

# Emergency Response Program 2019 Annual Report

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**Emergency Response  
Program**

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DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.



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# Executive Summary

## Introduction

Spills of oil and hazardous materials during transportation, transfer and storage of these materials are a threat to public health and the environment. Spills can impact air, water and land.

Resources at risk from these spills include drinking water and waterways, as well as wildlife. In Oregon, statistics show that the majority of spills occur along the transportation corridors such as interstate highways, roads along the Oregon Coast and railroads along rivers. When spills occur in waterways, rapid currents and tidal flux of Oregon's estuaries cause oil or hazardous materials to rapidly spread presenting risk to sensitive aquatic life, waterfowl and fragile habitats.

This report documents DEQ's responses to oil and hazardous materials incidents during Fiscal Year 2019, which started July 1, 2018, and ended June 30, 2019. Although there were no major spill incidents during Fiscal Year 2019, there were several significant spills requiring expedited coordination by the Department of Environmental Quality. This report highlights two of those significant releases and provides an idea of the extensive coordination that is required to respond in an effective manner. Regardless of the size or location of a spill notification, DEQ must collect, verify and triage the incident and respond appropriately. DEQ spill response staff located in regions across the state require training and need tools available to them to understand and protect localized resources.

This report illustrates several aspects of spill response including that petroleum products are the most often spilled substance, that the most common source of spills is the transportation industry and that a spill can occur in any part of the state. With this in mind it is important to note that DEQ is using limited resources to ensure that our waters are protected and our air and lands stay clean by dedicated staff working 24/7. Additionally, this report highlights DEQ's Emergency Response program structure, operations and the agency's working relationships with other local, State and Federal agencies and Tribal partners in the emergency response community.

Information on DEQ's Oil Spill Contingency Planning and Preparedness Program can be found [here: https://www.oregon.gov/deq/FilterDocs/OilSpillPlanningAnnualReport.pdf](https://www.oregon.gov/deq/FilterDocs/OilSpillPlanningAnnualReport.pdf)

## 1.0 DEQ Emergency Response Program Overview

DEQ's Emergency Response Program works with other government agencies and industries to prevent and respond to spills of oil and hazardous materials. DEQ Emergency Response program's mission is to:

- Ensure responses to oil and hazardous materials incidents are orchestrated quickly and efficiently.
- Protect human health.
- Minimize and mitigate environmental impacts from spills.

- Ensure that long-term cleanup of spills and other follow-up actions are correctly completed.

