

# Upper Mississippi River Hazardous Spills Coordination Group

April 10-11, 2013  
Moline, Illinois

## Meeting Summary

### Participants

Roger Lauder	Illinois EPA
Rodney Tucker	Iowa DNR/USCG
David Morrison	Minnesota PCA
Rick Gann	Missouri DNR
Tom Kendzierski <sup>1</sup>	Wisconsin DNR
Frank Catalano	USACE, St. Louis District
Leo Keller	USACE, Rock Island District
John Punkiewicz	USACE, Rock Island District
Michael Lewis	USCG, Quad Cities MSD
Tim Ross	USCG, Quad Cities MSD
Kody Stitz	USCG, Quad Cities MSD
Matt Stokes	USCG Auxiliary/STARS Training
Scott Beckerman	USDA, APHIS Wildlife Services
Allan Beshore	US DOT, Pipeline and Hazardous Materials Safety Administration
Anita Boseman <sup>1</sup>	US EPA, Region 5
Steve Faryan <sup>1</sup>	US EPA, Region 5
Barbi Lee <sup>1</sup>	US EPA, Region 5
Ramon Mendoza <sup>1</sup>	US EPA, Region 5
Ann Whelan <sup>1</sup>	US EPA, Region 5
Joe Davis <sup>1</sup>	US EPA, Region 7
Heath Smith <sup>1</sup>	US EPA, Region 7
Colin Willits <sup>1</sup>	US EPA, Region 7
Mike Coffey	USFWS
Annette Trowbridge <sup>1</sup>	USFWS
Bob Bohannon	City of Moline
Jim Macaluso	National Response Corporation
Dave Hokanson	UMRBA
Megan Carlson <sup>1</sup>	UMRBA
Mark Ellis <sup>1</sup>	UMRBA
Katherine Stearns <sup>1</sup>	UMRBA

<sup>1</sup>By telephone

### Call to Order and Introductions

Chair David Morrison called the meeting of the Upper Mississippi River Hazardous Spills Coordination Group (UMR Spills Group) to order at 1:05 p.m. Introductions by all meeting participants followed.

### Approval of Previous Meeting Summary

John Punkiewicz moved to accept the summary of the October 16-17, 2012 meeting. Kody Stitz seconded the motion. The summary was approved by voice.

## **UMRBA Update**

Dave Hokanson said UMRBA Executive Director Barb Naramore had taken an Assistant Commissioner position with the Minnesota Department of Natural Resources effective January 29, 2013. He explained that UMRBA is in the process of hiring a new Executive Director. Hokanson said he is in the role of Acting Executive Director until the position is filled permanently.

Hokanson next gave an overview of the recently-completed UMRBA 2013-17 Strategic Plan. He noted that spill response planning and mapping is one of the seven focus areas identified in the plan. Hokanson explained that UMRBA's Board has used this plan to establish priorities for the Association's work in 2013. In regard to spill response planning and mapping, the Board identified the following as 2013 priorities: 1) support and staff the UMR Hazardous Spills Coordination Group, 2) complete the UMR Spill Plan and Resource Manual update, and 3) continue regional contingency mapping and planning. Ann Whelan commented that there are significant connections among the focus areas, as work in one area affects another area, and that these connections will be important to acknowledge as the plan is implemented. Hokanson concurred, adding that UMRBA's Board has recognized the connections and synergies among the focus areas.

## **Agency and Partner Updates**

### *Illinois*

Roger Lauder reported that Lisa Bonnett had been named Director of the Illinois Environmental Protection Agency (IL EPA) in March 2013. He also noted that the overall size of the agency has been declining, with the Office of Emergency Response going from a staff of 17 to 8 individuals over the course of nine years. Lauder added that IL EPA is also working on regional response planning, including a focus on radiological response, which included a recent conference and exercise addressing this topic.

### *Iowa*

Rodney Tucker echoed Lauder's comments regarding reduced agency staffing and budgets, noting that the Iowa Department of Natural Resources (Iowa DNR) is facing similar challenges. He added that further changes may be coming for Iowa DNR generally and for the Emergency Response Unit in particular.

Tucker noted that the Iowa Transportation Community Awareness and Emergency Response (TRANSCAER) tour will be starting in May, but that he would not be leading the tour this year. He said Craig Johnson of Union Pacific Railroad is coordinating this year's events, which will be ethanol-focused.

Tucker described training now available from the Occupational Safety and Health Administration (OSHA), addressing "global harmonization" in hazard identification. He said the global harmonization approach includes moving from use of material data safety sheets (MSDS) to safety data sheets (SDS) and using pictograms in labels for non-bulk shipments. Tucker explained that the motivation behind this effort to move toward universally understood product labeling and information.

Tucker closed by saying that there had not been any significant UMR spill events in Iowa recently.

### *Missouri*

Rick Gann said there had recently been a train derailment near Clarksville but that no release occurred and as such there was no threat to the river. He added that snow cover had been a contributing factor in this incident. Gann also described an ongoing situation with an underground landfill fire in the St. Louis area at Bridgeton, which has been an ongoing concern, particularly due to its proximity to another landfill

containing radioactive materials. He said Missouri DNR has assigned staff specifically to monitor the status of this site.

