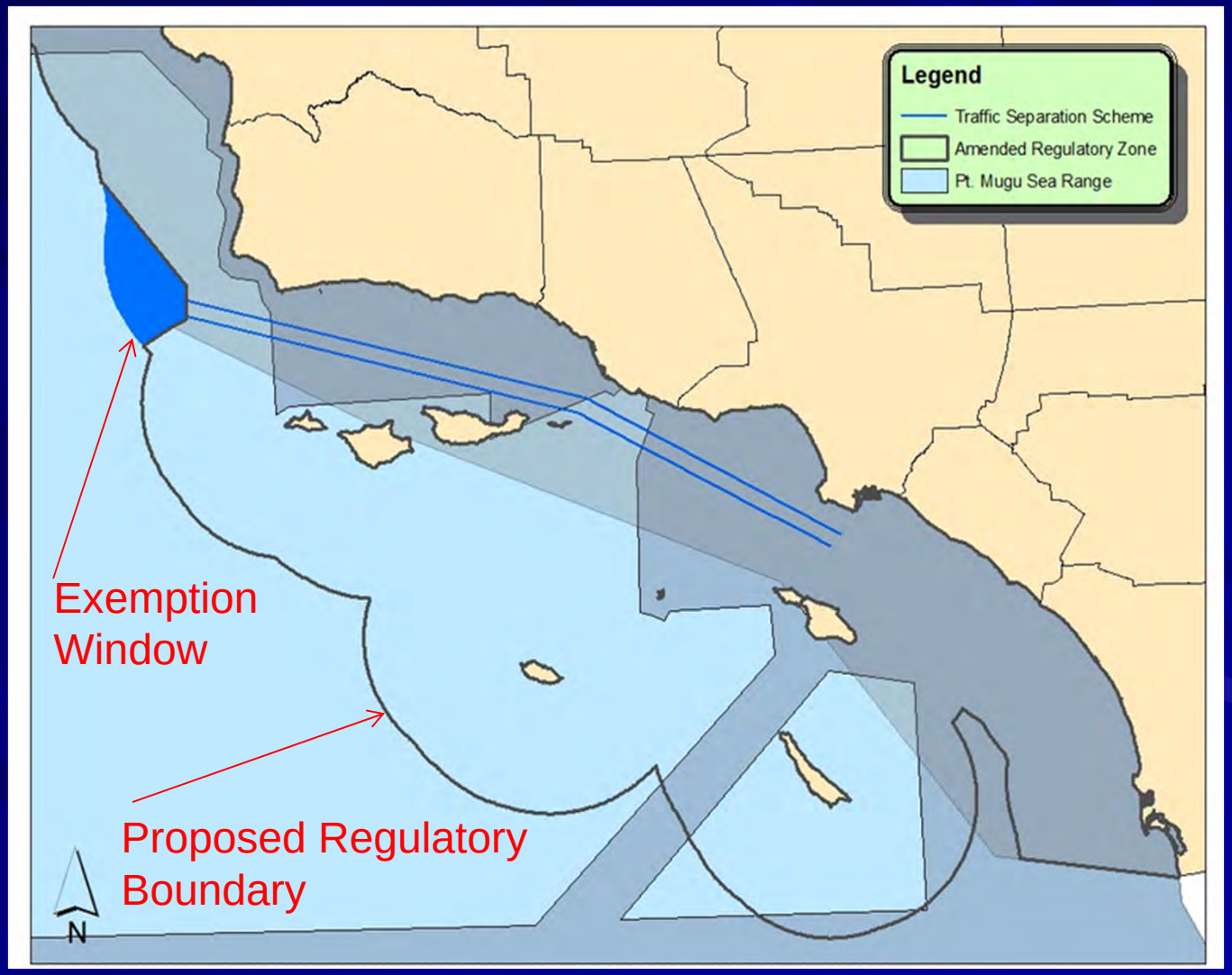
# ARB OGV Clean Fuel Rule Amendments

- Amendments endorsed at June 23 Board Meeting
- One “15-day” change from the originally proposed amendments
  - Limit MGO fuel to 1% sulfur (reduced from 1.5% currently) on August 1, 2012, consistent with the ECA
- Amendments expected to become legally effective later this year