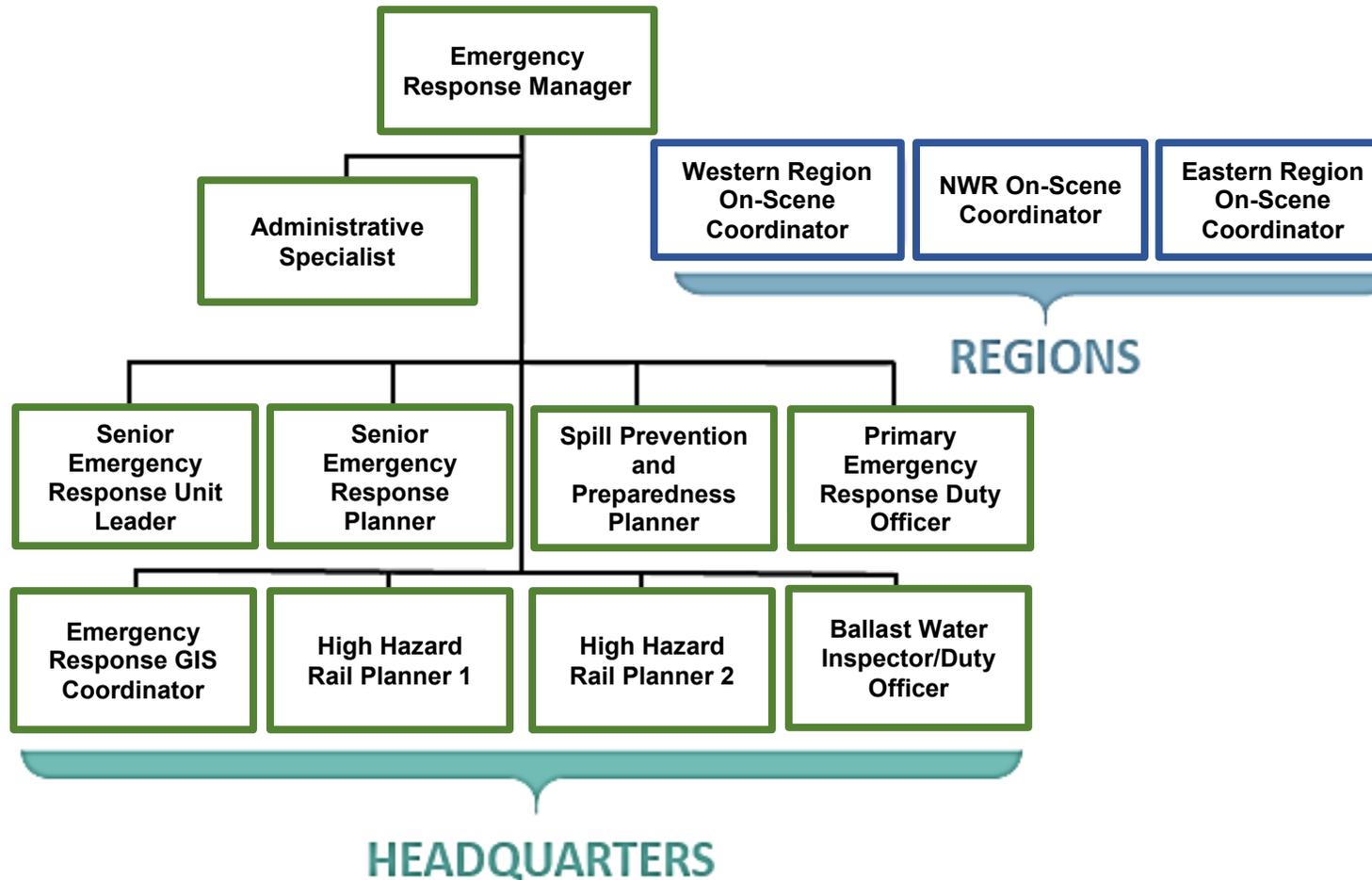
## **1.1 Roles and Responsibilities**

Under Oregon’s Emergency Operations Plan, DEQ is co-partner with the Oregon State Fire Marshall for the lead on Emergency Support Function 10 – Hazardous Materials. The Northwest Area Contingency Plan is the regional plan developed under the requirements of the National Contingency Plan, and is a framework to coordinate spill response actions and ensure consistency in response to spills in Oregon. Under these plans, DEQ’s roles and responsibilities are:

- Act as a technical resource to responders during the emergency phase of an incident.
- Coordinate support of state resources to incidents and work with special teams, including state hazardous materials teams, Oregon Department of Transportation Incident Response Teams, and teams from the U.S. Coast Guard, U.S. Environmental Protection Agency, as well as local emergency responders.
- Manage the incident during cleanup phase.
- Participate in emergencies using the Incident Command System, or ICS, as required under the National Incident Management System. ICS is a standardized approach to managing crisis response operations and providing a common hierarchy within which responders from multiple agencies can be effective.
- Provide expertise on environmental effects of oil discharges or releases of hazardous materials, and environmental pollution control techniques.
- Provide investigative support and expertise on environmental and public health issues related to oil and hazardous material incidents.
- Serve as a member of the Northwest Area Committee of the Regional Response Team, including development of the Northwest Area Contingency Plan.
- Develop comprehensive plans and programs for air and water pollution control and disposal of solid and hazardous waste.
- Help coordinate state environmental permits and other agency approvals.
- Conduct enforcement actions when environmental quality rules and regulations are violated during an oil or hazardous materials incident.

