# ecylogo-horiz-color.pngMeeting Minutes

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

Wednesday, September 10, 2025
**Microsoft Teams and Ecology HQ Room R0A-36**

Call to Order: 9:03 AM

Introduction and Agenda Review

## 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 | Chelsey Buffington |
| RDA CommitteeWashington State Department of Archaeology and Historic Preservation | Rob Whitlam |
| RDA CommitteeWashington State Department of Natural Resources | Shayne Cothern |
| RDA Committee Washington State Department of Health | Merita Trohimovich |
| Faber Construction | Greg and Chris |
| Western Towboat | Frank Chavez |
| United States Fish and Wildlife Service | Matthew Parry |
| Washington State Attorney General’s Office | Julian Beattie |
| Washington State Department of Archaeology and Historic Preservation | Jessica Stone |
| Washington State Department of Ecology – Spills Program | Eddie Czebator |
| Washington State Department of Ecology – Toxics Cleanup Program | Michael Blanton |
| Washington State Department of Ecology – Toxics Cleanup Program | Susannah Edwards |

## Minutes

### New Business

#### Preassessment Screenings

##### ERTS #738559 CR England Truck Diesel Spill to Jenkins Creek

* Incident Summary:

On Tuesday, April 29, 2025, Washington State Patrol (WSP) notified Ecology of a truck wreck on northbound US-97 near milepost 19. A refrigerated CR England semitruck carrying frozen chicken went off the south shoulder of the road, struck the end of a guardrail, went down a steep embankment, and came to rest in Jenkins Creek. The truck leaked diesel fuel from two ruptured saddle tanks onto trust lands managed by the Yakama Nation. CR England hired Purdy’s Emergency Crash Services (Purdy’s) to assist with the recovery of the truck and removal of any oil within the truck's two saddle tanks, each with a capacity of 110 gallons, and a refrigerated trailer tank with a capacity of 45 gallons (a total potential of 265 gallons). Purdy’s personnel used a portable pump to remove 175 gallons from the three tanks — most from the 110-gallon saddle tanks that were leaking and nearly all from the 45-gallon refrigeration fuel tank that was only dripping. CR England also hired Republic Services (Republic) to recover spilled diesel and motor oil from the creek and surrounding wetland soils. After considering the amount of fuel recovered along with the amount that would have been used since the truck's last reported fueling, Ecology estimates that 27 gallons of diesel and 4 gallons of motor oil spilled to Jenkins Creek.

* Preassessment Screening:
	+ Are the damages quantifiable at a reasonable cost? 5 no.
	+ Is restoration or enhancement technically feasible? 5 no.
	+ Compensation schedule authorized to calculate damages.

##### ERTS #739443 T/B *Double Skin 505* Diesel Spill to Elliot Bay

* Incident Summary:

On June 11, 2025, The Captain of the Tug *Severn* reported a spill of diesel to the deck of its associated barge, *Doubleskin 505*, as well as to Elliot Bay at Harbor Island. The spill occurred when the crew of the barge was air pressure testing the cargo lines while preparing the barge for the shipyard. Diesel escaped the system through a pump housing which was not properly secured for the air test, causing diesel to spray out over the side of the barge and into Elliot Bay below. The Captain of the Tug Severn, moored alongside the barge, notified his crew who then boarded the barge and deflected the flow from spraying overboard until the spraying stopped. The barge is covered by a WSMC Contingency Plan and is owned by Vane Line Bunkering, LLC, who hired Republic Services to assist in cleanup operations, which included placing sorbent and containment boom. Based on the amount of oil recovered, Ecology estimates that 50 gallons of diesel spilled to Eliot Bay.

* Preassessment Screening:
	+ Are the damages quantifiable at a reasonable cost? 5 no.
	+ Is restoration or enhancement technically feasible? 5 no.
	+ Compensation schedule authorized to calculate damages.

##### ERTS #740446 Tug *Western Ranger* Diesel Spill to Lake Washington Ship Canal

* Incident Summary:

On July 30, 2025, a tanker truck was transferring fuel to the Tug *Western Ranger* at the Western Towboat Company's facility on the Lake Washington Ship Canal. Western Towboat personnel were monitoring the transfer with the person in charge (PIC) monitoring the port and starboard sight glasses in the engine room and another employee at the bow tank monitoring with a stick. Approximately 30 minutes into the transfer, the PIC left the engine room and noticed an overflowing vent bag and immediately shut down the transfer. The *Western Ranger* had previously fueled in Alaska with un-dyed diesel, resulting in the misreading of the nearly clear diesel in the sight glass and the assumption that the tanks were empty. 50 to 55 gallons of diesel had overflowed the starboard tank onto the deck with an estimated 45 gallons spilling to Lake Washington Ship Canal. The tug was not pre-boomed prior to the fuel transfer and Western Towboat staff applied sorbent pads and sweep.

*Frank*: Everything sounds right, it was pretty straightforward.

*Shayne*: Is this kind of transfer normally required to be pre-boomed?

*Frank*: Yes, our vessels are supposed to be pre-boomed.

*Shayne*: From a policy perspective, that would be something to follow up on.