#### *Minnesota*

David Morrison reported that there had been a derailment near Parkers Prairie in central Minnesota on March 27, 2013 resulting in the release of approximately 15,000 gallons of crude oil. He added that deep snow and frozen ground had helped stem the movement of the spilled product, which aided in the success of the cleanup. Ramon Mendoza asked whether the crude oil involved in the spill had been thinned with benzene. Morrison said no, that this had been standard, non-thinned Canadian crude oil though he said benzene thinning had been an initial concern for responders, given recent incidents involving benzene as a diluent.

Joe Davis asked how long it had taken to identify the product type. Morrison said the specific product was unknown initially and it took some time to gather this information from the rail company. Davis said he is interested in this because of the potential need to set up air monitoring if benzene is involved. Morrison concurred that this is an important consideration, noting that in a recent response in Minnesota dealing with benzene-containing pie gas that air monitoring had also been a central issue. He said this discussion emphasizes the importance of knowing as much as possible regarding the product involved in an incident and that it is essential that the responsible party provide this information as soon as possible.

Morrison noted that Wakota CAER response training dates have been set for the summer of 2013, and will include both a full training course and refresher courses. He referred members to the Wakota CAER website at [www.wakotacaer.org](http://www.wakotacaer.org) for further information regarding these training sessions. In terms of other upcoming training sessions, Morrison also noted that the Cold Zone 2013 Hazardous Materials Conference would be held May 8-10, 2013 in Brooklyn Center, Minnesota.

Morrison said there is potential for Red River flooding again this year in Minnesota, adding that Upper Mississippi flooding is also a possibility.

Morrison next raised an issue outside of his Minnesota update *per se*, asking for the Group's input on FEMA criteria for resource-typing. He gave an example of "corporate liaison" resource typing as a case where it may be appropriate to ask if this is really necessary, as NIMS is intended to be flexible. Morrison noted that he had submitted comments on this topic internally within MPCA. Roger Lauder concurred that he had encountered this issue in his role as a local emergency manager. Ann Whelan agreed that this is something to be aware of, but noted that FEMA is in the difficult position of not being a regulatory agency but seeking greater rigor in response processes.

#### *Wisconsin*

Tom Kendzierski described a March 5, 2013 incident where a semi trailer truck ran off of Interstate 94 in northwest Wisconsin, spilling a load of fertilizer into the Red Cedar River. He said the truck went into 30 feet of water, killing two drivers and releasing 25,000 pound of fertilizer, including crabgrass preventer, into the river. Kendzierski said the response was extremely difficult, including interstate lane closures at the bridge where the incident occurred. Ultimately, the State Patrol's safety concerns related to lane closures meant that cleanup was done from the water, with salvage divers removing remaining bags of fertilizer from the river. Kendzierski explained that the concerns associated with the spill were the generation of ammonia from the fertilizer and direct toxicity from the incorporated pesticide. However, low temperatures prevented ammonia formation and the pesticide separated out and behaved like oil so that it could be removed from the surface. Nonetheless, Kendzierski describe the cleanup as very challenging particularly given the cold temperatures. He said booms currently remain in place to catch any remaining product.

Kendzierski added that the area where the spill occurred has previously had problems with algal blooms due to nutrient loading from the landscape. So, while the amount of fertilizer release is likely marginal compared loading from other sources, the effect on overall nutrient levels was definitely a consideration in this response. He noted that it was algal blooms in this water system that spurred action to ban phosphorus from fertilizers in Wisconsin and as a result no phosphorus was present in the spilled fertilizer. Kendzierski said Wisconsin DNR will continue to monitor water quality in the area of the spill as the weather warms up to see if any residual effects are detected.

Lastly, Kendzierski said Jason Lowery has been named Wisconsin DNR spill team leader and that he is hopeful Lowery will be able to attend the next UMR Spills Group meeting.

#### *US Coast Guard*

Kody Stitz reported that the only UMR incident involving the Coast Guard since the last meeting was a release to Sylvan Slough in Moline, which will be the subject of a presentation later in the meeting. Additionally, he noted that budget reductions, including sequestration, have resulted in limitations on travel. Morrison asked whether budget constraints have affected Coast Guard's readiness for response. Stitz replied that Coast Guard can still respond effectively to incidents, but that budget cuts are reducing USCG's capacity overall.

#### *US Fish and Wildlife Service*

Mike Coffey said USFWS' Midwest Region is working on a spill response plan for internal use within the Service. He added that USFWS personnel were also involved in responding the Sylvan Slough release.

#### *USDA APHIS*

Scott Beckerman reported that Jason Suckow continues to work on a wildlife annex for use in the Green Bay and Milwaukee areas. He said Suckow is coordinating with both Wisconsin DNR and US Coast Guard personnel in this effort. Barbi Lee said she is interested in seeing how this annex might be integrated into the Chicago Sub-area planning process. Beckerman and Lee agreed to communicate regarding the potential use of this annex in the Chicago Sub-area.

#### *US Army Corps of Engineers*

Frank Catalano said USACE's Civil Works programs have been exempted from furloughs under sequestration and that UMR navigation has proceeded uninterrupted. John Punkiewicz said the Rock Island District has been engaged in channel maintenance work and that reservoir levels in the District have been increasing, rebounding from earlier drought-triggered reductions. Per Tucker's earlier comments, Punkiewicz said USACE has also been engaged with OSHA's global harmonization effort and that he can offer further information on this topic if desired.