# 1.2 Organization: Oregon DEQ Emergency Response Section

Organizational Chart as of July 2020



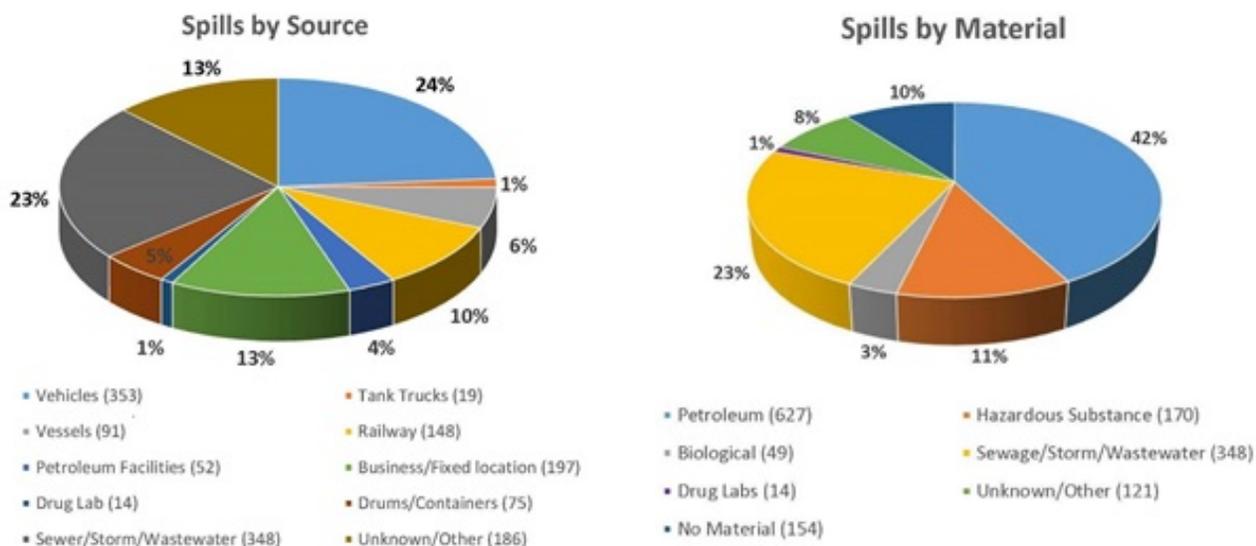
DEQ receives notification of hazardous material and oil spill incidents through the Oregon Emergency Response System, or OERS, and logs incidents which are reported initially via other channels with OERS as well. Duty Officers gather and process information on incidents, disseminate information internally and to other organizations, and determine the level of response required. DEQ's response ranges from simple telephone coordination or onsite coordination, to complex field responses with large numbers of field staff involving multiple organizations. Significant or complex incidents are rapidly transferred to the State On-Scene Coordinators for more robust management. Once an incident is stabilized, the State On-Scene Coordinator moves into a position within Incident Command for the cleanup and recovery phase. DEQ staff are trained to staff positions within Unified Command. Unified Command allows for the participation of Federal, State, local and Tribal organizations within the response and ensures all interests and concerns of these organizations, including the responsible party, are identified and addressed.

At the core of DEQ's Emergency Response program are the duty officer and State On-Scene Coordinator positions. The duty officer position is rotated among Emergency Response program staff in the daytime. DEQ's afterhours duty officers are comprised of DEQ staff from a variety of programs. State On-Scene Coordinators are highly trained positions located in regional offices in Bend, Eugene and Portland.

Staff from other programs and DEQ's Oil Spill Contingency Planning and Preparedness group are specially trained to support our State On-Scene Coordinators on significant incidents. These staff often fulfill critical roles in the ICS response structure such as liaison officer, public information officer, environmental unit leader, situation unit leader and other key positions. DEQ calls upon subject matter experts from its various programs to address technical issues including waste characterization requirements, specialized remediation, and investigation techniques. When a responsible party cannot be identified, lacks the ability or is otherwise unable or unwilling to properly manage the cleanup of a spill, DEQ will manage the response using a contractor and through enforcement.

