

Minutes
HARBOR SAFETY COMMITTEE
of the San Francisco Bay Region
9:30 a.m., Thursday, January 14, 1993
Board Room, Port of Oakland, 530 Water Street, Oakland, CA.

1. The meeting was called to order by Chairperson Ann Notthoff at 9:35. The following Committee members or alternates were present: David Adams. Port of Oakland; Dennis Arnett. Chevron Shipping Co.; Carl Bowler. San Francisco Bar Pilots; Bob Clinton. Crowley Marine Services; Joe Gaidstick. Port of Benicia; Robert Hoffman. Recreational Boaters of California; Jim Faber. Port of Richmond; Dwight Koops. Exxon Shipping Co.; Alexander Krygsman. Port of Stockton; John Lien. San Francisco Bay Conservation and Development Commission; Mary McMillan. Westar Marine Services; Roger Peters. Port of San Francisco. Also in attendance from OSPR: Bud Leland and Dale Wong, and a number of attendees from the general public.

2. T. Hunter declared a quorum.

3. The Chair presented the November and December minutes, which were adopted.

4. Announcements:

OSPR workshop on the Harbor Safety Plan was postponed until next week. The workshop will take place from 9:30 to 1 o'clock at the Port of San Francisco. All chapters of the plan will be discussed at that time. Public comments will then be collected and incorporated into a final version of the plan.

Draft Oil Spill Contingency Plans under review will be presented by OSPR. The Northern California meeting will be held on Wednesday, February 17th at the Bay Model.

Alaska's Department of Fishing and Wildlife will sponsor a workshop on the Exxon Valdez spill in Anchorage, February 2 - 5.

5. Committee Reports.

A. TUG ESCORT. The Chair requested Roger Peters, Chairman of the Subcommittee, to chair the discussion on permanent guidelines in order that Ann Notthoff might make comments. Mr. Peters agreed (henceforth referred to as the "Chair" for this portion of the minutes) and suggested that discussion proceed with the introduction of specific amendments. The Chair acknowledged receipt of M. McMillan's proposed amendment suggesting "that the bollard pull minimum of 10 Tons astern apply to tugs escorting takers only, and not to tugs escorting barges." Ms. McMillan's proposal further notes that "... barges move at a slower speed in the Bay and the tugs are tethered while escorting barges at the 10 ton astern bollard pull is not necessary." After some general comments from the audience, the Chair asked for a motion to adopt the new language inserted above the chart on page 7 of the Proposed Permanent Guidelines. This language reads: "No tug with less than 10 long tons astern bollard pull may be used for tanker escort work (not applicable to barges)." The motion was made and seconded; it then carried with unanimity by voice vote.

A. Notthoff then suggested that those underlined performance standards on page 2 of the preamble would have more effect if moved to Section E - Minimum Requirements for Tug Escort (pages 5 and 6). Ms. Notthoff also suggested that the three-year timeline be made more specific by introduction of actual deadline dates. These changes would have the effect of making the described standards more actual goals than generalized hopes.

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Someone in the audience objected to making these changes - on the grounds that the language in question could not be specified so exactly, that the standards were targets only. The example raised was the question of stopping within ten ship lengths. Such an exact stopping distance would be impossible to require, since weather and current conditions have so much effect on stopping distance. Also, it was objected that exact testing of the distance any given ship required to come to a full stop would be virtually impossible for the same reasons. D. Koops observed that Exxon has done tests of stopping distance with the stern line up and propellers stopped, but he agreed that weather and current were very important variables. Pat Maloney (Maloney Maritime Resources) clarified the Subcommittee's thinking on this issue by saying that ten ship lengths is the target stopping distance for a tanker. Someone objected that a "target" could not be expressed in regulations, but belonged where it was - in the preamble - as a goal, rather than an exact requirement.

The Chair asked if that stopping distance was the effective target, had it been the Subcommittee's intent to establish a bollard pull guideline to implement as a regulation. This intention was affirmed, as well as subsequent testing to determine specifics. The Chair then observed that the bollard pulls in the table will in fact stop a ship in less than ten ship lengths and that the variables discussed had been included in the formula.

J. Lien observed that this was discussed by the subcommittee as a goal, not a hard and fast rule, and argued that the issue should be addressed through the testing process over several years. He suggested that language be added to indicate that the ten ship length stopping distance was a target only.

A. Notthoff agreed to change her amendment to specify that bollard pull standards be developed to meet target standards and that "under ideal conditions" be added. The motion was called and seconded, but the voice vote was ambiguous, and the committee was polled. The motion carried by a vote of seven to five.

A. Notthoff suggested as further amendments that the word "sea" be removed from the underlined language on page two and that specific dates for testing - December 31, 1993, 1994 and 1995 - replace the reference to "by the end of the third year."

Mike Goebel from Exxon noted that this assumes that companies will volunteer tankers for these tests and it would be preferable for the State to work with industry to manage the testing program. The Chair asked Bud Leland if he'd had the opportunity to review the administrative responsibilities entailed by this testing program. Leland said that he had not. D. Arnett from Chevron agreed with M. Goebel, adding that removing "sea" doesn't make sense, since any trials would of necessity involve the sea.

The Chair questioned whether these targets would become too restrictive if made into standards. D. Koops added that some ships can only be tested outside the Bay, so "sea" trials is redundant.