# Summary of Amendments

- Extension of “Regulated California Waters” in Southern California
- Revise implementation date of Phase 2 (0.1% sulfur) fuel from 2012 to 2014
- Changes to Noncompliance Fee Provision
  - Fee halved when vessel purchases and uses compliant fuel during noncompliant California port visit
  - Fee for second noncompliant port visit proposed to be reduced from $91,000 to $45,500 (same as for first port visit)
  - Anchorage conducted in conjunction with a port visit not counted as a second port visit

# Revised Boundary



# ARB OGV Clean Fuel Rule
# Contact Information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**http://www.arb.ca.gov/marine**

## A. GENERAL INFORMATION

1. The waters of California are environmentally sensitive and a precious environmental and economic resource. Bunkering operations, while routine in many parts of the country, do in fact pose risks different than those normally expected of standard shore to ship oil transfer operations. California Department of Fish and Game (DFG), Office of Spill Prevention and Response (OSPR), and representatives of the shipping and petroleum industry have jointly developed the following guidelines to address those risks and ensure safe bunkering operations in the State of California. They recognize that the *safe* transfer of fuel oil into a vessel requires diligence, safety consciousness and the use of proper procedures. Safe bunkering is the product of good communication, proper crew training and compliance with international, federal, state and local laws including but not limited to;

"Any owner, operator, or person-in-charge of an onshore or offshore facility or vessel over which the U.S. has jurisdiction (i.e., a U.S. vessel or a facility or foreign vessel in U.S. waters) from which oil or an EPA designated hazardous substance is discharged in "such quantities as may be harmful" into navigable waters of the U.S., upon the adjoining shorelines, into contiguous zone waters, in connection with activities under the OSCLA or the DPA, or that may affect natural resources under exclusive U.S. management authority, is subject to a civil penalty assessment separate from any other civil or criminal penalty or liability imposed by the Federal Water Pollution Control Act (FWPCA) (except in the case of certain EPA permit related discharges). This act prescribes that a civil penalty of not more than $5,000 for each offense shall be assessed. The FWPCA also requires that the person-in-charge of the vessel or facility must, as soon as acquiring knowledge of any discharge of "such quantities as maybe harmful" of oil or reportable quantity of hazardous substance, immediately notify the appropriate agency (the Coast Guard). The NRC has been identified as the primary location for receiving reports of oil discharges or hazardous substances releases. When the NRC cannot be contacted, 33 CFR 153.203 lists other agencies that may be notified. Failure to give immediate notice makes the responsible person subject to criminal penalties of not more than $10,000 or a year's imprisonment, or both. Masters, licensed officers and operators, and other persons certificated by the Coast Guard may also be subject to suspension and revocation (S&R) proceedings conducted under the authority of 46 U.S.C. Chapter 77 and 46 CFR 5. Discharges may also result in other civil penalty and criminal fine provisions under Section 309 of the FWPCA, the Rivers and Harbors Act 99 (the Refuse Act), and the APPS 1980."

(Marine Safety Manual COMDTINST M16000.6, 1.E.7 p. 1-24-25)

2. Bunkering Operations within California waters are subject to U.S. Coast Guard regulations, Title 33 Code Federal Regulations, Parts 155 and 156, and California Code of Regulations (CCR), Title 14, Chapter 3, Sections, Subchapter 6. These regulations are listed in paragraph 7 below. Beyond the regulations, the guidelines below represent the cooperative efforts of OSPR and stakeholders to develop the best way to further mitigate risks to the environment during bunkering operations. As such, it is expected that industry members follow them, educate and enforce them among industry groups and make recommendations to OSPR, and the appropriate local Harbor Safety Committees as changes are needed. Vessels intending to conduct bunkering operations while at anchor should also carefully review the guidance in the following additional best maritime practice.

