

**FINAL MINUTES**  
**Massachusetts Oil Spill Prevention and Response Act Advisory Committee**  
**Tuesday, June 19, 2007**  
**US ACE Cape Cod Canal Field Office, Buzzards Bay, MA**

**Attendees:**

Janine Commerford, MassDEP  
Rich Packard, MassDEP  
Larry David, US ACOE  
Steve Dodge, Massachusetts Petroleum Council  
Gregg Farmer, Boston Harbor Pilot Association  
Howard McVay, Northeast Marine Pilots  
Ed LeBlanc, USCG – S E New England Sector  
Scott Lundgren, USCG – First District  
Ron Pigeon, USCG – Southeastern New England  
Mark Rasmussen, Coalition for Buzzards Bay  
Moses Calouro, Maritime Information Systems

Kirk Franklin, Frank Corp.  
Gordon Bullard, Mass Dept. Revenue  
Mike Whiteside, MassDEP  
David Janik, MA EOE  
Brian House, Fleet Environmental  
Marc Nelson, Horsley Witten Group  
Joe Longo, Horsley Witten Group  
Greg Gifford, Steamship Authority  
Elise DeCola, Nuka Research  
Bill Cass, NEWMOA  
Rachel Colella, NEWMOA

**Introduction:**

Janine Commerford, Assistant Commissioner, MassDEP, welcomed the group. She reported that MassDEP has made progress since the last meeting. She stated that a press release coinciding with the deployment of the new round of spill trailers for Cape Cod is tentatively scheduled for June 28, 2007 in Barnstable – all members of the Advisory Committee are welcome.

**Current Implementation Activities:**

Rich Packard, Program Manager, MassDEP started the discussion by highlighting some of the activities that have been completed thus far. With the help of NEWMOA, MassDEP completed a Draft Interim Implementation Plan, which identifies the specific tasks, timeframes, and lead roles for the activities to be implemented in the next year under the Oil Spill Act. The Plan also lays out the framework for a 3-5 year program plan.

MassDEP also worked with Fleet Environmental and Horsely Witten Group to procure twenty-one (21) additional spill response trailers and equipment for coastal communities. Of these, nineteen (19) 20-foot trailers went to communities in Cape Cod and the Islands and two (2) 12-foot trailers went to the MassDEP regional offices in Wilmington and Lakeville. The equipment provided in these trailers includes over 1000-feet of boom, absorbent pads, culvert plugs, personal protective equipment (PPE), air compressors, generators, anchors, weights, floats, etc.

He noted that MassDEP has also contracted with Fleet Environmental and Horsely Witten Group to provide training on how to use the spill equipment. There will be two (2) 4-hour training modules. The first will be classroom training designed to familiarize responders with the

equipment and address ICS and unified command. The second session will consist of basic field training on the deployment of the equipment. Both training modules will be videotaped and put onto DVDs for the communities to use as refresher training, etc.

Mr. Packard reported that MassDEP has also contracted with Nuka Research & Planning to develop Geographic Response Plans (GRP) for Cape Cod and the Islands. The “kick-off” meeting for this task is scheduled for June 26, 2007. Nuka will also work with the Coalition of Buzzards Bay to update the current Buzzards Bay GRP. Both the Cape & Islands GRP and the Buzzards Bay review and updates will begin this summer and should be completed by 2008.

Finally, MassDEP is committed to keeping the OSA website up-to-date. Mr. Packard noted that there is a new section under Oil Spill Training that allows users to find the locations of the spill response trailers using Google Earth. When users click on the icon, they are able to view an inventory of the spill response equipment in that trailer, the town where the trailer is located, and contact information.

Howard McVay, Northeast Marine Pilots, recommended that MassDEP focus more efforts on prevention. He suggested offering training to the people that are transporting petroleum products through the coastal waters. Mr. Packard agreed that prevention is important and noted that specific tasks for prevention are included in the Draft Interim Implementation Plan. Elise DeCola also noted that although the GRP is not a prevention tool, it does help minimize impact.