Stitz asked what USACE's current flood forecast is for the UMR. Punkiewicz responded that the flood potential was currently considered as "average," given the recent rebound from drought conditions.

#### *USEPA Region 7*

Joe Davis noted that the Region 7 RRT meeting will take place April 16-17, 2013 in Kansas City. He added that agency-wide travel restrictions have impacted meeting participation and are the reason he is calling in to today's discussion. These restrictions have also reduced Region 7's ability to continue with assessment of the Missouri River to develop geographic response plans. Davis noted that similar constraints are currently affecting many of the federal agencies. Anita Boseman asked whether Region 7 staff had completed level A hazardous materials training. Davis replied that both Region 6 and Region 7 staff had recently completed this training.

*USEPA Region 5*

Whelan said USEPA Region 5's report would consist of two brief case studies. She then asked Boseman to present the first case study.

Boseman described an oil sheen reported on Sylvan Slough, a side channel of the Mississippi River, and actions to address this issue taken in November 2012. She said the release location was determined to be on the south bank of the slough downstream from downtown Rock Island, Illinois and upstream from Moline, Illinois. Boseman said the specific point of release was from an improperly abandoned outfall, where a previously installed plug had failed, allowing materials to be released which had been previously held back in the pipe. She said boom was placed around the outfall location prior to the plug being removed, and then the old plug was taken out, residual product pumped out and cement placed to permanently plug the outfall.

Punkiewicz asked what the composition of the leaked material was determined to be and if any active connections to the outfall pipe had been identified. Boseman replied that no connections to the outfall pipe were found and the assumption is that the line had been removed from use, but not properly abandoned. Morrison asked whether there was any concern that the outfall was still receiving drained liquid from the nearby rail yard. Boseman replied that there had been very little pressure behind the contents of the pipe and that all materials had been removed by vacuum truck and so it did not appear that the pipe was being refilled by surface drainage.

Mendoza presented the next Region 5 case study, which began as report of an oil sheen on the Des Plaines River in Joliet, Illinois downstream of a power plant. He emphasized that, although this case study is not specific to the Mississippi River, it does involve a coal-fired, river water-cooled power plant, a common installation along the Mississippi River. Mendoza said he received the initial report of the sheen and contacted the power plant, but that plant personnel were unaware of any release. However, it was eventually determined that river water is used to cool oil from the plant and that, although the systems are separate, there had been a breakthrough between piping systems allowing oil to escape into the cooling water. Mendoza said contaminated cooling water then went to an onsite settling system, with some of the water eventually reaching the river. He noted that although the specific amount of product lost was not known, instrument readings placed the number at approximately 1,500 gallons of oil. Mendoza said the sheen had been observed as far as six miles downstream from the plant.

Mendoza said the cleanup effort itself was fairly straightforward, with boom and sorbent pads deployed. He emphasized that the interesting part of this case study is that under these circumstances a coal-fired plant became the source of an oil spill. Mendoza additionally noted that at the same time as this incident, the Des Plaines River was at historic lows and barge traffic was also stirring up oil sheens, presumably due to historic oil deposits in river-bottom sediment.

Whelan commented that the phenomena of shipping traffic stirring up historic oil deposits has been observed elsewhere in Region 5. Stitz agreed that this has been observed by USCG as well, particularly when there is not a lot of distance between the underside of barges and the channel bottom. Though he is not aware of this occurring on the upper impounded UMR, Stitz said it has definitely been an occurrence for the Gulf Coast waterway.

Stitz asked Mendoza whether water actually moved into the enclosed oil system at the plant or whether it appeared to be one way leak of oil to water. Mendoza replied that a drop in oil level was observed, but the facility did not indicate that water had actually entered the oil system. He added that this event highlights how a facility may be unprepared to think of itself as potentially a source of an oil spill. For this reason, Mendoza said he is looking into the applicability of SPCC requirements at facilities such as this.

Hokanson distributed the most recent summary of spills to the UMR on behalf of Steve Faryan, who was participating remotely. Faryan noted that this summary included reports to the National Response Center (NRC) regarding the Upper Mississippi River from January 2012 through March 2013.

### **Cultural and Historic Resources**

Morrison called the Group's attention to the pages B1 and B2 of the agenda packet, which includes a list of state cultural and historic resource contact persons. He said this list was one result of earlier discussions between the Group and representatives of state historic preservation officers (SHPOs). Hokanson said the list had been reviewed by Group members subsequent to the October 2012 UMR Spills Group meeting and that he would next send to the SHPO contacts to allow for the review. He added that the list would also be posted to the UMRBA website. Morrison asked if there were any other comments, additions, or changes to the list. None were offered, so Morrison directed Hokanson to finalize and post the list.

### **UMR Spill Plan Update**

Hokanson reviewed the status and timeline of UMR Spill Response Plan and Resource Manual update, noting that the update is scheduled for completion by September 30, 2013. He said a revised version of the plan portion had been distributed to Group members the preceding week and that he anticipates producing a next draft in July, using input gathered at today's meeting. Hokanson noted that the most recent revision included additions to the introduction section of the plan, including information about the purpose of the plan, its geographic scope, authority, and relationship to other plans and protocols. He said he is looking for further direction from the Group regarding some new sections that had been previously proposed by members for addition to the plan, including sections on exercising, drills, and training; key considerations and applicable response techniques for the UMR; and related regional planning and response tools. He also said he is looking for input regarding the resources section of the document.

