

MEMORANDUM

Next steps / Reco  
on p. 3 per  
JH request  
today.  
2/17

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TO: → JH  
FROM: Patty Power KA  
RE: CS PER YOUR REQUEST: Federal Reaction to the Ashland  
Spill  
DATE: February 12, 1988

Have you worked  
all the county  
USCG?  
talked to the  
people on this  
and EPA excuses?  
what do  
they say?  
2/21

JH'S QUESTIONS

JH requested information on the federal response to the Jan. 2 (at 5:30 pm) oil spill from the Ashland storage tank specifically, how serious of a problem was the fact that the EPA On-Scene Coordinator (OSC) did not arrive on the scene until 11 hours after the spill and the allegation that EPA and the Coast Guard (CG) did not designate a lead agency until 18 hours after the spill. JH also questioned the effect of a delayed response.

SHORT ANSWERS

The fact that the EPA OSC did not arrive at the spill site sooner is a problem, but not a serious one, and did not make a difference in the effects of the spill. Cong. Walgren's allegation that the CG and EPA took 18 hours to coordinate their responsibilities has been proven to be untrue.

RESPONSE TIME

According to Jim Sief's (EPA Region III Administrator) testimony at the February 4 Environment Protection hearing, EPA was notified of the spill by the Coast Guard Marine Safety Officer in Pittsburgh in the early evening Jan. 2. During the evening of Jan. 2, the CG official on the scene conducted an assessment of the spill and performed oversight of Ashland's response. Early morning Jan. 3, the EPA OSC arrived at the spill site from Wheeling, WV to assume the oversight responsibilities. Basically, Sief's point is that a federal official was on the scene at all times to oversee the response action.

According to Larry Teller of EPA Region III, EPA is looking into why the OSC did not arrive on the scene until the morning after the spill (besides the obvious - the tank collapse occurred in the middle of the New Year holiday weekend). Off the record, Teller said that this particular OCS is not the "most aggressive guy" and that EPA is reviewing his performance. In addition, the Regional Response Team (RRT), which is composed of federal,

sounds like butt-covering

state, and local officials, is also reviewing all response actions.

Regarding the designation of the lead agency, a memorandum of understanding between the EPA and the CG designates EPA as the lead agency for inland waterway spills. According to Jim Sief's testimony, EPA arranged to have the CG act as the lead until the EPA OSC arrived at the spill site. According to EPA, Cong. Walgren's allegation that it took EPA and the CG 18 hours to figure out who was in charge was based on false information. According to Larry Teller, he and Jim Sief visited with Cong. Walgren after the Feb. 4 hearing to explain EPA's response and Cong. Walgren seemed satisfied that EPA was not negligent.

CG officers arrived at the site of the spill within two hours. The CG's oil spill Gulf Strike Force was flown into Pittsburgh, at Ashland's expense, and arrived at 1:15 pm on Sunday, Jan. 3.

#### EFFECTIVENESS OF FEDERAL RESPONSE

Although the EPA OSC should have been at the Ashland site sooner, an earlier arrival would not have made much of a difference. It was not clear that the diesel fuel was spilling into the Mon until two and one half hours after the tank collapsed (approximately 8pm on Jan. 2). According to Ashland, the first boom was in the water one and a half hours after it was discovered that the deisel fuel was getting into the river (that is four hours after the tank failed).

But even this four hour ~~response~~ <sup>this time!</sup> was not quick enough to make enough of a difference. According to Jim Sief's testimony, the relatively swift river flow moved the oil plume quickly down the Mon River, so that the plume reached the No. 3 lock and dam almost immediately and the No. 2 lock and dam within a few hours. The flow of the oil plume over the dams emulsified the diesel fuel, dispersing the diesel in a much lower concentration to a depth of about 15 feet.

In addition, a CG official was quoted as saying that getting booms in the water sooner would not have made a difference because the fuel was spilling out of the storm sewer so quickly - five foot swells of oil spilled from the two-foot high storm sewer. The CG official stated, "What could a 100-foot boom do against hundreds of thousands of gallons of oil? It's sort of like throwing a Kleenex into a swimming pool." (See the Pittsburgh Post-Gazette article attached to this memo for the context.)

Other complicating factors included the prohibition on entering the site from 10:30 Sat. night (Jan. 2) through early Sunday morning because of the threat of explosion and fire from a gasoline tank leak, the darkness, the low temperatures, and the ice on the river.

WHAT MAY HAVE MADE A DIFFERENCE

A couple of factors may have made a difference. If Ashland's Spill Prevention, Control, and Countermeasure plan clearly identified the storm sewers that flowed into the Mon and were next to the tank farm, then something might have been done to stop the fuel from entering the sewer or the river from the sewer (for example, quickly constructing an earthen dam to block the flow or planning ahead and installing some type of valve system in the storm sewer). If better procedures and equipment were available for cleanup of river spills, then more of the spilled fuel may have been recovered. Currently, the focus of the Coast Guard oil spill program is on the cleanup of spills on open waters, which may be the proper focus if most spills are on open waters. But river spills do occur and should be planned for to some extent. The larger problem seems to be the CG's tight budget.

(SPCC)

2/17  
Ok, but shouldn't let agencies get away w/ saying that money is only solution.

NEXT STEPS/RCC.

In order to address the factors that may have made a difference last month, two steps may be taken. First, encourage EPA to tighten its SPCC regulations and enforcement of those regulations. PAP can draft a letter to EPA. PAP expects that EPA's response on weak enforcement will be that EPA lacks enough funding.

Second, JH could, likewise, encourage the Coast Guard to develop better procedures and obtain the equipment needed to address river spills. PAP can draft a letter to the Coast Guard. Again, PAP expects that CG will request additional funding in its response to JH's letter.

Despite the expected responses, PAP recommends that JH send letters. PAP will get drafts to JH, unless otherwise directed.

want have local equipment available (USCG does not have to own it - we can use that help if necessary)

KD  
Ammes