
Date: Oct. 25, 2019

To: Environmental Quality Commission

From: Richard Whitman, Director

Subject: Item K: DEQ's Emergency Response Program (Informational)
Nov. 14-15, 2019, EQC meeting

Why this is important DEQ will inform the commission about the Emergency Response Program generally, and an upcoming rulemaking specifically. DEQ intends to bring proposed rules for high hazard train oil spill contingency plans in fall 2020. The new rules would implement changes to oil spill contingency statutes made during the 2019 Legislative Session.

Prior EQC involvement The last significant change for DEQ's rules related to emergency response were in 2003 when there were updates to Division 141, Oil Spill Contingency Planning and Fees. DEQ's Emergency Response Program has not provided an informational update to the EQC for several years.

Background DEQ's Emergency Response Program includes three primary components: contingency planning, preparedness through drills and response to spills.

Oil and hazardous material contingency planning

DEQ reviews and approves industry-prepared oil spill contingency plans. These plans must be submitted by pipeline operators, large vessels and facilities that transfer oil over water. When implemented promptly, these plans can help avoid or minimize significant harm to the environment in the event of a spill of oil or other certain hazardous materials. DEQ is also required to develop an oil and hazardous material emergency response plan for the state.

Oil spill preparedness

DEQ works with regulated companies, tribes, local, state, and federal government agencies to design, implement and evaluate drills and exercises in an effort to ensure that response to spills are efficient and coordinated.

Response and cleanup of oil and hazardous material spills

DEQ emergency operations staff play a crucial role in assessing potential impacts and, more importantly, taking action to control the spill and begin cleanup work.

Overview of DEQ's Emergency Response Program

DEQ will provide information on how the Emergency Response Program is organized and provide details on statewide planning efforts. DEQ will describe the agency's role during response to oil and hazardous material spills and how DEQ coordinates with other agencies to protect public health, natural, cultural and socio-economic resources. DEQ will also present three case studies that demonstrate how the agency coordinates with tribes, local, state and federal government agencies.

Key issues

DEQ needs to identify an appropriate level of response capacity for the state of Oregon and develop stable and adequate funding for the Emergency Response Program. To do this, DEQ needs to be fully engaged with community members and stakeholders in an effort to understand expectations about emergency response service levels.

EQC involvement

There is no EQC action requested at this time. DEQ intends to bring a rule proposal on High Hazard Contingency Planning for commission action at the September 2020 EQC meeting.

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