3. Some bunkering operations are conducted alongside vessels at berth and, in the case of container vessels, may be conducted simultaneously with container operations. This adds some additional risk to bunkering operations and the personnel involved for which additional precautions are necessary. The procedures associated with these bunkering operations are covered in the Harbor Safety Plans.

4. The OSPR and the U.S. Coast Guard inspectors frequently monitors fuel/oil transfer operations throughout all of California's harbors and bays based on the level of risk, amount of fuel/oil, familiarity with company operations, procedures and track records. Either agency may stop any bunkering operation or prohibit planned operations due to safety concerns or unacceptable risk.

5. The OSPR will periodically review the safety record of bunkering operations and work with the Harbor Safety Committees to determine if changes are needed to promote safety. Changes could include additional best maritime practices or a formal regulatory initiative.

6. **Definitions**: In addition to the terms defined in applicable federal regulations, the following definitions apply:

    a. Bunkering: The transfer of petroleum base products from one vessel to another vessel for the purpose of replenishing fuel for vessel propulsion, hotel services or machinery lubrication while at anchor or dockside.
    b. Receiving Vessel: The vessel receiving the fuel or lubes in a bunkering operation.
    c. Delivering vessel: The vessel delivering the fuel or lubes in a bunkering operation.
    d. Moderate Weather: Sustained winds from 21 to 33 knots or higher gusts (Small Craft Advisory).
    e. Heavy Weather: Sustained winds from 34 to 47 knots or higher gusts (Gale Warnings).

7. **Regulations**: Bunkering operations must be conducted in strict accordance with the letter and intent of all regulations. If there is a conflict, real or perceived, between the regulations and the guidelines in this document, then the regulations shall take precedence. However, any such

conflict should be reported to the applicable Harbor Safety Committee. In the state of California Bunkering operations fall under following regulations:

a. 33 CFR 152 Notice of Discharge and Removal of Discharged Oil
b. 33 CFR 155 Oil or Hazardous Material Pollution Prevention Regulations for Vessels
c. 33 CFR 156 Oil and Hazardous Material Transfer Operations
d. 46 CFR 30-40 Tank Vessels
e. CCR Title 14 , Chapter 3, Subchapter 6 Oil Transfer and Vessel Operations

Additionally, bunkering activities may also be subject to local regulations and terminal requirements and or guidelines. As laws and regulations may change from time to time, a vessel operator should check with their agent and/or local authorities for the most current regulations and requirements.

## B. Best Maritime Practices – BUNKERING

Maritime safety is a people process. Virtually every marine accident or oil spill is the result of human error. The below Best Maritime Practices have been developed to further mitigate the risk of spills to deck and or water. It is well-trained people working conscientiously together that make safe seamanship a reality.

### 1. Prior to Arrival

#### a. Identify Person-In-Charge

The first step in safe bunkering is to identify the vessel's Person-In-Charge, who is responsible for the bunkering operation. They must be a licensed or authorized master, mate or engineer.

#### b. Identify the Oil Transfer Procedures

The PIC must identify and be familiar with the vessel's oil transfer procedures.
***Oil Transfer Procedures shall be prominently posted for easy reference!***

- **Transfer Procedures shall include;**
  - The location of pipelines, valves, vents and overflows,
  - The numbers and duties of people assigned to the transfer operation,
  - All relevant procedures before, during and following oil transfer,
  - Detail critical steps for communication,
  - Steps for topping off tanks, and
  - Steps for initiating an emergency shutdown.

