STATE OF CALIFORNIA – THE RESOURCES AGENCY GRAY DAVIS, GOVERNOR

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DATE: February 20, 2002

TO: Coastal Commissioners and Interested Parties

FROM: Jaime C. Kooser, Deputy Director
Alison J. Dettmer, Manager, Energy and Ocean Resources Unit
Ellen Faurot-Daniels, Supervisor, Oil Spill Program
Lilli Ferguson, Analyst, Oil Spill Program
Robin Blanchfield, Analyst, Oil Spill Program

RE: **NE-108-01 – ExxonMobil's Proposed Modifications to its Santa Ynez Unit Facilities' Oil Spill Response Capabilities.**

On November 7, 2001, ExxonMobil Production Company submitted to the Coastal Commission a proposal to modify its equipment configuration for responding to oil spills at Platforms Hondo, Harmony and Heritage, and the associated oil emulsion pipelines that connect the platforms and transport the oil to shore. ExxonMobil's proposal is to remove from Platform Harmony an oil skimmer (and associated equipment) and a 1,600-gallon oil storage container, and replace it with the skimmers and storage capability supplied by the professional oil spill response organization, Clean Seas LLC ("Clean Seas"). In addition, ExxonMobil proposes to change its commitment made in the 1983 Santa Ynez Unit *Development and Production Plan* to deploy a skimmer within 50 minutes of a spill.

The Commission staff has reviewed ExxonMobil's submittal and determined that proposed modifications in oil spill response equipment and procedures will result in an oil spill response capability that is equivalent to or better than the spill response capability for the Santa Ynez Unit platforms originally reviewed and approved by the Commission, and, therefore, will not cause effects on coastal resources and uses substantially different than those previously reviewed by the Commission.

Attached for the Commission's review is the *draft* letter that sets forth the analytical basis of the Commission staff's determination. With the Commission's concurrence, the Executive Director will sign and send this letter.

STATE OF CALIFORNIA—THE RESOURCES AGENCY GRAY DAVIS, *GOVERNOR*

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February 20, 2002

DRAFT

Mr. Joe Sawyer
Operations Integrity Manager
ExxonMobil Production Company
P. O. Box 61707
New Orleans, LA 70161-1707

Subject: **NE-108-01 – ExxonMobil's Proposed Modifications to its Santa Ynez Unit Facilities' Oil Spill Response Capabilities.**

Dear Mr. Sawyer:

On November 7, 2001, ExxonMobil Production Company submitted to the Coastal Commission a proposal to modify its oil spill response equipment configuration for responding to oil spills at Platforms Hondo, Harmony and Heritage, and the associated oil emulsion pipelines that connect the platforms and transport the oil to shore. The proposal is to remove from Platform Harmony the oil skimmer and associated equipment (*i.e.,* tool/hose kit and a hydraulic power unit) and the 1,600-gallon oil storage container, and replace them with the skimmers, oil storage capabilities and personnel supplied by Clean Seas, LLC ("Clean Seas). In addition, ExxonMobil proposes to change its commitment made in the 1983 *Santa Ynez Unit Development and Production Plan ("DPP")* to deploy a skimmer within 50 minutes of a spill.

On January 10, 2002, ExxonMobil submitted a second letter to the Commission clarifying that the proposal of November 7 was submitted to the Commission for appropriate regulatory review pursuant to its authorities under the Coastal Zone Management Act ("CZMA"). The Commission also received a copy of a letter from MMS to ExxonMobil (date-stamped December 6, 2001) in which MMS states that it concurs with ExxonMobil's analysis regarding the proposed changes, and that it will approve revised pages to ExxonMobil's *Oil Spill Response Plan* for the Santa Ynez Unit reflecting these changes.