Morrison said he felt some of the policy sections could be placed further back in the plan, keeping contacts and tools towards the front. He also said he would like more time to consider the organization and content of the plan. Beckerman and Coffey said they could assist with drafting an oiled wildlife section. Regarding volunteers, Stitz suggested incorporating or referencing National Response Team (NRT) guidance document on volunteers. Davis concurred that the NRT guidance should be referenced. Whelan said it is particularly important to emphasize the safety considerations associated with the use of volunteers.

### **Pipelines**

Allan Beshore described the role of the US DOT's Pipeline and Hazardous Materials Safety Administration in regard to pipelines and pipeline incidents. He said PHMSA can help investigate the cause of a release, and will interact with responders during an incident in a support and consultation role, noting that PHMSA does not get directly involved with HAZWOPER-type activities or monitoring. Beshore emphasized that PHMSA will not overlap with duties typically performed by US EPA or state environmental response agencies. He added that, in Minnesota, the state's Office of Pipeline Safety, led by the State Fire Marshall, undertakes some of the functions typically performed by PHMSA for hazardous liquids pipelines.

Beshore said pipeline facility response plans (FRPs), developed under the requirements of the Oil Pollution Act (OPA) of 1990, are submitted to PHMSA headquarters and need to be resubmitted every five years. He said John Hess, PHMSA's Director of Emergency Support and Security, leads PHMSA's review and approval of pipeline FRPs.

Beshore explained that pipeline companies are to conduct drills per 49 CFR Part 194 and that PHMSA encourages companies to include other entities in their drills.

In terms of notification requirements for pipeline incidents, he said PHMSA is pursuing a change in rule language from “as soon as practical” to one hour in order to speed the process of reporting. Whelan asked whether this could actually delay response, since “as soon as practical” could be interpreted to mean “immediately” and would therefore require faster action than a one hour stipulation. Beshore replied that PHMSA has decided that a one hour requirement will result in faster action by pipeline companies than the “as soon as practical” language.

Whelan asked when pipeline companies are to consider that the “clock has started” in reporting and whether this begins with the visual verification of a spill. Beshore said it was possible that companies would not initiate reporting as a result of a pressure drop alone and would likely want some additional verification of a release’s location before calling and reporting it. Whelan replied that this can create a situation, such as in the Marshall, Michigan spill, where verification did not occur for some time and as a result many hours passed between the initial indication of an incident and it being reported. She added that, in at least one case, Minnesota has ordered a pipeline shut down on the basis of a pressure drop alone. Beshore commented that in the Marshall situation, the issue was primarily a failure to recognize the incident, rather than a failure to report *per se*, and that once the leak was recognized, reporting took place quickly.

Beshore said during the Marshall, Michigan pipeline release, one of the challenges had been that neither US EPA nor the US Coast Guard had the pipeline’s response plan in hand. He added that the National Transportation Safety Board (NTSB) review of the incident had pointed to PHMSA’s approval of a deficient plan as a contributing factor in the incident, and it also noted that staffing provided to review pipeline FRPs is lower than that allocated at US EPA and USCG to review similar plans. Beshore said the NTSB recommended harmonizing pipeline response planning requirements with those of US EPA and USCG to ensure that pipeline operators have sufficient resources available to address a worst case discharge.

Beshore noted that while PHMSA is the recipient of the pipeline FRPs, it is not a response agency. He added that PHMSA has reading rooms available for pipeline FRPs, but that otherwise they are not broadly distributed, though they can be shared with federal and possibly state agencies on a case-by-case basis.

Whelan noted that US EPA has sometimes struggled in gaining access to pipeline response plans. Beshore replied that responders needing access to the plans should not hesitate to contact John Hess at 202-366-4595 or [john.hess@dot.gov](mailto:john.hess@dot.gov). He added that he and Harold Winnie could also assist if needed. Whelan said the pipeline response plans are supposed to be consistent with area and sub-area plans and that US EPA wants to see the alignment in these. Beshore said PHMSA does need to respond to the NTSB’s recommendation to improve the coordination of the OPA plan reviews, adding that he is confident this coordination will improve, though he is not sure yet exactly what form the coordination will take.

Beshore next described a 2011 pipeline spill on the Yellowstone River, where a pipeline had been severed as a result of flooding. He said one direct outcome of this incident was the recent report to Congress by PHMSA regarding incidents of pipeline failures at waterways, where lack of cover and the subsequent undermining of the pipeline’s support, was identified as one factor contributing to failure. Beshore said this will be taken into account in upcoming rule revisions.

Faryan asked Beshore to describe PHMSA’s requirements in regard to control valves. Beshore replied that PHMSA regulations require one shutoff valve on each side of a 100-foot wide waterbody crossing,

but do not specify the distance from the shutoff to the waterbody nor do they require the valve to operate automatically. He added that the *Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011* calls for improved leak detection, automatic shutoff valves, and a study of the impact of diluted bitumen on pipelines. Beshore explained that the diluted bitumen study will focus on whether current regulations are adequate for the transport of this material via pipelines and will not explore the response considerations associated with diluted bitumen. He said the report is expected to be completed in June 2013.