A. Notthoff expressed the concern that industry reservations didn't take into account the commitment to develop ambitious safety standards. The Chair said that since the Committee hasn't the power to impose hard and fast regulations the Guidelines should be expressed as guidelines rather than regulations. A. Krygsman added that the Administrator wouldn't accept demands from the Committee, only recommendations.

J. Lien advised stronger language, with the proviso that the standards set be achievable. When asked his opinion, B. Leland replied that he felt trials should be included in the regulations and that specific dates were a good idea. There was some further discussion of the language to be used in the amendment, but A. Notthoff decided to stand by her amendment as originally presented. The Chair asked that the motion be called and seconded. The vote was unanimously in favor. The second half of A. Notthoff's motion was similarly approved by unanimous vote.

Single Screw Tugs was the amendment subject to the next discussion, but A. Notthoff elected to postpone this discussion until more pressing issues had been resolved.

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J. Lien presented three amendments. Two of these amendments would alter or add language to the effect that "best achievable technology" be used to "achieve best achievable protection." There was considerable objection to these two amendments. Various Committee members and members of the audience argued that such vague language made compliance more difficult, if not impossible. T. Hunter added that Captain Thomas had asked him to request a specific definition of "achievable," and D. Koops observed that since tug availability was constantly shifting, it would effectively stall traffic if operators were obliged to constantly revise towing arrangements to meet the "best achievable" standard. It was generally felt that minimum standards should be specified, even though there was a general commitment to the achievement of the best possible performance. Amendments 1 and 3 were called to the question and voted separately. Amendment 1 passed seven to five. Amendment 3 was defeated ten to two. J. Lien's Amendment 2 would have made tethering of vessels the preferred approach to escorting a vessel. This amendment also inspired considerable discussion. It was argued by those with actual experience of sea escort that a variety of factors affect the decision whether to tether a vessel. Amendment 2 was defeated eleven to one.

At this point, the amendment prohibiting the use of Single Screw Tugs in tanker escort was discussed. J. Faber argued against the amendment, saying that in some cases two single screw tugs may be better than one of another type. A. Notthoff replied that page 47 of the Allen report indicated that escorts should be equipped with at least twin screw propulsion. There was some discussion of pilot discretion and new technology, and the 4000 model single screw tug with a flanking rudder was praised. When this amendment came to a vote, it was defeated.

The Chair of the discussion of the Tug Escort section of the guidelines then suggested that all amendments had been discussed, but T. Hunter noted that bollard pull recertification was not mentioned in the guidelines, and B. Clinton suggested that it be done every three years. A. Notthoff offered that this change should be made to Section J-2, and it was passed unanimously.

D. Arnett objected that the Guidelines should not be approved until further information on the double-hull issue, which they are currently investigating with a German firm, should be available. The Chair remarked that the Guidelines were a "living document" and could be revised in light of new information. B. Clinton then queried the issue of pilots on 10,000 ton vessels, but the Chair replied that this issue should also be postponed.

D. Koops wanted it written into the record that contrary to recent publicity, tanker operators do not oppose the Proposed Permanent Guidelines, and D. Arnett agreed.

J. Faber, who originally called for a motion on the Guidelines, was asked if he agreed to a vote on adopting the Guidelines with the current amendments. Mr. Faber agreed that he did, and the motion was called to the question. The final vote was ten to two in favor.

T. Hunter announced that bollard pull testing is proceeding, adding that Crowley Marine Services and Exxon have been very helpful.

ENFORCEMENT. Jim Mes was not present, but his message was conveyed that his report to Sacramento had been favorably received. Consideration of this report was postponed at the request of B. Leland.

PILOTAGE. A. Krygsman questioned the advisability of making a motion to adopt since material has not been reviewed by all Committee members. His opinion was approved, and the issue will be discussed at February meeting.

6. Harbor Safety Report was provided by Lt McGreg of the U.S. Coast Guard. Lt. McGreg mentioned that the only serious incident involved the oiling of 37 birds by unknown causes. This incident is still under investigation. He also listed upcoming meetings. A. Notthoff, again chairing the meeting, asked for

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information on the Monterey Bay Marine Sanctuary. Lt. McGreg replied that there is no equivalent of the Harbor Safety Commission in Monterey, that the Sanctuary Manager is in charge of preventive issues.

7. OSPR REPORT. C. Racebrook spoke on committee funding in a reassuring vein, and D. Wong described the offshore tar bolls found along 20 miles of coastline. The birds oiled by this spill had markings of North Slope Crude, but the source of the spill is not yet known.

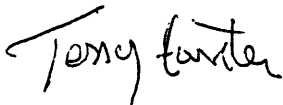
8. UNFINISHED BUSINESS. None.

9. NEW BUSINESS. J.Faber noted that the City of Richmond has signed a contract with the Marine Spill Response Corporation and that their tug and barge will probably be in place by May. There will be a reception celebrating this contract in February. M. Goebel suggests the Committee comment on proposals for moving MPTV. The Chair queried D. Koops' mention at the last meeting of helicopter squadron-training. Lt. McGreg remarked that a letter had been written requesting that the 500 yard envelope be respected, and the Chair suggested that this letter be the basis of 88822 new regulations.

10. Next meeting: Port of San Francisco, February 11, 9:30 a.m.

11. Meeting was adjourned.

Respectfully submitted,



Terry Hunter
Executive Secretary