# ecylogo-horiz-color.pngMeeting Minutes

**Resource Damage Assessment Committee (RDA)
Committee Meeting**

Wednesday, March 13, 2024
**Microsoft Teams and Ecology HQ Room R1S-16**

Call to Order: 9:03 AM

Introduction and Agenda Review

Approval of Minutes:

* The February 14, 2024, meeting minutes will be approved during the April 10 committee meeting.

Adjournment: 10:34 AM

## Attendees

|  |  |
| --- | --- |
| Entity | Representative |
| RDA Committee, ChairWashington State Department of Ecology | Geoff Baran |
| RDA Committee, ChairWashington State Department of Ecology | Josh Weide |
| RDA CommitteeWashington State Department of Fish and Wildlife | Travis Washburn |
| RDA CommitteeWashington State Department of Archaeology and Historic Preservation | Lance Wollwage |
| RDA CommitteeWashington State Parks | Matt Niles |
| RDA CommitteeWashington State Department of Health | Merita Trohimovich |
| RDA CommitteeWashington State Department of Natural Resources | Shayne Cothern |
| Confederated Tribes of the Colville Reservation,Response Program Manager | Amelia Stanger |
| Yakama Nation Fisheries, Superfund Section | Natalie Swan |
| Washington State Assistant Attorney General’s Office | Julian Beattie |
| United States Fish and Wildlife Service | Valerie Chu |
| Spokane Riverkeeper | Katelyn Scott |
| Marten Law, on behalf of Inland Empire Paper Company | James Tupper |
| GeoEngineers, on behalf of Inland Empire Paper Company | Justin Orr |
| GeoEngineers, on behalf of Inland Empire Paper Company | Scott Lathern |
| Complete Office | Kevin Kautzman |
| Baker Donaldson, on behalf of Complete Office | Noelle Wooten |
| Washington State Department of Archaeology and Historic Preservation | David Witt |
| Washington Department of Ecology | Tami Neilson |
| Public attendee | Annette Maes |

## Minutes

### New Business

#### Preassessment Screenings:

##### ERTS #727657 Inland Empire Paper Company Lube Oil Spill

* Incident Summary:
On December 26, 2023, Ecology received multiple reports of a continuous unknown sheen observed on the Spokane River in the vicinity of North Argonne Road with no obvious source. GrayMar and the Department of Ecology responded to investigate and commence containment and cleanup actions, placing hard and soft boom at Upriver Dam, the Spokane Falls Dam, and 9 Mile Dam. An analysis of samples determined that the sheen was a lube oil. No sheen was observed upstream from Inland Empire Paper Company (IEP) and an investigation into the facility resulted in the discovery of a faulty heat exchanger as the source. After being identified as the responsible party, IEP hired GeoEngineers to assist in cleanup. At this time, an estimated 992 gallons of product has been recovered with possibly 1,500 gallons released in total. Ecology continues to monitor absorbents and boom, which have been removed downriver from Upriver Dam.
* Justin Orr: The initial samples from the initial release contained primarily oil-range organics whereas later samples in February contained a ratio of about 50:50 between oil- and diesel-range organics.
* Geoff Baran: are there other facility operations that may have led to diesel in the samples?
* James Tupper: IEP had isolated the cause as the failed seal of the heat exchanger system that was associated with the wastewater treatment system, which is why the lube oil made it to the outfall and Spokane River. Diesel is not part of the heat exchanger system.
* Travis Washburn inquired about the relationship between the dates that the sheen was reported and when responders spoke with IEP.
* Scott Lathern: Sheen was no longer observed at the end of February.
* Justin: Ecology responder Patrick Brown noted no sheen on Feb 22, requested that the remaining boom be kept in place until Feb 29, at which point all boom at Upriver Dam was removed.
* Val Chu: What type of compensation schedule would this case involve. Geoff replied that the freshwater schedule would be the most appropriate.
* Travis: The amount of sampling on the river to determine impacted shorelines would not be at a reasonable cost depending on the amount spilled.
* Geoff: Agreed that the large amount of resources required to assess the extent of damages are not reasonable to this case.
* Katelyn Scott: Sheen was documented reaching Long Lake Dam.
* Justin: There was not sheen collected at Long Lake Dam during the first few weeks of the incident.
* Katelyn: Has photos of oil sheen at Long Lake Dam from January 2.
* Scott: Confirmed the dates of the fish kill at Long Lake Dam and that the fish kill was not likely related to the lube oil spill.
* Shayne Cothern: Were there any changes regarding the fish kill since the last RDA committee meeting – specifically regarding tissue samples?
* Travis: Sample results should be ready by now, but WDFW hasn’t seen them yet.
* Shayne: Agreed that a damage assessment could not be completed at a reasonable cost.
* Shayne: Are seasonal fish kills of the species typical for this area?
* Travis: There has not been an observed kill for at least 7 years.
* Shayne: It is concerning that there could have been a release of almost 1,000 gallons of oil to the Spokane River.
* Scott: The estimate of gallons on the current report’s spreadsheet has subjective variables and estimations. The 992 gallons reported to have been released is close to the maximum capacity of the system. As some of the release was cleaned before it left the system, that is not likely the amount that made it to the river.
* Katelyn: There were reports that there was oil seen below the booms (in the Lake Roosevelt section) so we believe it is highly likely that there was missed oil.
* Preassessment Screening:
	+ Are the damages quantifiable at a reasonable cost? 6 no.
	+ Is restoration or enhancement technically feasible? 6 no.
	+ Compensation schedule authorized to calculate damages.
* Additional IEP representation tuned in at 10:10 as the agenda scheduled the IEP incident discussion at 10:45. Geoff summarized the committee’s conversation and their vote to use the compensation schedule.