Beshore displayed a map of UMR pipeline crossings, noting that the only new construction project upcoming along the UMR is Enbridge's work to install a new pipeline in parallel to its existing Spearhead pipeline. However, he noted that expansion in pipelines is expected to occur in the region in the future, with the increased percentage of the country's oil now being moved via pipeline through Minnesota from North Dakota and Canada, and with diluent being pumped back north through pipelines to allow for blending at the oil source. He added that responders can request secure level access to PHMSA's National Pipeline Mapping System (NPMS) at <https://www.npms.phmsa.dot.gov/>.

Beshore noted that low water had created concerns about the potential exposure pipeline crossings near Cairo, Illinois, adding that existing pipeline crossings may indeed be somewhat shallow, but new crossings are generally set much deeper.

Beshore also described the recent repair of a dented pipeline on the UMR at Dubuque. He noted that repairs such as this which are quite straightforward on land can become more complicated when taking place underwater. Rodney Tucker commented that, in this case, US Coast Guard initially withheld the permit until it obtained further information from the pipeline company. Beshore said the company used a sleeve to complete the repair. Faryan asked whether the use of sleeve vs. repairing/replacing the pipe itself affects the approval process. Beshore said either method could be used in this type of situation.

Roger Lauder asked whether a pipeline dent could potentially prevent running an inspection "pig" through a pipeline. Beshore replied that in some cases repair will be necessary to avoid damage to the inspection tools. Tucker asked whether a particular timeline for repair applies once a dent is found in a pipeline. Beshore said this can depend on the type of product used in the line and the type of dent that has occurred. In the Dubuque situation, he said two inspection tool runs took place, with the second confirming the presence of a hazardous defect situation. Tucker said his understanding is then that the confirmation is what really triggers the initiation of the repair.

Barbi Lee asked whether, if a response agency encountered difficulty in obtaining a response plan from a pipeline company, it could acquire a copy directly from PHMSA. Beshore said yes, responders could indeed contact PHMSA, per his earlier recommendation to contact John Hess for this type of information. He said a virtual reading room can be set up to allow responders to look at the response plans.

### **Early Warning Monitoring Network**

Bob Bohannon reported that the City of Moline continues to support the monitoring station at Mid-American Energy just upstream from the Quad Cities. He said mussels would soon be added to the monitoring station, with their gape behavior being added to the sources of information used to identify changes in water quality. Bohannon noted that Joel Allen of US EPA's Office of Research and Development is working with Moline to obtain the mussels. He also indicated that Moline is partnering with Augustana College, so that students may participate in the upkeep of the monitoring station.

In terms of output from the monitoring station, Bohannon said no substantial changes in water quality condition had been noted of late. He said Moline will likely replace the dissolved oxygen sensor with a

chlorophyll-a sensor in the multiparameter sonde which is part of the monitoring installation. Bohannon explained that there is interest in monitoring chlorophyll-a in light of recent algal blooms on the river.

Regarding the overall network, Bohannon said it is still very much a skeletal framework, with the potential for up to six sites, though the status of these installations appear to be in various states of operation. He said he is hopeful that the station at the National Great Rivers Research and Education Center at Alton, Illinois will soon be brought on line. Bohannon reported that Moline has continued to pursue online serving of data from their monitoring station and that this data is now available at [http://v4.wqdata.com/webdblink/umr\\_network.php](http://v4.wqdata.com/webdblink/umr_network.php). He emphasized that the data presented here should be considered as indication of trends only.

Morrison asked whether specific thresholds or action levels have been set for the various parameters being monitored. Bohannon said this has not been done to date and the intent is rather to use the mussels' response as a trigger for further sampling.

*The meeting adjourned for the day at 5 p.m. and started again at 8 a.m. on Thursday, April 11.*

### **Response Equipment Resources/Spill Response Cooperative Development**

Matt Stokes reported that he has been working to develop spill response cooperatives on the UMR, including those located at Red Wing, Lake City, and Winona, Minnesota, as well as at Marquette, Iowa. He thanked all the individuals who have assisted in the development of these cooperatives and noted that US Coast Guard first aid pollution response trailers have been stationed at these cooperative locations. Stokes added that the USCG equipment has also been used in exercises, emphasizing that the goal of the groups has been to conduct a training activity approximately once a month. He said the groups have been, in general, very active though they are experiencing some growing pains associated with seeking to cover an increased geographic area while facing limited funding and equipment availability. However, he added, one advantage in the potential growth of cooperatives is that since the basic structure and administrative pieces (e.g., bylaws, dues) have already been established, it is now just a matter of “franchising” the idea. He added that a possible next step in the evolution of the cooperatives is to create an overarching cooperative spanning from Hastings to the Quad Cities.

Stokes said he has observed that the USCG response trailers help act as a “seed” for these groups, in that wherever a trailer is placed it helps catalyze the formation of a cooperative. He said the trailers are currently on loan to the cooperative groups, while ownership still resides with USCG. Stokes said USCG District 8 is interested in divesting itself from this equipment, but identifying the specific mechanism for this has been problematic. He said that options for the trailers at this time appear to include doing nothing (i.e., keeping them on loan to the cooperatives) or transferring them to another federal agency (e.g., US EPA), which then in turn may be able to turn the equipment over permanently to local entities. Stokes noted that USCG's typical permanent disposal process would include a public bid phase, which might result in the equipment being purchased and moved out of the region. He noted that because the cooperatives are structured as 501(c)(3) nonprofits, it may be possible for the trailers to be “gifted” to the cooperatives.