Pursuant to the consistency review requirements of the CZMA, the Commission previously reviewed and concurred in consistency certifications for the Exxon Company, U.S.A., Inc. ("Exxon") *DPP* (CC-7-83 and CC-7-83-R). The approved *DPP* included installation and operation of 3-4 platforms in federal waters (only two platforms were installed) and associated pipelines. Further, in 1988, the Commission concurred in consistency certification CC(E)-64-87 and approved coastal development permit E-88-001 in part for: (1) an oil processing facility at Las Flores Canyon; (2) crude oil storage tanks; (4) a cogeneration power plant; (5) onshore pipelines and power cables; (6) produced water treatment facilities; (7) a marine terminal facility in state waters; and (8) pipelines from the marine terminal to onshore facilities. The Commission did not conduct a federal consistency review of the *DPP* for Exxon's existing

Platform Hondo because this platform and its associated facilities were installed prior to federal approval of California's Coastal Management Program ("CCMP") in 1978. However, Exxon committed to specific oil spill response equipment on Platform Hondo and for its associated facilities as part of its federal consistency certification for the Santa Ynez Unit. The *Oil Spill Response Plan* for the Santa Ynez Unit, and subsequent updates to the plan, were incorporated by reference into the *DPP*.[1]

Exxon made commitments in the *DPP* and in the *Oil Spill Response Plan* incorporated therein to provide specific oil spill response equipment and associated capability for the platforms and associated facilities in the Santa Ynez Unit in order to provide maximum feasible protection for coastal zone resources. Pursuant to sections 930.71 and 930.51(b)(3)[2] of the regulations that implement the consistency review requirements of the CZMA (15 CFR Part 930), the Commission staff has determined that any changes in oil spill response commitments contained in either the *DPP* or any document incorporated into the DPP, such as the *Oil Spill Response Plan* for the Santa Ynez Unit facilities, represent modifications to the *DPP*, that are presumptively subject to additional federal consistency review by the Commission under section 307(c)(3)(B) of the CZMA.[3]

Under the above-referenced CZMA regulations (15 CFR §§ 930.71 and 930.51(b)(3)), the test for determining if a modification to a previously reviewed DPP (or to the *Oil Spill Response Plan* incorporated into the particular DPP) is subject to additional federal consistency review by the Commission is whether the modification to the DPP or the *Oil Spill Response Plan* will affect coastal zone uses and resources, and if so, whether such effects are substantially different than those evaluated by the Commission in its original federal consistency review and concurrence for the particular DPP. Any changes to response equipment or procedures for facilities on the outer continental shelf ("OCS"), which have DPPs that have been previously concurred in by the Commission and that are determined to have one or more effects on coastal zone resources, are subject to additional federal consistency review by the Commission under section 307(c)(3)(B) of the CZMA.

In addition, Exxon installed Platform Hondo prior to federal approval of the CCMP. Under the CZMA regulations, 15 CFR §930.51(b)(1), amendments to federal license or permit activities not previously reviewed by the coastal zone management agency are subject to federal consistency review to determine if they have effects on coastal resources. Any changes to

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[1] See particularly the following: 1) *Consistency of the Santa Ynez Unit Development and Production Plan with the California Coastal Management Program*, May 20, 1983, Exxon Company, U.S.A. (pp. 84, 86); 2) a background report referenced in *DPP*: *Proposed Santa Ynez Unit, Oil Spills: Analyses and Response Capabilities*, prepared by Hooks, McCloskey & Associates, April 15, 1983 (p. 9); 3) *Las Flores Marine Terminal Oil Spill Contingency Plan*: Response Equipment – Offshore and Onshore, Revised 12/23/87.

[2] 15 CFR §930.51(b)(3) states: "Renewals and major amendments of federal license or permit activities previously reviewed by the State agency which will cause an effect on any coastal use or resource substantially different than those originally reviewed by the State agency."

[3] The Commission staff also is currently processing a coastal development permit (E-88-001) amendment request to modify ExxonMobil's oil spill response equipment configuration for responding to SYU oil spills in *state waters*.

response equipment or procedures for OCS facilities which have DPPs that were not reviewed for federal consistency by the Commission and that are determined to have one or more effects on coastal zone resources are subject to additional federal consistency review by the Commission under section 307(c)(3)(B) of the CZMA.

