

TESTIMONY

RIKI OTT

MAY 11, 1989

BEFORE THE HOUSE MERCHANT MARINE & FISHERIES COMMITTEE  
COAST GUARD SUBCOMMITTEE  
ON THE PRINCE WILLIAM SOUND OIL SPILL

MY NAME IS RIKI OTT. I AM A CORDOVA RESIDENT AND FISHERMAN. I OWN A SALMON DRIFT GILLNET PERMIT AND HAVE FISHED PRINCE WILLIAM SOUND FOR FOUR YEARS. MY TRAINING IS IN MARINE TOXICOLOGY: I HAVE A MASTERS IN OIL POLLUTION AND A DOCTORATE IN SEDIMENT POLLUTION. WITH ME IS MICHELLE HAHN O'LEARY, A FELLOW FISHERFRIEND WITH 15 YEARS EXPERIENCE IN PRINCE WILLIAM SOUND AND BRISTOL BAY FISHERIES. ON BEHALF OF THE CORDOVA DISTRICT FISHERMEN UNITED AND THE UNITED FISHERMEN OF ALASKA, WE WISH TO THANK MEMBERS OF THIS COMMITTEE FOR INVITING THE FISHING INDUSTRY TO TESTIFY.

THE EXXON VALDEZ OIL SPILL HAS FOCUSED A SPOTLIGHT OF CONCERN ON A MYRIAD OF ISSUES INVOLVING THE MARINE TRANSPORTATION OF OIL. THE SCOPE OF THE PROBLEMS EXTEND FAR BEYOND PRINCE WILLIAM SOUND: BETWEEN 1984 AND 1987, THE UNITED STATES ACCOUNTED FOR 54% OF THE WORLD'S MAJOR MARINE OIL SPILLS -- AND THESE U.S. SPILLS ABSORBED 62% OF THE WORLDS'S OIL SPILL CLEANUP COSTS. "MAJOR" SPILLS ARE DEFINED HERE AS THOSE REQUIRING A MINIMUM OF \$250,000, THE MAXIMUM FINE UNDER CURRENT LAW, FOR CLEANUP (TEMPLE, BAKER & SLOANE, 1988). THIS IS AN INEXCUSEABLE TRACK RECORD FOR A WORLD LEADER.

H.R. 2158, SPONSORED BY CONGRESSMAN DON YOUNG, IS A GOOD START TOWARDS ADDRESSING THE MARITIME SAFETY ISSUES. ALYESKA PIPES 24% OF THE UNITED STATES' DOMESTIC SUPPLY OF OIL ONTO ABOUT 1000 PRIMARILY U.S FLAGSHIP TANKERS EACH YEAR. 13% OF THE U.S. TANKER FLEET IS INVOLVED IN THE TRADE OF NORTH SLOPE CRUDE AND THIS 13% ACCOUNTS FOR 52% OF THE STRUCTURAL FAILURES IN THE FLEET (PURTELL ET AL., 1988).

WHILE H.R. 2158 ADDRESSES SEVERAL GENERAL ISSUES, I WOULD LIKE TO OFFER COMPARISONS BETWEEN PROPOSED REGULAITONS AND STANDARD OPERATING PROCEDURES AT THE SULLOM VOE OIL TERMINAL IN THE SHETLAND ISLANDS, UNITED KINGDOM. FOR ALL PRACTICAL PURPOSES, THE SULLOM VOE TERMINAL IS A SISTER TERMINAL TO ALYESKA: THE TWO FACILITIES ARE OPERATED BY A CONSORTIUM OF OWNER COMPANIES, INCLUDING 5 OF THE 7 SISTERS AT ALYESKA, AND ARE OF A SIMILAR SIZE, LOCATED IN SIMILAR FJORD SYSTEMS, AND SHARE SIMILAR WEATHER CONDITIONS.

SEC. 102 (A) (1) REQUIRES AT LEAST ONE TUG ESCORT FOR OUTBOUND TANKERS; A STATE EMERGENCY ORDER REQUIRES TWO. DURING A BLOW IN 1980, THE FULLY LOADED TANKER PRINCE WILLIAM SOUND LOST POWER IN PRINCE WILLIAM SOUND AND DRIFTED INEXORABLY TOWARDS AN ISLAND WHILE TWO TUGS TRIED IN VAIN TO TOW THE TANKER TO SAFETY: THE TWIN SCREW TUGS SIMPLY DID NOT HAVE ENOUGH POWER TO COUNTERACT THE WIND AND SEAS. SULLOM VOE REQUIRES FOUR TUGS, ONE OF WHICH MUST BE A TRACTOR TUG WHICH IS CAPABLE OF MANUVERING TANKERS IN MORE WEATHER CONDITIONS THAN THE TWIN SCREW TUGS CURRENTLY USED AT ALYESKA.