c. **Develop a Pre-Loading Plan (Receiving Vessel)**

- **Pre-Loading Plan Includes;**
  - **Tanks and Capacities**
  - **Oil Level and Type**
  - **Expected Final Level and % at completion**
  - **Sequence of Filling**
  - **Monitoring Procedures**
    ***Monitoring includes the fuel oil transfer as well as tank levels and valve alignments.***
  - **Complete and post a Pre-Loading Plan**

d. **Pre-Arrival Information (Receiving Vessel)**

Prior to bunkering, the following information will be provided to the delivering vessel by the receiving vessel:

- Estimated time of arrival
- Location that bunkering will occur
- Name and Contact information for the vessels QI.
- Copy of California Vessel Oil Spill Contingency Plan Approval Letter
- Confirmation of Federal and State Certification of Financial Responsibility ('COFR')
- Verification of the OSPR required spill kit onboard the ship
- Location of bunker station in reference to distance forward from the vessel's stern, distance of bunker connection from water line to vessel's rail, inboard to the bunker connection, and bunker manifold flange size and bolt configuration.
- Complete the Pre-Arrival Check List

e. **Notifications**

The bunker barge operator will make delivery notification to the U.S. Coast Guard, OSPR representative and to their OSRO contact noting location, time, and expected duration of the bunker delivery, with the amounted being delivered. The ship will make notification to their OSRO and twenty-four hour shore side QI, noting location and time of delivery.

f. **Designate Key Transfer Personnel**

The Person-In-Charge is responsible for ensuring an adequate number of personnel are ready and available to safely execute the loading process. While the number may vary with the ship, weather, barge and port there shall be no less than 3 individuals on the receiving vessel assigned to the operation, and these individuals shall have no other assigned duties during the transfer process.

- Personnel shall include:
  - Person-In-Charge (PIC) – Responsible for the transfer operation.
  - Point-of-Transfer Watch – This person remains at the connecting point between the transferring and receiving vessels throughout the transfer process.
  - Deck Rover Watch – Responsible for monitoring the deck and over the sides for spills; should be aware of all the source locations for a potential release of oil.
  - Additional Personnel – Good seamanship dictates that there will be circumstances that require the receiving vessel to assign additional personnel. They may include but are not limited to the following. ;:
    - Monitoring of multiple tank levels at different locations.
    - Topping of tanks.
    - Need for an anchor watch.
    - Rain or other environmental circumstances that affect the operation.
- The PIC will ensure that all personnel on their vessel assigned to the transfer operation are well rested and within their work hour limitations. Even a crewmember within their work hour limitations can be fatigued due to a number of circumstances. A fatigued crewmember should be relieved by a rested crewmember.

**g. <u>Pre-Arrival Training</u>**

A good bunkering operation begins with proper preparation. Everybody who is involved in the training session should be told everything about the bunker operation. Not more than 48 hours prior to arrival, all members of the crew that may be called upon to participate in the loading operation shall attend a training session. Training shall include:

- Review Bunkering -- Best Maritime Practices (BMP)
- Review Vessel Specific Transfer Procedures
- Review Crew Roles and Responsibilities
- Review Pre-Loading Plans
- Communication Procedures
- Stop the Transfer Responsibility

***Ensure everyone involved in the bunkering operation knows he or she has the responsibility to stop the transfer process at any time, should anything appear to be out of order.***

***If watches will change during the bunkering operation, include relief personnel in training session and the pre-loading plan.***

A log entry shall be made of the crewmembers, their rating and the time of the training session.

**2. Bunkering Operations**

**a. Establish Communications**

The receiving vessel and delivering vessel shall agree on the communications to be used during the process. These include:

- Coordinating radio frequencies,
- Common English phrases,
- Proper hand signals, and
- Use of air horns.