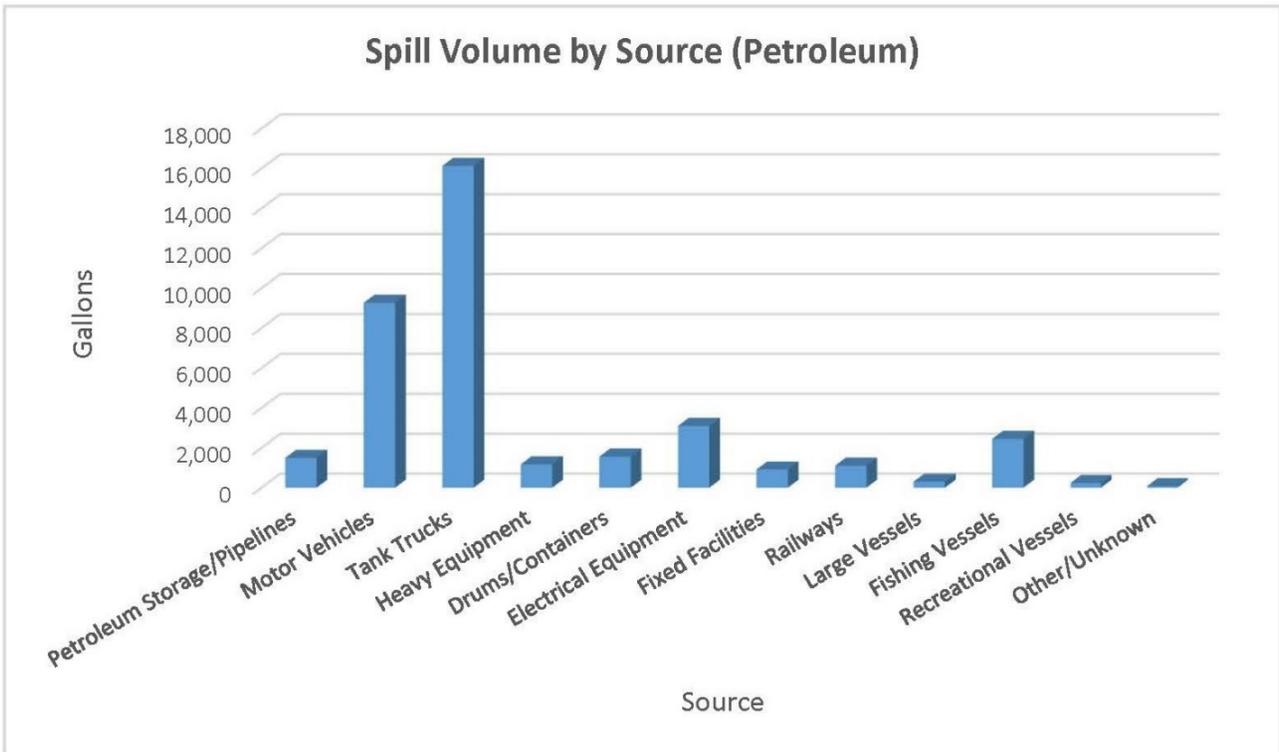
## 1.3 Response Statistics

Statistics on materials released, sources and distribution of oil and hazardous materials incidents within the State of Oregon are graphically depicted below. During Fiscal Year 2019 the DEQ Emergency Response Program received notice of 1,483 incidents, and conducted in-field oversight on 65 of these incidents. Responses ranged from single day site visits to multi-week involvement.



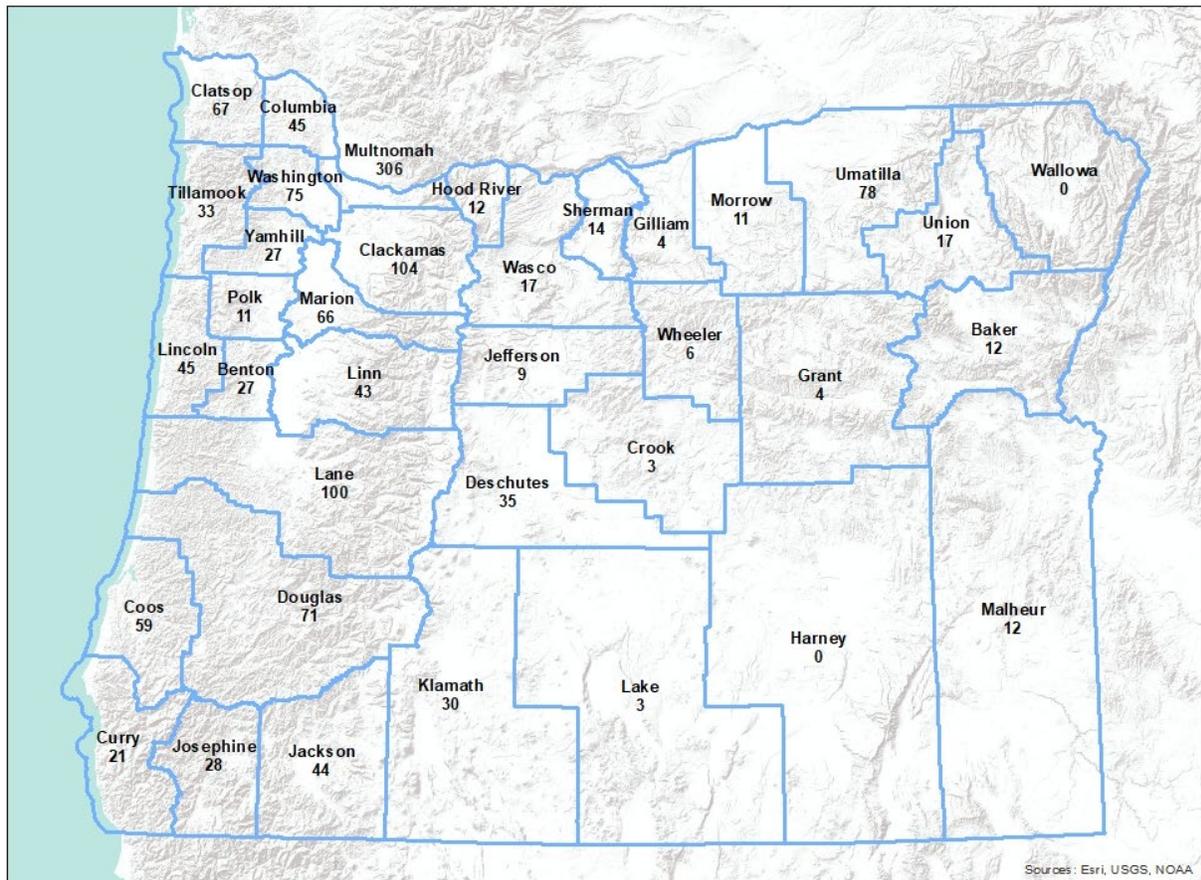
**Figure 1 - Spills by source and material.**