SEC. 102 (A) (2) REQUIRES AN ADDITIONAL LICENSED PILOT TO A POINT SOUTH OF BLIGH REEF. SULLOM VOE REQUIRES USE OF PILOTS BETWEEN THE OPEN SEA ENTRANCE AND THE TERMINAL. IN ADDITION, SULLOM VOE RESTRICTS TRANSFER OF PILOTS BY BOAT IN POOR WEATHER CONDITIONS: INSTEAD THE TERMINAL REQUIRES USE OF HELICOPTERS. IN

WINTER MONTHS, HELICOPTER SERVICE FOR PILOTS IS PROVIDED FOR FREE. IF THE WEATHER IS TOO BAD FOR EVEN HELICOPTERS, TANKERS WAIT.

CONGRESSMEN, IN EARLY FEBRUARY, ALYESKA PILOTS WERE TRANSFERRED BY BOAT IN 65 KT WINDS, 12' SEAS AND ICING CONDITIONS. IT IS ONLY A MATTER TIME BEFORE WE HAVE ANOTHER ACCIDENT IN PRINCE WILLIAM SOUND.

SEC. 103. REQUIRES AN EXPANDED RADAR SYSTEM IN PRINCE WILLIAM SOUND. THE SECTION COULD BE EXPANDED TO INCLUDE ADDITIONAL REPEATERS FOR VHF RADIOS SO THE VESSEL TRAFFIC CONTROL SYSTEM COULD MAINTAIN BOTH VISUAL AND RADIO CONTACT WITH VESSELS IN PRINCE WILLIAM SOUND. BECAUSE OF THE CONFIGURATION OF PORT VALDEZ, RADIO COMMUNICATION WAS POOR AT BEST BETWEEN THE TERMINAL AND AIR/VESSEL TRAFFIC AT BLIGH REEF: THERE WERE TIMES WHEN THE COAST GUARD AND ALYESKA IN PORT VALDEZ COULD NOT COMMUNICATE BY RADIO WITH THE TANKER OR AIR TRAFFIC EN ROUTE TO THE TANKER. REPEATERS COULD BE SET UP WITH THE ADDITIONAL RADAR SYSTEMS.

SEC. 104 (1). REQUIRES PREPOSITIONING OF OIL SPILL CONTAINMENT AND CLEANUP EQUIPMENT. IN ADDITION, SULLOM VOE HAS PERMANENT MOORING POINTS FOR RAPID BOOM DEPLOYMENT IN ENVIRONMENTALLY SENSITIVE AREAS, INCLUDING THE MARSH AT THE HEAD OF THE FJORD.

SEC. 104 (3) & (5) COMBINE THESE SECTIONS SO THAT PEOPLE IN PRINCE WILLIAM SOUND COMMUNITIES AND HATCHERY PERSONNEL ARE PROVIDED REGULAR TRAINING SESSIONS IN OIL SPILL CONTAINMENT AND RECOVERY. THESE TRAINED VOLUNTEER TEAMS SHOULD BE KEPT IN PRINCE WILLIAM SOUND COMMUNITIES WITH PROFESSIONAL OIL SPILL RESPONSE TEAMS AT THE ALYESKA TERMINAL.

SEC. 104 (4) SULLOM VOE CONDUCTS DRILLS AT LEAST ONCE A MONTH WITH MAJOR EXERCISES AT LEAST ONCE A YEAR. ALYESKA CONDUCTS SPORADIC OIL SPILL DRILLS -- WITH ORANGES. SURELY MARCO, WHO MANUFACTURES OCEAN STANDARD BOOM AND SKIMMING EQUIPMENT, DOES NOT FIELD TEST THEIR EQUIPMENT WITH ORANGES.

