STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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6/28/2000

June 12, 2000

The *Tenyo Maru* Oil Spill Natural Resources Trustees
c/o Denise Baker
Department of the Interior
U.S. Fish and Wildlife Service
Western Washington Office
510 Desmond Drive SE, Suite 102
Lacey, Washington 98503

Re: **Emergency Towing Vessel Interim Report**

Dear Trustees:

Thank you for providing funding to extend rescue tug coverage at Neah Bay through this spring. We believe that an emergency towing vessel stationed near the entrance to the Strait of Juan de Fuca significantly reduces the risk of vessel incidents and spills in this remote and highly vulnerable area.

This report is an interim response to the requirements for Project Goal Monitoring contained in the Final Restoration Plan on page 3-17. We regret that we were unable to provide a Preliminary Report on April 30, 2000, as the funds were received only a few days prior to that date. The Washington State Legislature approved $1.65 million in May to fund rescue tug coverage for the winter of 2000 – 2001. We are required to provide them with a comprehensive report on Neah Bay rescue tug activities between December 15, 1999, and December 1, 2000. We will provide you with a copy of that report to complete the Final Restoration Plan project monitoring requirements.

The rescue tug responded to three vessel emergencies between December 15, 1999, and June 9, 2000:

- On February 22, 2000, a large cargo ship, the *Clipper Arita*, lost propulsion approximately 10 miles west of Cape Flattery and started to drift toward shore. The rescue tug *Barbara Foss* was underway in less than thirty minutes and was able to make over 10 knots in 17 foot seas proceeding toward the disabled vessel. The vessel crew was able to repair their propulsion system just as the *Barbara Foss* arrived on scene.

- On May 8, 2000, the *Barbara Foss* towed a Canadian fishing vessel that had run out of fuel near the entrance to the Strait to safety in Neah Bay.

- On June 6, 2000, another large cargo ship, the *Virtue*, bound for Vancouver BC, lost propulsion approximately 25 miles west of Cape Flattery and started to drift. The U.S. Coast Guard directed the master of the *Virtue* to arrange for tug assistance due to repeated propulsion failures on the ship. The *Virtue's* master contracted with the rescue tug *Barbara Foss*. The *Barbara Foss* escorted the ship into the Strait of Juan de Fuca and finally, after repeated propulsion failures, towed the ship to Esquimalt where it was inspected by Transport Canada Marine Safety officials. The response took over 29 hours to complete.

The rescue tug performed 43 drills between December 15, 1999, and June 9, 2000:

- 27 drills were designed to test the tug's ability to respond to a fictitious drifting vessel in various locations and weather conditions.

- 4 drills involved Navy vessels that simulated a drifting vessel by shutting off their propulsion plants.

- 2 drills consisted of escorting a "high-risk" vessel from three miles west of the entrance to the Strait past Duntze and Duncan Rocks, the navigational obstructions off Cape Flattery.

- 7 drills consisted of deploying an "Orville Hook" device from the tug, simulating recovery of a drifting barge or ship by snagging the bridle or anchor chain.

- 2 drills were simply to test the speed of the tug in existing sea conditions.

- 1 drill tested the fire pumps and hoses of the tug.

Costs incurred:

- Federal funding = $1,000,000.00
- State funding = 100,000.00
- *Tenyo Maru* funding = 400,000.00
- Total Costs = $1,500.000.00
- Estimated Length of Coverage: 190 days

Conclusions:

- The number of emergency responses this winter and spring was unusually low. For example, there were six potential emergency response incidents in the rescue tug operating area during the winter of 1998-1999. Nonetheless, the performance of the *Barbara Foss* met or exceeded expectations on all of the emergency responses conducted this winter and spring.

- We were disappointed that we were unable to conduct more drills that involved actually passing a tow line to a "disabled" vessel. Unfortunately, there were limited opportunities to use Navy vessels and no opportunities to use Coast Guard or commercial vessels. The *Barbara Foss* was able to get underway in 30 minutes or less, and maintain of speed of 10 knots in nearly all weather conditions, during the drills.

- One of the most important lessons learned during this period of rescue tug operations was the successful use of Neah Bay as a staging and logistics site for a rescue tug the size of the *Barbara Foss*.

Thank you for the opportunity to provide this interim report. If you have any questions or comments, please contact Stan Norman at (360) 407-7465.

Sincerely,

Joe Stohr
Program Manager
Spill Prevention, Preparedness, and Response Program

cc: Spills Program Management Team
Norm Davis, PSFO Supervisor

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August 8, 2000

The *Tenyo Maru* Oil Spill Natural Resources Trustees
c/o Denise Baker
Department of the Interior
U.S. Fish and Wildlife Service
Western Washington Office
510 Desmond Drive SE, Suite 102
Lacey, Washington 98503

Re: **Emergency Towing Vessel Supplemental Report**

Dear Trustees:

This report provides additional information requested by the NOAA Trustee Representative on funding arrangements for the Neah Bay Emergency Towing Vessel (ETV). It supplements the interim report that we provided on June 12, 2000.

The State of Washington contributed a total of $500,000 to the operation of the Neah Bay ETV during the winter of 1999-2000. Governor Locke provided $100,000 and the remaining $400,000 was provided by the *Tenyo Maru* Trustees (thank you again). Due to contracting arrangements with the US Navy, the state funds could not be expended until federal funding was exhausted on April 15, 2000. Although there was no clear line of demarcation, the Governor's funds were expended first and the *Tenyo Maru* funds were expended last, beginning on approximately April 26, 2000.

In a contract of this type, the contractor is providing a fully equipped and crewed vessel. The number of persons employed and other details of funding and operating the vessel are not tracked as long as the vessel performs within the specifications of the contract. The daily rate for the Neah Bay ETV under the terms of the contract was $7,495.00. The contractor was also reimbursed for the fuel the tug used at the prevailing fuel price in Seattle.

Under maritime and salvage law, and the terms of the contract, the ETV was released from the federal/state contract when it responded to an actual incident. The ETV was operating as a private vessel and received reimbursement from the owners of the vessels it assisted. The ETV was not directed to assist a vessel under the authority of the US Coast Guard or the Washington Department of Ecology. Neither the federal Oil Spill Liability Trust Fund nor the state Oil Spill Response Account was used to fund the ETV, so cost recovery is not an issue. In essence, the owners of the vessels that the ETV assisted indirectly purchased additional days of coverage under the federal/state contract.

State funding provided nearly 64.5 days of ETV coverage, including approximately 1.5 days as a result of the ETV going "off hire" to assist vessels. The contractor was also reimbursed $10,611.82 from state funding for the fuel consumed by the ETV during the period of coverage. Since the contract called for return of the ETV to its place of origin, we allowed for time and fuel to return the ETV to Seattle. The contractor elected to reassign the tug to another contract in Port Angeles in lieu of Seattle resulting in a balance of $7,675.37 in remaining state funds. The balance is in our Coastal Protection Fund. Do you desire that those funds be returned or expended on a suitable restoration project?

Thank you for the opportunity to provide this report. If you have any questions or comments, please contact me at (360) 407-7465.

Sincerely,

Stan Norman
Acting Program Manager
Spill Prevention, Preparedness, and Response Program

cc: Spills Program Management Team
Norm Davis, PSFO Supervisor