

California: Funding Oil Spill Prevention, Preparedness & Response

Capt. Scott Schaefer
USCG (Ret.)

Lempert-Keene-Seastrand Oil Spill Prevention & Response Act of 1990

- M/T EXXON VALDEZ 1989
- M/T AMERICAN TRADER 1990

California Marine Waters

- Oil Spill Prevention & Admin Fund
 - Prevention
 - Preparedness
- Oil Spill Response Trust Fund
 - Response
 - Oiled Wildlife Care Network

Oil Spill Response Trust Fund

- 1990 One-time fee: 25cents/barrel
- \$54,875,000 cap
- Re-imbursment sought:
 - Responsible party
 - Oil Spill Liability Trust Fund

Oil Spill Prevention & Administration Fund

- 1 cent/barrel = \$5 million/year
- 1990: 4 cents/barrel
- 2003:
 - 5 cents/barrel
 - \$2,500 biennial nontank vessel fee
- 2012:
 - 3 year temporary 6.5 cents/barrel
 - \$3,250 biennial nontank vessel fee

OSPAPF:

- Primary funding source:
 - CA Office of Spill Prevention & Response
 - CA State Lands Commission
- Also funds:
 - CA Coastal Commission
 - Bay Conservation & Development Commission
 - Office of Emergency Health Hazard Assessment

Contingency Plans & Oil Spill Response Organizations

- Contingency Plans required:
 - Marine Facilities
 - Tank Ships & Tank Barges
 - Nontank Vessels >300 gross tons
- Oil Spill Response Organization
 - Required in Contingency Plan
 - Primary OSRO rated by State of CA

California Inland Spill Program

- Mandate
 - Response
 - No Prevention or Preparedness authority
- No on-going funding source

Potential Inland Funding:

- Identify a Nexus
 - 84% of the costliest CA inland spill responses are oil
- Inland Oil Production
 - Use existing fees
 - Create a new fee

Conclusions:

- Government program:
 - Ongoing Funding Sources needed
 - Nexus between fee payers & services
- Achieving Best Achievable Protection:
 - Gov't/Industry Cooperation
 - Level playing field
 - Allow competition

Keep Safe!

Scott D. Schaefer,
Captain, USCG (Ret.)

CAPTscottschaefer@gmail.com