### **Geographic Response Plan:**

Ms. DeCola, Nuka Research Planning, gave a short presentation on the work planned for the development of the Cape & Islands GRP. She stressed that a GRP is a map-based strategy that is designed to protect sensitive areas along the coast. Since first responders in the field will use it to focus and prioritize their efforts, it is important for local stakeholders and residents to have input into the development.

Gregg Farmer, Boston Harbor Pilots Association, asked if there was a prioritization of these sites. Ms. DeCola stated that the GRPs would focus on specific geographic sites prioritized according to the risk, resources/sensitivity, and feasibility of protection. However, because the GRP is a tool/strategy and not a performance measurement, there is no mandate for response and it is not limited to only the sites that are identified. Ms. DeCola stated that education and outreach to the responders and local community would address the need for “mutual aid” so that the resources can be used in the most effective way.

Ms. DeCola stated that the GRP would also reflect the priorities of the stakeholders. The GRP Planning Workgroup consists of representatives from MassDEP, Massachusetts Office of CZM, USCG, NOAA, and other stakeholders and agencies. The first step for the GRP Planning Workgroup is to identify candidate sites along the coastline. The sites will be prioritized according to wildlife habitat, human use, potential for threats or impacts (i.e. risk), sensitivity of the area, and feasibility of protection. Following site selection the GRP Tactics Workgroup will identify standardized methods and resources that can be applied to each of the sites. The sites

will be aerially photographed and team members will visit each area and develop site-specific strategies that may be used during a spill.

Gordon Bullard, Massachusetts Department of Revenue, asked about MassDEP's plans for implementing GRPs at other areas besides Cape Cod. Mr. Packard stated that the other locations in Massachusetts would also be assessed according to their risk for spills and equipment stockpiles. He noted that a GRP for Buzzards Bay was already done, but that Nuka will review it and make updates if necessary. Ms. Commerford stated that MassDEP plans to eventually assess all of the sites and prepare spill responses strategies but noted the need to initially focus on priority sites. Ms. DeCola stated that Nuka estimates they will be able to develop at least thirty (30) GRPs, addressing the highest priorities first. She stated that site selection would begin this summer with local stakeholder input in September, site surveys in October, and final GRP mapping scheduled to be completed in December.

### **Draft Interim Implementation Plan:**

Ms. Commerford reviewed that the Draft Interim Implementation Plan prepared by MassDEP and NEWMOA. She recommended that the committee review the plan and submit comments to Mr. Packard within the next month. MassDEP hopes to finalize the plan in August/September. Comments made during the discussion regarding the plan are noted below:

#### I. Planning / Administration

- Ms. Commerford noted that the Draft Interim Plan would form the basis for a Strategic Plan long-term plan that will cover a 3-5 year period. She noted that MassDEP has already met with many other states in the Northeast to examine their state oil spill programs and plans to meet with Maine and some west coast states also.
- Ms. Commerford also noted that MassDEP is working internally to define the inland scope of applicability of the Mass Oil Spill Act. Steve Dodge, Massachusetts Petroleum Council, recommended a bright line for determining which areas to include.
- Mr. Packard noted that the Risk Assessment would help determine priority areas for the next round of trailer and equipment purchases.

#### II. Response

- Ms. Commerford highlighted the spill response trailers that have already been purchased for Buzzards Bay and the current round destined for Cape Cod and the Islands and that plans for procuring additional trailers for other areas will be based on the planned risk assessment and the results of the spill equipment and resource inventory. Capt. Farmer noted that this inventory would help reveal partnership opportunities for mutual aid.
- Scott Lundgren, USCG, suggested including a section in the Implementation Plan identifying the synchronization for deployment of the equipment. Brian House,

Fleet Environmental, agreed and suggested that including the inventory in a database would be a good way to pull all the resources together.