Whelan congratulated Stokes on the formation of the cooperatives and thanked him for all his work in this regard. Lee asked whether the disposition of USCG response trailers is an issue specific to Eighth District, as there would potentially be interest in the Chicago area if the Ninth District has equipment it wishes to divest from. Stitz replied that such assets are managed at the District level and this would have to be investigated directly with the Ninth District. Lee said one additional area to consider for equipment placement in the Eighth District is Peoria. Stitz said he did not believe there is a response trailer in the

Peoria area, but offered to follow up on this and the trailer issue generally with LT Dan Denham at District 8.

Hokanson said another area of interest for the Group has been cataloging existing response equipment along the River, including updating the inventory contained with the UMR Spill Response Plan and Resource Manual. Jim Macaluso said that, from a private sector perspective, he can provide information on how fast his company can acquire and deploy response equipment to a certain location. Stokes said he has been involved in work on a gap analysis which found that there are some resources available and that there would likely be motivation for private industry to be engaged in filling gaps in coverage.

Whelan said the Great Lakes Commission is working on template for cataloging response equipment in portions of Michigan and Wisconsin using US EPA's Central Data Exchange (CDX). Hokanson said he would contact Stuart Eddy of the Great Lakes Commission to see if he would be able to provide a presentation at the next UMR Spills Group Meeting.

### **Spills-Ecological Collaboration Efforts**

Mike Coffey gave a background on USFWS' activity on the UMR, including the establishment of the Upper Mississippi River National Wildlife and Fish Refuge on the upper impounded portion of the river. He then described the ongoing efforts at maintaining communication and collaboration among spill responders and natural resource managers on the Upper Mississippi River, including a conference call held on February 8, 2013. Coffey noted that topics addressed during this call included habitat-specific fact sheets for spill response, geographic response plans for UMR pools, and training opportunities.

Whelan asked whether the motivation behind these efforts had initially be oriented toward the development of a trained cadre of individuals on the UMR, representing both natural resource managers and spill responders. Coffey replied that this is indeed the long term vision, to introduce natural resource managers to spill response concepts and the incident command system (ICS) in particular. He added that because most natural resource managers do not have spill response as part of their formal job duties, the approach has to be a bit more informal than it would be for spill response staff *per se*.

Morrison suggested that a natural resource managers' group to connect with, in addition to the Upper Mississippi River Conservation Committee, is the Mississippi Interstate Cooperative Resources Association (MICRA) – particularly in regard to invasive species considerations for responders. Coffey agreed and suggested contacting Greg Conover, MICRA coordinator, to see if he would like to participate in the next UMR Spills Group meeting.

#### *UMR Pool Geographic Response Planning*

Mark Ellis said production of the UMR Pool 10 geographic response planning (GRP) compact disc is near completion, awaiting only the insertion of inland sensitivity atlas maps.

The Group then discussed selection of a next pool on which to focus GRP development effort. Pools 8 and 9 were suggested, but in general it was decided that staff in this area may be limited in the time available they have to work on this effort in 2013. Coffey suggested Pool 19 as a alternative candidate. He explained that while the pool does not have ongoing concentrations of wildlife to the degree that some of the other UMR pools do, it does host very significant numbers of migratory waterfowl. The Group agreed to target Pool 19 as next for GRP development. Ellis said UMRBA staff should be able to begin work on Pool 19 subsequent to completion of work on the Wisconsin inland sensitivity atlas update.

#### *Habitat-Specific Response Fact Sheets*

Whelan said seven fact sheets have been created and are available for use, noting that these are considered "draft final" in that while they are ready for use they are still subject to further revision as needed. In fact,

she added, at least three improvements are envisioned for the fact sheets over the next few months: 1) improving the alignment between the text of the fact sheets and that of the inland response tactics manual, 2) integrating new response techniques used in the Marshall, Michigan cleanup, and 3) improving the electronic/web flexibility of the fact sheets, so that indicator species information can be modified regionally.

Coffey observed that the fact sheets appear to be a tool that could be used alongside shoreline cleanup assessment techniques (SCAT). Whelan concurred, adding they also provide a set of tools that can be used in areas where site-specific response strategies have not been developed. Coffey said it is important to recognize that several different plant species may exist in a single habitat and that these species may have different structures and utilize different growth strategies, particularly in regard to where the plant's meristem resides. He emphasized that it is important to avoid cutting a plant's meristem for those species utilizing an above-ground growth strategy. Therefore, Coffey explained, it is important for the fact sheets to note the importance of plants' meristem in sensitive areas such as marshes. He said he did not think this consideration undermines the usefulness of the fact sheets, but rather is an additional piece of information they should seek to communicate. Whelan asked whether there are established lists of those plants for which meristem protection should be emphasized. Coffey said this would need to be investigated and it is possible that sub-classes of plants could be identified that fit into this category.

