



Columbia and Willamette Rivers • Oregon and Washington

June 13, 2016

Millennium Bulk Terminals EIS
c/o ICF International
710 Second Ave, Suite 550
Seattle, Washington 98104

via: CommentWorks website

Re: Draft Environmental Impact Statement (DEIS), Millennium Bulk Terminal (MBT)

To Whom It May Concern:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the Millennium Bulk Terminal Project.

The Maritime Fire & Safety Association (MFSA) is the leading provider and advocate of safe, environmentally responsible and cost effective response services in the Columbia Willamette River Marine Transportation System. The MFSA is a not-for-profit association that supports three programs that are referenced in the DEIS and are part of the regional response structure – the MFSA Vessel Response Plan (the Plan), the Fire Protection Agencies Advisory Council (FPAAC) and our VHF Microwave Digital Radio System.

- The MFSA Plan is a state approved umbrella plan first developed in 1993 to provide an effective and cost efficient way for ships to meet the regulations of Oregon and Washington, which go above and beyond federal regulations for oil spill planning and response. It provides the resources necessary to meet state planning standards from three miles beyond the mouth of the Columbia River up to river mile 113 and on the Willamette River from its confluence with the Columbia to the Willamette Falls.
- FPAAC was established in 1983 to address the need for a coordinated focus by local fire agencies with commercial marine ports to develop programs, training and equipment caches that improve the ability of any one agency to respond to a shipboard fire in their jurisdiction through their relationships and mutual aid agreements.
- MFSA maintains a VHF microwave digital radio communications system in concert with the Merchants Exchange of Portland (MEX). This system supports both of these programs by ensuring that reliable radio communication is available throughout the river system – both VHF channels used by the maritime industry and private command and tactical channels for use during an incident.

The MFSA has reviewed the published DEIS for the Millennium Bulk Terminal Project and respectfully submits the following comments.

There were a variety of statements in the Vessel Transportation section of Chapter 5 we'd like to address:

LOCATION	INFORMATION FROM DEIS	COMMENT
5.4-22, Pilotage	<i>Document refers to the Columbia River Harbor Safety Plan.</i>	The correct name of the document is the Lower Columbia Region Harbor Safety Plan.
5.4-32, Marine Oil Spill Survey		<i>This section provides a narrative description of types and severities of oil spills during the reported time period. It should identify the vessel type that was the source of the spill, as was done in Table 5.4-11</i>
5.4-32, Marine Oil Spill Survey	<i>The section presents detail on International and Federal planning and prevention legislation.</i>	Please include reference to Oregon and Washington's planning and response laws.

As the MFSA's main role is to provide Incident Management and Response, the bulk of our comments are directed at section 5.4.4.5 Incident Management and Response Systems. For simplicity, we have provided a redlined version of that section below with our recommended changes.

5.4.4.5 Incident Management and Response Systems

The National Contingency Plan, codified in 40 CFR 300, establishes federal on-scene coordinators for oil spills and hazardous material releases within the inland zone and coastal environments. The plan is the foundation document for state, regional, and local planning for pollution response and provides organizational focus for the related emergency situations that linked to oil spills such as vessel groundings, collisions, allisions, and fires.

USCG is the federal on-scene coordinator in the study area. In Washington State, Ecology is the designated state on-scene coordinator for spill response. The Washington Emergency Management Division functions in this role for natural disasters, and Washington State Patrol or state fire marshal for fires. The Washington State Emergency Response system is designed to provide coordinated state agency response, in cooperation with federal agencies for effective cleanup of oil or hazardous substance spills. Within Oregon, ODEQ is the lead agency for oil or hazardous material spills, the Oregon Office of Emergency Management coordinates support from other state agencies, and the state fire marshal provides hazardous materials/fire incident response coordination and support when a situation exceeds local response capabilities.

The Northwest Area Contingency Plan is the regional planning framework for oil and hazardous substance spill response in the states of Washington, Idaho, and Oregon. Representatives from the federal and state agencies listed above and local governments plan for spill response emergencies and implement response actions according to the plan when an incident occurs.

The plan includes but is not limited to the following elements.

- A description of the area covered by the plan, including the areas of special economic or environmental importance that might be damaged by a spill.
- Roles and responsibilities of an owner or operator and of federal, state, and local agencies in spill response and in mitigating or preventing a substantial threat of a discharge.
- A [link to an online](#) list of equipment ~~(including firefighting equipment) and personnel~~ available to respond to oil spills.
- Site-specific geographic response plans.

Geographic response plans, part of Northwest Area Contingency Plan, are tailored for specific shorelines and waterways. The main objectives of these plans are to identify sensitive resources at risk from oil spills and to direct initial response actions to sensitive resources. In addition to the national and regional plans, the Lower Columbia Region Harbor Safety Committee maintains the Harbor Safety Plan, which includes incident management guidelines; emergency communications; notification requirements in case of an oil spill; steps to take in case of a vessel grounding, vessel collision, bridge collision, and mechanical or equipment failures.