##### ERTS #727754 Complete Office Truck Diesel Spill

* Incident Summary:
On December 31, 2023, Ecology received a report of a box truck owned by Complete Office that had its driver-side fuel tank vandalized. Responders estimated that 100 gallons of diesel was spilled to the Complete Office parking lot, flowing into three catch basins which outfall directly to the Duwamish River, where sheen was observed. Responders placed absorbents at the outfall and were unable to reach anybody from Complete Office (it was January 1, 2024), so Ecology hired ProVac to clean out the catch basins and pressure wash the pavement. An investigation is ongoing, but at this time, Ecology estimates that 60 gallons of diesel had been contained to the catch basins and an estimated 30 gallons impacted the Duwamish River.
* Noelle asked if Kevin has any information about the fuel amount in the truck. Kevin did not have any additional information. Also asked about response actions to collect and prevent fuel from entering the waterway and if Kevin had any other notes to add.
* Kevin noted that the city of Tukwilla became immediately as well as the cleanup contractor Pro-Enviro, who was out for the following days. Worked closely with the city amd replaced boom until the city was satisfied.
* Noelle noted that Complete Office has been financially responsible for the cleanup. The cost of the emergency response was sizable at around $100,000.
* Preassessment Screening:
	+ Are the damages quantifiable at a reasonable cost? 6 no.
	+ Is restoration or enhancement technically feasible? 6 no.
	+ Compensation schedule authorized to calculate damages.

##### ERTS #727699 P/C *Maiad II* Sinking and Diesel Spill

* Incident Summary:
On December 28, 2023, Ecology responded to a report of a sheen that appeared to be coming from the fuel vent of a sunken vessel on the Lewis River. The P/C *MAIAD II* had previously been reported as sunk with an estimated 200 gallons of diesel on board and had not been observed discharging up until this time. The owner of the vessel had been attempting to organize the recovery of his vessel but had difficulty hiring a contractor due to flooding in the area. On January 4, 2024, Ballard Diving formulated a plan to use a crane to recover the *Maiad II*. On January 5, the owner requested assistance from the USCG and the project received federal funding. Ballard Diving was unable to recover the vessel, but they were able to remove 135 gallons of diesel. As of February 6, the vessel remains sunk, and 65 gallons of diesel remains unaccounted for.
* Shayne offered to reach out to some of his DNR contacts to determine next steps of removal of the vessel.
* Preassessment Screening:
	+ Are the damages quantifiable at a reasonable cost? 6 no.
	+ Is restoration or enhancement technically feasible? 6 no.
	+ Compensation schedule authorized to calculate damages.
* Kevin Kautzman: Confirmed that the report summary was accurate.
* Noelle Wooten: Does Kevin have any additional information about the fuel amount in the truck?
* Kevin: No additional information about fuel quantity.

##### ERTS # 728009 Port of Everett Vessel Fire and Fuel Spill

* Incident Summary:
On January 4, 2024, Ecology received a report from USCG Sector Puget Sound of a fire at the Port of Everett Marina involving two boat houses. The vessel in each boat house sank, releasing a mixture of fuels. An estimated 120 gallons of diesel were reported to be aboard a 34-foot Hatteras and 30 gallons of gasoline were aboard a 22-foot Bayliner. The owner of the Hatteras worked with the US Coast Guard and his insurance company to hire Global Diving and Salvage, who deployed and replaced absorbent material for more than a week. An estimated 50-75 gallons of fuels were recovered during that time. Fire investigators have determined that the likely cause of the fire was a lithium battery. Ecology's investigation to determine an accurate amount spilled is currently ongoing.
* Preassessment Screening:
	+ Are the damages quantifiable at a reasonable cost? 6 no.
	+ Is restoration or enhancement technically feasible? 6 no.
	+ Compensation schedule authorized to calculate damages.

### Other Business

#### Open Case Updates:

* ERTS #727283 Olympic Pipeline Gasoline Spill
	+ The worst of the expectations did not materialize – no large-scale fish or wildlife kill or environmental damage.
	+ Ecology continues to work with other state and local agencies, local tribes, and BP and their consultant to determine other possible environmental data and damage assessment.
	+ The above agencies are investigating and discussing what restoration projects might be available in the immediate area.
	+ Case is still in preassessment stage, but the emergency response phase is expected to last for another week or so.
	+ Sheet piling coffer dam is in place to isolate the Hill Ditch shoreline from the surface water. Infiltration wells have been drilled in the soils around the area to determine remaining impacts.
	+ Shayne: Is Ecology the lead to determine the damage assessment?
	+ Geoff: Yes, unless the process is handed off to a federal agency, at which point US Fish and Wildlife may take the lead.
	+ Shayne: If possible, sediment sampling data should be submitted to EIM for future reference.
	+ Travis: Public meeting consisting of tribal and elected officials held yesterday. Geoff noted that the meeting went well and that future meetings may be more limited.
* Restoration project site visit to St Edwards State Park – one of the 2023 Coastal Protection Fund Grant recipients. Committee members are invited and will be notified of future project site visits.

### Announcements

* Next meeting: Wednesday, April 10, 2024 at 9:00am via **Microsoft Teams** and in person at Ecology HQ, **Room R1S-16**.