### III. Prevention

- Mark Rasmussen, Coalition for Buzzards Bay, recommended that the section on “Prevention” occur before the “Response” section in the Implementation Plan.
- Capt. McVay stated that he would like an additional focus on training for spill prevention. He suggested that training of Pilots, Captains and crew of firms operating tug and barge units in Buzzards Bay could receive bridge simulator training if a computer program for Buzzards Bay were developed. He noted that apprentice pilots might be interested in taking this type of training to get further licensing.
- Mr. Rasmussen stated that he would like to see an emphasis on Vessel Traffic Service (VTS) systems as soon as possible, and further stated that he thought that MassDEP had not complied with the Oil Spill Act’s requirement to determine whether the existing system met the requirements laid out in the Act, nor had MassDEP negotiated an agreement with USCG and the ACOE regarding a VTS system as required by the Act.
- Ms. Commerford noted that MassDEP had met the requirements of the Act in 2005 by reaching agreement with USCG and ACOE regarding a VTS system for Buzzards Bay prior to the January 1, 2006 deadline specified in the Act. An evaluation of the existing VTS and proposed upgrades was conducted and documented in a report dated November 2005. This report is public information and can be made available to anyone who would like to see it. She also stated that MassDEP had inspected the existing VTS system at the time, and met with USCG, ACOE and others to discuss planned enhancements. Based on these efforts, in December 2005 MassDEP concluded that the combination of existing systems and proposed VMRS enhancements were consistent with the statutory requirements for a VTS system in Buzzards Bay. MassDEP sent letters USCG and ACOE in December 2005 noting this conclusion, and stating its willingness to continue to work with USCG and ACOE to implement system enhancements.
- Ms. Commerford also noted that one of the purposes for creating an OSA Prevention Subcommittee was to explore a variety of possible enhancements to the VTS system.
- Mr. LeBlanc stated that the USCG has proposed rule making that would designate Buzzards Bay as a Regulated Navigation Area (RNA) and that a type of VTS known as a Vessel Movement and Reporting System (VMRS) would be a component of this proposal. He noted that Automated Information Systems (AIS) is part of this system in addition to voice calling, etc. As a step in implementing this rule the USGC has also drafted a Memorandum of

Understanding where the ACOE monitor and operate the VMRS utilizing USCG rules and policy.

- Capt. Farmer commented that the Physical Oceanography Real Time System (PORTS) is a web-based program that measures real-time data that is transmitted to vessels and on-shore facilities. He stated that Newport, RI has this capability – it is very useful and most mariners use it. Ms. Commerford recommended that the VTS Subcommittee assess this option.

#### IV. Outreach

- Ms. Commerford noted the need for MassDEP to continue to communicate with other state response programs, especially in Rhode Island, Maine, and New Hampshire and to learn from their experiences.

#### Attachment C – Budget

- Ms. Commerford noted that there is approximately \$2.6 million dollars available in the OSA Budget for Fiscal Year 2008 – the finalized cost will be available in August after all of the invoices for the spill trailers, etc are submitted.

#### **Next Steps:**

Ms. Commerford explained the need for sub-committees to address specific topics that were identified at the last meeting and included in the Draft Interim Implementation Plan. She stated that MassDEP would begin to establish these sub-committees by creating a framework of tasks, timelines and outputs.

The following persons volunteered to be on the VTS Subcommittee: Ed LeBlanc, Larry Davis, Marc Rasmussen, and Howard McVay (possibly).

The following persons volunteered to be on the Training Subcommittee: Howard McVay, Gregg Farmer, and Kevin Partridge (he was not present but expressed interest previously). Following the meeting Kirk Franklin volunteered to be on either committee if additional representation was needed.

The next meeting will be in September, possibly located at the Coalition for Buzzards Bay office in New Bedford, MA.

#### **Adjournment:**

Ms. Commerford thanked everyone for attending and adjourned the formal part of the meeting. Many attendees stayed for a tour of the US ACOE vessel tracking system and MassDEP spill response trailer and equipment.