#### *Boat Decontamination for Invasive Species*

Coffey described the procedures developed by the USFWS Midwest Region to control the spread of invasive species via boats, motors, trailers, and other equipment. He circulated an adhesive placard listing these procedures which can be affixed to boats. Coffey said the Group could consider creating its own placard for the UMR if it felt a different or unique set of instructions is needed. He explained that, in large part, decontamination typically utilizes air drying or use of chemicals. Coffey also mentioned that equipment decontamination stations had been employed as part of the recent response on the Yellowstone River.

Kendzierski noted that Wisconsin DNR has been developing public information to address the spread of aquatic invasive species. Coffey commented that decontamination is a consideration both when equipment is transported in *and* transported out of a response area. Whelan concurred, saying that boats from a wide variety of regions can end up being part of a response. Coffey and Whelan suggested that invasive species and equipment decontamination be addressed under a policy section of the UMR plan. Tucker requested that the boat disinfection presentation given at the Montrose, Iowa training be distributed to the entire Group. Hokanson said he would send this to the Group.

### **Mapping and Planning Updates**

#### *Greater St. Louis Sub-area*

Lee said that mapping of response strategies along the Missouri River had been completed over the course of the previous summer. She said the St. Louis Sub-area Planning Committee hopes to next meet in May, but that funding and travel restrictions may preclude an in-person meeting.

#### *Great River Sub-area*

Heath Smith reported that a series of meetings had been recently completed in the sub-area, including at Metropolis on January 28, 2013 and Cape Girardeau on February 5, 2013. He said meetings have been well attended and that good connections have been made with local industries. Coffey asked whether a training in the sub-area is still being targeted for September 2013. Smith replied that this is still the target time frame for training, though impact of sequestration on the ability to execute the training is still to be determined. Joe Davis said his feeling is that it is best to continue planning for a September training at

this time. Smith concurred, saying that if costs are kept down, it should help minimize sequestration and other budget-related issues.

Beshore asked Smith what is envisioned as content for the training. Smith replied that he expects the content will be similar to that of the recent Montrose training – i.e., bringing together both spill response and wildlife considerations – though this time being in an area off of the UMR. He explained that this training would not have the fast-water emphasis of the Montrose training, but instead would focus more on “still” water and possibly involve use of the habitat-specific response fact sheets. Smith said the planned location for the training is Lake Wappapello in southeastern Missouri.

Beshore said PHMSA would be interested in participating in these kinds of training events, so he would like to be kept in the loop on this. Smith said he would be sure to keep the Group updated, noting that September 10-12 and September 17-19, 2013 are currently leading candidates for the training to take place. Coffey noted that one comment he received from the Montrose training is the potential for providing credit hours/certification as part of the course and that this could potentially increase industry participation/sponsorship. Davis said he didn't think this type of training could meet HAZWOPER 40 hour requirements, but might fit into an 8 hour refresher requirement.

Lauder said the cross-training aspect of bringing together wildlife experts and spill responders, as was done in Montrose, is particularly important. He also congratulated Smith on his ongoing work to coordinate the Great Rivers Sub-area. Morrison concurred, saying that there appears to be good success in this sub-area that could be built on and increase the strength of sub-area plans more generally.

#### *Minneapolis-St. Paul Sub-area*

Ellis said the Minneapolis-St. Paul Sub-area Planning Committee has been meeting approximately every other month and continues to work on the wildlife-focused section of the sub-area plan. He said the group still intends to hold an exercise in the near future, but first would like to observe an upcoming exercise in the Duluth area. Ellis said goals for the group include holding an exercise, doing outreach regarding the wildlife component of the plan, and increasing industry engagement. He said the next meeting of the sub-area planning committee will be April 17, 2013.

#### *Region 7 Mapping*

Colin Willits provided a live demonstration of Region 7's online response mapping application. He showed the group the various data layers included in the maps, both sensitive resources and potential spill sources, as well as documents linked to the maps including facility information and plans. Willits noted that other data sources, such as real-time weather information, can be brought into the mapping application. Davis said any individuals who are interested in getting access to the mapping application should send him an email. Willits concurred, explaining that access can be customized according to an individual's needs. Beshore said he would investigate the possibility of using this system as mechanism by which to serve out pipeline facility response plans.

#### **Response Funding: Oil Spill Liability Trust Fund/Pollution Removal Funding Authorizations**

Whelan gave a presentation addressing the Oil Spill Liability Trust Fund (OSLTF) and Pollution Removal Funding Authorizations (PRFAs). She explained that the OSLTF currently holds approximately \$2 billion and receives inputs from oil taxes and cost recovery/penalties associated with oil spill events. Whelan said that, of this total amount, \$50 million is made available annually for the OSLTF's Emergency Fund, which can be accessed by federal on-scene coordinators (FOSCs) for oil discharge response and natural resource trustees to initiate natural resource damage assessments (NRDAs). Once the fund has been opened for an incident, it can be used reimburse other government agencies (state, local, and tribal) for expenses incurred during a response, with the mechanism for this reimbursement

being an FOSC-authorized PRFA. Whelan explained that the PRFA mechanism is not used for NRDA costs, as these costs are reimbursed directly to the trustee from the Emergency Fund.