|  |  |   |
|--|--|---|
| <p>The spills by source chart indicates the source of Fiscal Year 2019 spills by percentage with the actual number of spills by each source in the table below it.</p> |  | <p>The spills by material chart indicates the types of materials spilled during FY 2019 by percentage with the actual number of spills of each source in the table below it</p> |
|--|--|---|



**Figure 2 - This chart and Figure 1 above demonstrate that motor vehicles and tank trucks are the largest sources of spills in Oregon and petroleum is the most common material spilled.**

All Spills by County, Fiscal Year 2019



**Figure 3 – Distribution of incidents throughout Oregon.**

## 1.4 Forms of Enforcement

DEQ Emergency Response staff have several tools available for ensuring adequate response to spills of oil and hazardous materials. The majority of incidents are coordinated with the person or company responsible for the spill who willingly comply with and assist DEQ in cleaning up the spill. The spillers are known as responsible parties, RPs.

In cases where responsible parties are unwilling to clean up their spills or commit other violations, the first level of enforcement are warning letters. These written warnings request that a responsible party takes corrective actions to prevent recurrence of similar incidents. Another option is through Expedited Enforcement Offers, which are a streamlined process where the responsible party can admit responsibility and pay a reduced penalty equivalent to 40% of the base penalty they would otherwise be assessed. Expedited Enforcement Offers are considered applicable in circumstances where there are mitigating factors such as low volume spilled and positive response actions. Lastly, Pre-Enforcement Notices are the initial stage of full legal cases and typically involve multiple violations of law. During Fiscal Year 2019 DEQ State On-Scene Coordinators issued five warning letters, nine Expedited Enforcement Offers and five Pre-Enforcement Notices.

## 2.0 Incident Response Highlights

### 2.1 Lindsey Lake

At around 10:30 a.m. on Feb. 11, 2019, a tanker truck owned and operated by Space Age Fuel Inc., of Clackamas, Oregon, overturned at milepost 54 on Interstate 84, spilling approximately 4,400 gallons of winter blend biodiesel fuel onto the eastbound roadway. The spill occurred in the middle of a severe snowstorm. Due to the incident location on a banked curve, spilled fuel flowed across the highway to the north and under the Jersey barrier that divides the eastbound and westbound traffic lanes. Much of the fuel then traveled northward down a steep embankment immediately adjacent to the westbound road shoulder and entered Lindsey Lake, a manmade embayment connected to the Columbia River through a series of large culverts. The lake contains sensitive wetland habitat and supports several species of economic and environmental significance. No contamination from the spill was observed in the Columbia River.

Although the driver of the vehicle was not issued a formal citation, the Oregon State Police issued a press release stating the driver was “driving too fast for the snowy conditions” and lost control of the vehicle. Both road shoulders and the embankment above Lindsey Lake were covered in 1-3 feet of heavy, wet snow. Much of this snow quickly became saturated with the spilled diesel fuel, complicating the cleanup operation. In addition, Oregon Department of Transportation, or ODOT, snow removal operations caused diesel fuel and diesel-contaminated snow to be flung along the highway roadside for up to a half mile in both directions. Some of the heaviest contamination was spread in this manner to Lindsey Creek, a small stream that passes under I-84 several hundred yards west of the initial spill site before emptying into Lindsey Lake.