***Ensure everyone involved knows he or she has the responsibility to stop the transfer process at any time, should anything appear to be out of order.***

**b. Prepare Deck and Receiving Areas**

To include, but not limited to the following:

- Close and secure all required hatches, doors and portholes.
- Seal all scuppers and drains from which overflowing oil might spill over the side of the vessel.
- Ensure a well-lit receiving area to provide for efficiency, safety and crew alertness.
- Post all proper warning signs and signals.
- Make a visual inspection of all the applicable equipment on both the receiving and delivering vessels.

c. **Mooring Equipment**

The delivering vessel shall be responsible for the safe mooring of their vessel alongside the receiving vessel. They shall use fenders of sufficient size and type to prevent steel to steel contact between the two vessels. Mooring lines will be of sufficient size and type to hold the delivering vessel alongside the receiving vessel during the maximum expected tidal, wave, and wind conditions.

**d. Provide Safe Access Between Vessels**

The receiving vessel must provide safe access to and from the barge utilizing a gangway or an appropriate accommodation ladder, in order to facilitate face to face communications between the receiving and the delivering vessels for purposes for a pre-transfer conference and other required communications.

Where safe access cannot be provided an alternate method of facilitating a face to face

conference must meet the following guidelines and a notification will be made to OSPR and USCG by the delivering vessel;

- Both the receiving vessel and delivering vessel's PICs will still execute a conference in sight of each other with a clear method of communication in order to cover all items outlined in the pre-transfer document as well as the Declaration of Inspection.
- Direct communications between PIC's will be made in order to alert the delivering vessel when the receiving vessel is topping off, or switching between tanks.
- Re-Iterate the need for a 10 minute standby notice before any tank switches.
- Direct communications between both PICs no less than every 20 minutes.

**e. Conduct a Pre-Transfer Conference**

Each pre-transfer conference is unique. Different people, different languages, different fuel requirements, different conditions all play a role in determining the content and structure of the conference. Out of these differences, a common understanding must be established and a common process used. The pre-transfer conference must include the following:

- Be conducted in English.
  A vessel agent can arrange for a translator or interpreter. If one is necessary they must remain for the duration of the transfer operation.
- Be conducted face to face. (Except as allowed for in Section d.)
- Thoroughly review the Declaration of Inspection (DOI) and Load Plans, with both PICs discussing and initialing each item including:
  - Products, Sequence and Flow rate of Oil
  - Key Procedures
  - Identify Key Personnel
  - Watch Changes
  - MSDS information for the product(s) to be transferred
  - Notification of Shutdown or topping off procedures.

**f. Connect Oil Transfer Hose**

Be sure to handle the hose carefully. It may still contain oil from a previous transfer. The receiving vessel shall:

- Check the hose for obvious defects.
- Check the hose support and lead. The weight of the hose of the hose should not put undue strain on the manifold, rail or other fittings.
- Use a new gasket.
- Tighten all bolts, evenly, with a matching bolt in every hole.
- Double check alignment of all valves

- Ensure containments are kept free and clear of debris and rain water

**g. Complete and Sign the Declaration of Inspection (DOI)**

Both vessels must keep a copy of the DOI for 30 days, along with a copy of the vessels load plan.

**h. Begin Fuel Delivery**

- Fuel flow should commence at a slow rate.
- ***All tanks should be sounded to ensure fuel is loading into the designated tanks and not into the wrong tanks.***
- The pressure should be monitored on the delivering vessel's end of the hose. A high pressure reading could signal a blockage or improper alignment.
- Receiving vessel must alert barge crew at least 10 minutes before changing tanks, topping off tanks, or securing the loading operation.
- The delivering vessel and receiving vessel should compare the amount of fuel transferred between each vessel and at regular intervals. If upon comparison in the amount of fuel transferred, a discrepancy of concern is identified, the transfer should be secured until the discrepancy is rectified.
- Bunker transfer rate should be compared at regular intervals. This practice will help to avoid tank overfills and enable a PIC to estimate the time for topping off tank(s) or stripping of tank(s), tank switching and time of completion.
- Maintain constant communication. A regular schedule of communications should be established, not to exceed a status report exchange between the receiving vessel and delivering vessel every 30 minutes. This is in addition to the notifications above**. Failure to receive a response from any effort to communicate should result in an immediate shutdown of operations.**
- Verify operation and accuracy of gauging systems.
- Test and verify bunker tanks alarm, settings and overfill alarm units.
- Bunker tanks which have been topped up should be checked frequently during the remaining loading operations to avoid an overflow.