All of these plans help coordinate response efforts by the responsible party (vessel owner/operator) and federal and state agencies.

Owners/operators of large commercial vessels are required to prepare and submit oil spill response plans under federal (33 CFR 155.5010-155.5075) ~~and state requirements (WAC 173-182)~~ to ensure that resources, including equipment, are in place for a spill of the vessel's fuel oil and of any oil carried as secondary cargo. Moreover, vessel owners/operators are required to retain an oil spill removal organization and a spill management team; this is often accomplished by contracting with cooperative organizations that specialize in oil spill response, such as the Marine Spill Response Organization and National Response Corporation.

Additionally, vessels owners/operators [calling the Lower Columbia/Willamette Rivers must have an approved vessel response plan that meets both Oregon and Washington state regulations \(OAR 340-141\) \(WAC 173-182\) with requirements that go beyond the federal regulations. Vessels can obtain oil spill response and contingency planning coverage that meets these state requirements](#) under the Maritime Fire & Safety Association (MFSA) response plan, an umbrella plan for enrolled vessels entering the Columbia River.

The incident response system in the study area for vessels covered by the MFSA response plan is described below for oil spills, fires, and collisions and groundings.

- Oil spill. If an oil spill occurs in the study area, USCG, Ecology, and ODEQ—the federal and state on-scene coordinators—and the responsible party (RP) represent the Unified Command. [MFSA represents the RP for up to the first 24 hours after an event to ensure an immediate response.](#) The Unified Command coordinates responses, mitigation, and cleanup efforts for spills on the Lower Columbia River to protect public health and safety, response personnel, and the environment. (Maritime Fire and Safety Association 2013)

- Shipboard fire. Under the Federal Fire Prevention and Control Act of 1974, fire prevention remains a local and state responsibility (Northwest Area Committee 2015). The local fire jurisdiction is the first responder to a shipboard fire. If the incident is beyond the local jurisdiction’s capacity, mutual aid resources are requested. Through the MFSA Fire Protection Agencies Advisory Council (FPAAC) the mutual aid network extends to thirteen (13) fire agencies along the Lower Columbia/Willamette Rivers. If local and mutual aid resources are exhausted, the local fire chief requests assistance from the state emergency management office. With appropriate approvals, the state fire chief (Oregon) or state fire marshal mobilization coordinator (Washington) takes control over response (Office of State Fire Marshal 2015; Office of the State Fire Marshal, Washington State Patrol 2015). The USCG COTP acts as the federal on-scene coordinator, if a shipboard fire occurs outside a fire agency’s jurisdiction but within the Sector Columbia River COTP zone, or if a vessel fire is treated as a search-and-rescue case (Northwest Area Committee 2015).
- Collision and grounding incident response. For collision and grounding incidents, the vessel operator immediately secures watertight closures and contacts the USCG COTP ~~and~~ Ecology ~~and~~ DEQ. The USCG COTP may establish a communications schedule, request periodic vessel updates, and issue a safety marine information broadcast. In response to a collision, USCG response personnel and state investigators assess and supervise the incident and may form a Unified Command. Unified Command instructs responsible parties on separating joined vessels and moving vessels to anchorage. The USCG COTP works with the vessel operator and Unified Command to initiate pollution response, as necessary. In most cases, a surveyor is required to inspect damage and verify repairs. In response to a grounding, the objective is to refloat and minimize damage to the vessel and environment. When the vessel floats free, the responsible party will may be required to activate the response plan to minimize any pollution threat, at the discretion of Unified Command.

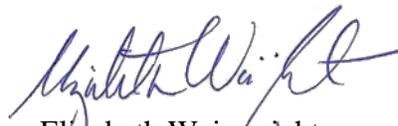
LOCATION	INFORMATION FROM DEIS	COMMENT
Table 5.4-16	<i>This table, providing anticipated collision frequencies of certain spill volumes.</i>	The column indicating volumes is confusing. Should they be listed as: 20,900 or less 59,300 to 20,899 107,400 to 59,299 166,500 to 107,399

The creation of an Environmental Impact Statement on a project of this magnitude is an immense task. We appreciate the work and effort that goes into locating data, reviewing scenarios and researching potential outcomes of various possible impacts. We support the development of

plans and processes that will ensure public safety and minimize potential negative environmental impacts that may be associated with industrial facility siting. We request that the final EIS reflect the technical corrections and recommendations provided by experienced industry stakeholders.

We look forward to continuing to work with Millennium Bulk Terminals to help ensure the project meets the critical needs it is designed to serve in a way that protects the public health, safety and our precious environment.

Sincerely,



Elizabeth Wainwright
Executive Director