Shredded, diesel-contaminated sorbent material was also spread up to 40 feet onto the cliffside to the south of the incident site.

A Unified Command consisting of the EPA, Oregon DEQ, and a representative of the responsible party managed the response and cleanup operation under the Incident Command System. ODOT was represented in Unified Command by a series of agency representatives. Emergency phase operations concluded a month later on March 11, 2019, when initial site remediation was completed. Approximately 4,800 tons of petroleum contaminated soil and 2,070 cubic yards of contaminated snow were removed from the site during emergency phase operations. An additional 393 tons of soil and asphalt removed from the westbound travel lanes and road shoulder in June 2019 under a subsequent remediation plan approved by ODOT.

Following the completion of site remediation, DEQ oversaw implementation of a comprehensive rehabilitation plan to restore the sensitive riparian habitat damaged by the spill around Lindsey Lake and on both banks of Lindsey Creek. Site rehabilitation was completed in early winter 2020 with input from more than 15 natural resource trustees and environmental and cultural stakeholders. DEQ continues to monitor the survival of plantings established as part of the rehabilitation effort over the course of the next year.



**Figure 4 - Excavating contaminated soil from the roadside.**

DEQ also continued to monitor surface water and shoreline conditions at the site until March 2020, relying on both

analytical testing and field surveys conducted by a wildlife biologist. A lingering sheen of contamination from the spill, was observed sporadically on Lindsey Lake within the primary containment area isolated by hard boom until September 2019. DEQ continues to monitor groundwater for contamination following the installation of a series of monitoring wells. Monitoring for protection of cultural resources was conducted throughout the response at the request and consideration of the State Historic Preservation Office and the Confederated Tribes of the Warm Springs Reservation of Oregon.



**Figure 5 - Absorbent and hard boom deployed to collect diesel fuel from the lake.**

## 2.2 Fishing Vessel Ann Kathleen



**Figure 6 – Wreckage of the Ann Kathleen south of Bandon**

On May 2, 2019, the 64-foot crabbing vessel Ann Kathleen caught fire offshore near Bandon. The crew was rescued by a combination of good Samaritans and Coast Guard personnel. The burning vessel came ashore on an unnamed beach approximately 10 miles south of Bandon. The vessel had 2,000 gallons of diesel onboard.

Ann Kathleen came ashore approximately in the center of a remote 6-mile stretch of shoreline. This area is prime snowy plover habitat and the incident occurred in the midst of their nesting season. In addition to the snowy plover shorebird, this stretch of beaches also had numerous known archeological sites and tribal interests. This precluded general overland travel and limited movement of equipment and responders to the low end of the tidal zone during low tide intervals.

By the end of the day, when response crews were able to access the wrecked vessel, the hull was still on fire. On the morning of May 3 responders observed uncontained diesel standing within the hull of the vessel. No fuel or sheen was observed in the sand or water surrounding the vessel. In response, Unified Command was established with numerous organizations including DEQ, US Coast Guard, Oregon State Parks, Oregon Department of Fish and Wildlife, State Historic Preservation Office, U.S. Fish and Wildlife, Bureau of Land Management, the Coquille Indian

Tribe and private landowners. The responsible party's representative hired Global Diving & Salvage to assist in the response. On the evening of May 3 the ocean surf rotated the vessel 180 degrees and fuel sheen and odor was present in the water and along the shoreline.

Lightweight all-terrain vehicles became stuck in the tidal zone, hampering response efforts. Transport of fuel loads along the tidal line was determined to be impractical. Unified Command developed plans to pump the fuel and oily water out of the hull and into large containers, which were then staged high up on the beach to await later transport to nearby Cape Blanco State Airport by helicopter. The plan involved consultation with snowy plover and tribal stakeholders to ensure the placement of the containers and the fuel transfer work would not affect the nests of the bird. By the end of the next day, all recoverable fuel and oily water had been pumped off the wreck vicinity into totes. Transportation of the totes to the airport was completed by May 6. During the initial transfer work 1,080 gallons of diesel and 300 gallons of oily water were removed from the wreck. An additional 500 gallons of diesel remained onboard in the vessel's tank, and was pumped out during the demolition of the wreck. The demolition and removal of the vessel was completed using a demolition excavator and helicopter on May 17. In the end, there were no snowy plover casualties or impacts to cultural resources.



**Figure 7 - Vessel breaking apart in the surf. Note fuel within the exposed hull.**



**Figure 8 - Airlifting fuel from the beach.**