Regarding the PRFA specifically, Whelan said the request for funding is typically documented via a short (approximately 1 page) document describing the good and services to be provided. If approved, the recipient agency then needs to track costs throughout the incident. Whelan said typical costs reimbursable under the PRFA are salary, travel/per diem and the services of other agencies/entities, including contractors. She emphasized that the billing documentation needs to be fairly specific and that the FOSC will review submissions to certify that they are consistent with the PRFA.

Davis said in his experience the use of the PRFA is fairly straightforward. Lee concurred, but added that the billing agency needs to be careful in regard to adding any costs that fall outside the limits of the original PRFA. Davis agreed, saying another important consideration is that the incident must have a linkage to impacts on navigable waters. Whelan said this correct, that in order to be eligible for compensation, activities must be part of response to an incident that: 1) involves oil, and 2) has an impact to navigable waters. She clarified that, in this context, denatured ethanol is considered an oil product. Davis said vegetable oil is also considered oil for the purposes of being a “qualifying” event. Whelan added that it is possible for a state to make a claim against OSLTF outside of the PRFA process, as almost anyone can make an OSLTF claim. However, she noted, the National Pollution Funds Center (NPFC) is more comfortable with claims that fit within the PRFA framework. Whelan emphasized that the PRFA application process is fairly straightforward, though federal approvals can sometimes take some time.

Stitz said he has only used the PRFA process once, but it was indeed successful in providing reimbursement for response expenses incurred. He acknowledged that the federal approval process within USCG can take a while, but for bigger spills an NPFC representative will be brought on site to accelerate the process. Additionally, he said USCG has a “small claims” package which has proven to be a useful too, particularly in remote areas. Kendzierksi said Wisconsin has successfully utilized PRFAs, but that it takes certain level of staff experience to develop expertise in the PRFA process, adding that staff turnover has made it challenging to maintain this expertise. Gann said Missouri routinely calls into US EPA’s spill line to initiate communication which may lead to a PRFA. Davis concurred that this approach has worked well, as it allows necessary information to be gathered up front should a reimbursement request be made later. Kendzierski said it is also important to make sure the incident has been called into the NRC.

Beshore asked whether diluted bitumen (dilbit) is considered oil for the purposes of PRFA reimbursement, noting that there has been some debate as to whether dilbit is crude oil and whether it should be taxed for payment into the OSLTF. Whelan said dilbit is not currently a source of revenue into the OSLTF, but that the OSLTF can be accessed to cover costs associated with dilbit spills.

Whelan closed by emphasizing that the responsible party ultimately has the obligation to pay for cleanup costs, so that this discussion takes place in the context of recovery for costs that are not immediately covered by the responsible party.

### **Training and Exercises**

Hokanson asked the Group whether the Great River sub-area training is likely to be the only training effort in which the membership is engaged for the 2013 calendar year. Gann said the decision on whether to take on more training activities this year is likely to boil down to the availability of funding. Davis said UMR Group members are welcome to attend the Great River training and as such will provide a training opportunity for Group membership in the near future.

Davis suggested that a future training session could address special response considerations associated with diluted bitumen (dilbit), as this has been the product involved in both the Marshall, Michigan and recent Arkansas pipeline spills. He noted that the volatiles present in this product give rise to additional issues including fire and air quality risks. Davis noted that one additional consideration for this product is that, once the volatiles evaporate, a very heavy oil product is left behind. Davis said to date there has been conflicting information on best techniques to employ in responding to a dilbit spill and a training session could potentially provide some information/clarity to responders on this topic. As such, he said he is interested in developing a separate training module to address response considerations for dilbit.

Beshore agreed there is value in clarifying response issues associated with dilbit, noting that while the upcoming National Research Council study will address any unique effects on transmission pipelines, it will not address response considerations. Davis said his understanding is that a dilbit release has two phases, behaving initially like a gasoline spill and then like a heavy petroleum product spill. Whelan noted that benzene off-gassing actually continued for weeks during the Marshall, Michigan spill, so it is not just an initial-days issue. Gann said his communications with the pipeline industry indicated that they are familiar with the issues presented by dilbit.

Davis said he is open to the Group's suggestions on the topic in putting together a training module on the topic. Coffey said the development of such a module could definitely fit in with evolving approaches to training in the region. Faryan concurred, saying dilbit presents some unique challenges which may cause responders to reconsider standard tactics and employ new ones. Morrison agreed that the Group should pursue development of this module. Faryan suggested Greg Powell of US EPA's Emergency Response Team (ERT) as a good contact on the topic.

Morrison commented that it has been approximately three years since the last UMR notification drill, and that the Group should continue to keep this on its list as an action item. He added that it may be beneficial to work national security considerations into any upcoming UMR drills. Stitz said he may have some information related to national security considerations and could potentially address these via a presentation at an upcoming UMR Spills Group meeting.

### **Chair Transition**

Morrison noted that his two year term of service as UMR Spills Group Chair ends at the conclusion of this meeting. He explained that if the usual states' rotation is followed, Wisconsin will take over as Chair, with Missouri moving into the role of Vice Chair. Kendzierski accepted the Chair position on behalf of Wisconsin and Gann the Vice Chair position on behalf of Missouri.

### **Next Meeting**

The Group agreed its next meeting should be held in the Quad Cities in October 2013. Hokanson said he would follow up with the Group regarding specific meeting dates.

*Having no other business, the meeting was adjourned at noon on Thursday, April 11.*