**i. Number of Vessels Involved**

A receiving vessel may receive bunkers and lubricating oils from two separate delivering vessels at the same time, provided:

- Each transfer has a separate Person in Charge ('PIC') unless otherwise approved by the Coast Guard Captain of the Port.
- That each system is completely separate from the other or is otherwise effectively isolated or segregated by means of blank (spectacle) flanges which may be visually verified.

**j. Securing Bunker Operations and Disconnecting Transfer Hose**

Upon securing of bunker operations;

- The PIC's on both vessels should check fuel tank levels and verify all valves are securely closed.
- The receiving and delivering vessel's crews should verify that the hose is depressurized and drained back into the barge.
- The hose connection shall be blanked and bolted with a matching bolt in every hole. It should be cleaned of any surface oil before being passed back to the delivery vessel.
- Hot Work and other restricted activity should remain secured until the delivering vessel has departed.

**3. Should a Spill Occur**

**a. STOP THE PRODUCT FLOW**

- Notify the barge immediately to Shut Down and inform the barge of what happened and whether or not the flow has been stopped.
- Notify barge to deploy boom (even if release is not believed to have reached the water)
- Close Valves
- Ensure that the flow has been stopped.

**b. WARN PERSONNEL**

- Ensure the personnel on the ship, barge and shore are aware of the spill and are taking the necessary precautions to remain safe and secure the vessel.

**c. SHUT OFF IGNITION SOURCES**

- Motors, electrical circuits, open flames, welding, etc.

**d. CONTAIN / CONTROL SPILL**

- Ensure the barge is deploying their boom
- Check ship's containment to ensure it is effective and sufficient

**e. MAKE APPROPRIATE NOTIFICATIONS AS PER VESSEL OIL SPILL CONTINGENCY PLAN**

- CCR, Title 14, Chapter 3, §817.03(g) and §827.02(d), Shall make notification within 30 minutes, after discovery of a discharge or threatened discharge of oil into marine water. Required notifications shall not be construed as requiring notification before response.
- Communicate the incident to your company QI
    - Injuries
    - Damage
    - Extent of release
    - Resources required

**f. Notify U.S. Coast Guard Vessel Traffic Service (VTS)**

4. **Port Specific Items**

   a. **Heavy Weather**

- **Wind**: Vessels will not come alongside in preparation for bunkering at anchor or pier side if sustained winds are at or exceed 34 knots. If bunkering operations have already begun when sustained wind reach 28 knots personnel in charge of bunkering operations will continuously monitor environmental conditions and take any additional measures necessary to reduce risk of injury, vessel damage or pollution, and prepare for worsening weather. When sustained winds reach 34 knots bunkering operations will cease and hoses will be drained and disconnected.
- **Seas**: For bunkering operations from one vessel to another vessel while at anchor, operations will cease, and hoses drained and disconnected when waves or swells reach 5 ft. The wind and sea conditions criteria have been developed with industry input and are used by operating companies in California. These standards are based on historical observations and experience in handling these vessels under the above prevailing conditions. Heightened safety and precaution should be taken during short interval wave periods.
- **Sheltered Waterway**: The aforementioned wind and sea guidelines may not be applicable when a receiving vessel is being bunkered at a wharf or pier in a sheltered waterway. The criteria for securing a bunkering operation in these types of locations would be dependent upon adverse movement of either the receiving vessel or delivering vessel caused by the prevailing wind or sea conditions.
- **Tug Availability**: During bunkering operations with the potential to have adverse weather conditions involving vessels at anchor, at least one tug will remain ready to render assistance during the entire bunkering operation. The attending tug(s) must have sufficient horsepower to maneuver and control at least the delivering vessel involved in the bunkering operation under all conditions.