DURING JANUARY, THERE WERE 2 OIL SPILLS THAT OCCURRED AT THE ALYESKA TERMINAL. THE RESPONSE TO BOTH SPILLS WAS A FIASCO: FOR THE FIRST 1700 BBL SPILL, SNOW HAD TO BE SHOVELED OFF THE BARGE BEFORE BOOMS COULD BE LOADED; AFTER THE BARGE WAS DEPLOYED, IT WAS DISCOVERED THE HYDRAULIC PUMPS DID NOT WORK; THEN VAC-TRUCKS WERE DEPLOYED BUT THE TIDE WAS OUT AND THE HOSES COULD NOT REACH THE WATER . . .

LARGELY BECAUSE OF GOOD WEATHER, MOST OF THE FIRST SPILL WAS CLEANED UP, HOWEVER, NEARLY HALF OF A SECOND 50 BBL. SPILL WAS LOST. IF THE INDUSTRY IS INCAPABLE OF CONTAINING AND RECOVERING A 50 BBL SPILL AT THEIR OWN TERMINAL, HOW COULD ANYONE BELIEVE THEY WOULD BE PREPARED FOR A 200,000 BBL SPILL?

SEC. 202. IN ADDITION TO ADEQUATE CIVIL PENALTIES, OIL COMPANIES SHOULD POST AN ADEQUATE BOND: \$14 MILLION IS INSUFFICIENT. WE SUGGEST THAT OIL COMPANIES RECEIVING CRUDE OIL FROM ALYESKA POST A BOND OF ONE BILLION DOLLARS, PER INCIDENT, TO COVER ALL THIRD PARTY (NON OIL COMPANY-OWNED) CHARTERED TANKERS CARRYING TAPS OIL. FURTHER, ALYESKA SHOULD BE MANDATED BY LAW TO EITHER REFUSE TO LOAD CRUDE OR DEBALLAST ANY CHARTERED TANKER WHICH IS NOT FULLY BONDED OR ALYESKA ITSELF SHOULD POST A ONE BILLION DOLLAR BOND AND ACCEPT FULL RESPONSIBILITY FOR ALL DAMAGES FROM AND CLEAN UP OF OIL SPILLS FROM UNBONDED CHARTERED TANKERS.

SEC. 302. CONCERNING MARITIME RESEARCH AND DEVELOPMENT, I HAVE TWO POINTS. ONE IS THAT BY ONLY ADDRESSING "LIVING MARINE RESOURCES," WE IGNORE SEDIMENT, WATER, BEACHES -- THE HABITAT FOR THE LIVING MARINE RESOURCES. MAN SHOULD BE INCLUDED

AS A LIVING MARINE RESOURCE -- WE'RE ALL OUT THERE ON THE BEACHES AND COULD POSSIBLY BE SUFFERING FROM SHORT AND LONG TERM EXPOSURE TO PETROCHEMICALS. FIVE MILLION DOLLARS IS NOT GOING TO BE ENOUGH FOR ALL THESE NEEDS.

SECONDLY, CORDOVA HAS BEEN PLANNING A MARINE AND FORESTRY RESEARCH INSTITUTE FOR SEVERAL YEARS. WE NOW HAVE AN EXECUTIVE DIRECTOR, A BUILDING AND ARE IN THE PROCESS OF OBTAINING PERMANENT FACILITIES. WE WOULD APPRECIATE SUPPORT FOR THIS VENTURE.

CONGRESSMAN YOUNG'S H.R. 2158 IS CERTAINLY A STEP IN THE RIGHT DIRECTION. I HAVE ADDRESSED MORE SPECIFIC CONCERNS WITH THE BILL IN MY WRITTEN TESTIMONY. I WOULD LIKE TO EMPHASIZE THE FOLLOWING CONCERNS:

- THE CONTINGENCY PLANS SHOULD BE ADOPTED AS REGULATION;
- WE ARE AGAINST FEDERAL PREEMPTION OF THE TAPS FUND AND STATES' RIGHTS IN LIABILITY MATTERS, (THE TAPS FUND, INCIDENTALLY, NEEDS THOROUGH REVIEW); AND
- WE NEED A LOCAL PORT AUTHORITY ESTABLISHED LIKE IN SULLOM VOE.

IN CONCLUSION, THE FISHING INDUSTRY WELCOMES THE OPPORTUNITY TO WORK WITH CONGRESSMEN TO ADOPT LEGISLATION TO PREVENT AN ECOLOGICAL DISASTER LIKE THE EXXON VALDEZ OIL SPILL FROM EVER HAPPENING AGAIN. WE NEED THOROUGH, WELL-RESEARCHED LEGISLATION. LET'S DO THINGS RIGHT THIS TIME.