* Preassessment Screening:
	+ Are the damages quantifiable at a reasonable cost? 5 no.
	+ Is restoration or enhancement technically feasible? 5 no.
	+ Compensation schedule authorized to calculate damages

##### ERTS #740528 Faber Construction Diesel Spill to Padden Creek

* Incident Summary:

On August 3, 2025, a concerned member of the public reported a diesel fuel sheen in Padden Creek in Bellingham. Later that evening, Faber Construction reported that they had a diesel spill at a construction site under the 12th Street Bridge - the Padden Creek Fish Passage Improvement Project. The spill was caused by a faulty fuel line on a rented pump, which resulted in an estimated 344 gallons of diesel to spray beyond secondary containment and into the creek. The fuel line was repaired and GrayMar Environmental Services began to perform emergency cleanup operations, including placing and collecting boom in several locations along the creek. Focus Wildlife collected and confirmed the death of five fish and one crayfish from the creek. A new fuel line break on the same pump caused an additional release of an estimated 332 gallons of diesel on August 7, adding up to a total of 676 gallons spilled to Padden Creek. The pump was replaced along with the addition of an enhanced secondary containment and monitoring. GrayMar continued to replace sorbents and removed contaminated soil. Ecology's Toxics Cleanup Program is evaluating the need for further remediation and long-term cleanup.

*Geoff*: There were multiple dead fish as a result of this spill. Maybe Chelsey can expand on what was recovered?

*Chelsey*: Yes, fish were reported and recovered by the Wild Fish Conservancy, but they were placed in a cooler so fingerprinting is not available. Focus Wildlife now has possession of the fish. There were also reports of oiled birds and Focus Wildlife responded, but none were recovered as part of the emergency response. A heavily-decayed bird was recovered so that it would not continue to be reported by the public.

*Geoff*: Is there any other information Faber Construction wants to include?

*Greg*: Yes, there are a few things missing or needing clarification:

* They received the award to complete the project this year, and they are hoping to finish within the deadline in the upcoming weeks.
* Diesel did not spill into and then overflow containment. One of the hoses on the pumps blew and sprayed over the containment and into the nearby water.
* Two different hoses ruptured on the pump, the second spill was not from the same repaired hose.
* They subcontracted the sewer and water bypass portions of the project to Herc Rentals for installation and maintenance of the pumps. They were the ones who responded along with GrayMar for cleanup following the initial cleanup efforts from the Faber Construction crew.
* They have been working with Ecology, GrayMar, and the Tribes to complete cleanup actions.
* 7.57 tons of absorbents were recovered. They are working on absorbed diesel recovery figures.
* With 676 gallons spilled at around 7 pounds per gallon, they are looking at the recovery of 2.36 tons of diesel.
* They also removed 324 tons of diesel-contaminated soil.
* The bulk of the recovery from absorbents was likely done within the first 24 hours, while the soil excavation was performed later.

Initial response included a log across the stream that acted as a weir and prevented contamination continuing downstream. Cleanup started there and went upstream to the impact site.

The streambed was excavated down to bedrock and the areas where there was contamination extended 150 to 200 ft.

Faber had another incident on Hwy 9 involving a vehicle accident where another car had veered into one of their trucks. Greg emphasized that they also responded to clean that spill and that they understand the value of protecting the environment and try to do the right thing for every incident.

*Geoff*: Thank you, Greg, for the clarification. The recovered oil value on the slide is a provision in the NRDA rule that allows us to credit damage costs based on the amount recovered. It does not necessarily reflect everything that was recovered at this point.

There may be opportunities to expand or enhance some of the restoration work on Padden Creek as a technically feasible restoration.

*Rob*: Can you clarify who owned the pump and the oil?

*Greg*: The pump was owned by Herc Rentals, and we are working with them to address the situation. They provided a proposal for the work and came out and set it all up. They constructed berms that would have contained a spill, but the spray from the ruptured hose circumvented the containment. Following the spills, containment was enhanced with screens to prevent further spray over the containment.

*Geoff*: It sounds like there are some liability issues which still need to be worked through.

*Rob*: Was Herc notified of this pre-assessment?

*Geoff*: No, we did not send Herc Rentals a notice, but we will reach out to them.

*Shayne*: It sounds like we are going to postpone voting on this today. There are some further details regarding the amount spilled that would affect the first question of whether the damages are quantifiable.

*Greg*: Is it possible to piggyback onto the restoration that we are currently working on?

*Geoff*: It would have to be an addition to or an enhancement of the current project.

*Greg*: We are up against a clock and have to be out of the high-water mark in 3 weeks.

*Geoff*: There may be projects that are separate from the work currently being done, such as some reforestation, but there may be ways to expand upon that.

We will postpone voting today until we are able to gather more information about this incident. With the cleanup complete, it would be good to find a project that speaks to the damages while working in conjunction with Tribal, State, and Federal interests. There are also the liability issues we discussed to sort out.

* Preassessment Screening:
	+ Voting on whether damages can be reasonably quantifiable and whether restoration and enhancement is technically feasible was postponed to a later date to allow for additional information gathering.

### Other Business

#### Approval of Minutes

* Motion to approve meeting minutes for the August 13, 2025, RDA Committee. Motion passed.

#### Open Case Updates

* ERTS #727283 Olympic Pipeline Gasoline Spill – Skagit County, December 10, 2023
	+ Ecology is working on evaporation figures to determine an accurate spill amount.
	+ Progress has been delayed due to Ecology’s response to the PetroCard spill.
* ERTS #740213 PetroCard Diesel Spill to Indian Creek – Elwha, July 18, 2025
	+ Ecology is working to achieve a cooperative agreement between all parties during assessment of impacts.
	+ There is currently a strong focus on salmon and lamprey impact and development studies.

### Announcements

* Next meeting: Wednesday, October 8, 2025 at 9:00 am via **Microsoft Teams** and in person at Ecology HQ, **Room R0A-36**.

Adjournment: 10:15 AM