5. **Ongoing Compliance and Continual Improvement**

   a. **Drills and Exercises::**

Equipment deployment drills shall be conducted twice a year by each bunker delivery company in each port. . These drills shall be conducted in an environment and under conditions similar to those that would be encountered during an actual oil transfers operation.

- The ability to deploy oil spill boom shall be drilled to demonstrate proficiency to the Administrator.
- At least one of these drills will be monitored by OSPR staff, and any documentation generated, including the list of the crew participating in the drill, will be submitted to OSPR. OSPR's Drills and Exercises Unit must be contacted in advance to schedule these monitored equipment deployment drills.

- If oil spill boom has been successfully deployed during a transfer operation, this may be counted toward the twice a year equipment deployment requirement. Any relevant documentation generated, including the list of the crew participating in the deployment, will be submitted to OSPR.
- Vessel transfer units that utilize the services of an OSRO for standby booming, that have been rated to deploy the containment equipment, are not required to meet the twice yearly equipment deployment drills.
- In addition to these scheduled equipment deployment drills, the Administrator may also require the successful completion of an announced or unannounced equipment deployment drill.

The vessel owner/operator shall maintain adequate records of drills and exercises, for a period of at least three years, to include records of any off-vessel drills and exercises (i.e., drills and exercise not held aboard the vessel) of the spill response organization and resources identified in the contingency plan. These records shall be maintained at the United States location of either the Qualified Individual or the vessel owner/operator. Contingency plans should indicate the location of these records. All exercises conducted aboard the vessel shall be documented in the vessel's log.

When the owner/operator possess like boom deployment systems on their vessels, it is adequate to run a drill on one system, as a representative of the entire company.

b. **Inspections and Monitoring**:
The OSPR Administrator shall carry out an inspection program which shall include the following:
    - At least once every three years, the Administrator shall conduct a system safety inspection of each delivery vessel engaged in transfer operations in the marine waters of California. Such an inspection shall determine whether the vessel is in compliance with equipment, procedures, and other requirements as specified in this Plan.
    - Monitoring transfer operations at the transfer site on a continuing random basis, including monitoring pre-booming requirements.
    - Additionally, twice a year equipment deployment drills shall be conducted by the bunker delivery companies in each port to meet the booming requirements.
    - The bunker company has successfully demonstrated to the Administrator their ability to deploy and maneuver boom through deployment drills demonstrating the following: sufficient boom, trained personnel and equipment, maintained in a stand-by condition at the point of transfer, such that at least 1200 feet of boom, or an amount sufficient to meet the containment requirements, whichever is greater, can and will be deployed for the most effective containment immediately, but no longer than 30 minutes, after discovery of a spill.

Prior to each transfer operation, the transfer until shall provide, for the duration of the entire transfer operation, either pre-booming or standby booming if the aforementioned requirements are not met. These standards may not reflect the exigencies of actual spill response. However, these standards must be used to determine the amount of equipment and personnel that must be available, in such cases pre-booming may be required.

c. **Pre-Booming**:

Transfer units must carry or provide at the point of transfer appropriate equipment and supplies for the containment and removal of both persistent oil, and #1 and #2 grade oil spills in water adjacent to the transfer site. For pre-booming, the transfer unit shall deploy boom so as to enclose the water surface area adjacent to the receiving unit which will provide common containment area for:

- Either of the following:
  - The entire receiving unit and the point of transfer; or
  - Those portions of the receiving unit or seawall from which oil may spill into the water
- Where the hull of the transfer unit or seawall is capable of acting as an effective barrier on the side of the receiving unit, the boom on that side may be deployed so that it provides containment of the receiving unit and the transfer unit or seawall.
- The boom shall be periodically checked and the boom position shall be adjusted as necessary throughout the duration of the transfer; especially during tidal changes and significant wind or wave events, to maintain maximum containment in the event that oil is spilled into the water.