Using the standard provided under the applicable CZMA regulations, the Commission staff has reviewed the proposed modifications in oil spill response resources for the Santa Ynez Unit facilities to determine if they constitute a "major amendment" to the previously concurred-in *DPP*, and if so, whether such modifications would cause coastal zone effects substantially different than those originally reviewed by the Commission.

The term "major amendment" of a federal permit activity is defined in section 930.51(c) of the CZMA regulations as "any subsequent federal approval that the applicant is required to obtain for modification to the previously approved activity...." The Commission staff believes that MMS's approval of revised pages to ExxonMobil's *Oil Spill Response Plan* reflecting the proposed changes in Platform Harmony oil spill response equipment and procedures constitutes a major amendment as that term is defined in the CZMA.

However, the Commission staff has determined that the proposed modifications in spill response equipment and procedures will result in an oil spill response capability that is equivalent to or better than the spill response capability for the Santa Ynez Unit platforms originally reviewed and approved by the Commission in CC-7-83 and CC-7-83R, and, therefore, will not cause effects on California's coastal uses and resources substantially different than those originally reviewed by the Commission. Thus, the proposed modifications will not require additional federal consistency review by the Commission. A detailed discussion of the basis for the Commission staff's determination is provided in Attachment 1 to this letter.

If you have any questions about this matter, please call me at 415-904-5201.

Sincerely,

PETER M. DOUGLAS
Executive Director

cc: Dr. J. Lisle Reed, MMS

ATTACHMENT 1

NE-108-01

Determination that ExxonMobil Production Company's Proposal to Modify the On-Site Oil Spill Response Equipment Configuration for the Santa Ynez Unit Platforms Hondo, Heritage and Harmony Will Not Cause Effects on Coastal Zone Resources and Uses Substantially Different than Those Originally Reviewed by the California Coastal Commission

On November 7, 2001, ExxonMobil Production Company ("ExxonMobil") submitted to the Coastal Commission a proposal to modify its oil spill response equipment resources for the Santa Ynez Unit ("SYU"), which includes the offshore oil and gas platforms Hondo, Harmony, and Heritage and the associated crude oil emulsion pipelines that connect the platforms to the shore. The proposal is to remove from Platform Harmony an oil skimmer and associated equipment *(i.e.,* tool/hose kit and a hydraulic power unit) and a 1,600-gallon (38 barrel) oil storage container, and replace them with the skimmers, oil storage capabilities and personnel supplied by Clean Seas, LLC ("Clean Seas"). In addition, ExxonMobil proposes to modify its commitment to deploy a skimmer within 50 minutes of a spill.[1,2]

These offshore oil and gas production facilities are located on federal leases OCS-P 0188, OCS-P 0190 and OCS-P 0182, in the Santa Barbara channel offshore of Gaviota, Santa Barbara County. Pursuant to the consistency review requirements of the Coastal Zone Management Act ("CZMA"), the Commission previously reviewed and concurred in consistency certifications CC-7-83 and CC-7-83-R submitted by Exxon Company, U.S.A., Inc. ("Exxon") for the SYU Development and Production Plan (*"DPP"*) for the installation of Platforms Harmony and Heritage and the associated pipelines.[3] Further, in 1988, the Commission concurred in a combined consistency certification (CC(E)-64-87) and coastal

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[1] Letter dated 11/7/2001 from Keith E. Killian, Regulatory/Safety/OIMS Manager, ExxonMobil Production Company to Mr. Thomas Dunaway, Minerals Management Service ("MMS") and Ms. Lilli Ferguson, California Coastal Commission staff member; and letter dated 1/10/2002 from Keith E. Killian, Regulatory/Safety/OIMS Manager, ExxonMobil Production Company to Ms. Lilli Ferguson, California Coastal Commission.

[2] ExxonMobil's current equipment and resources for oil spill response and cleanup for the SYU facilities are described in the ExxonMobil Corporation June 2000 *Oil Spill Response Plan for Santa Barbara Channel Pacific OCS Operations* (*"June 2000 OSRP"*), which is required by federal regulations (30 CFR §§254.1-254.54) to be submitted to the MMS and covers ExxonMobil's facilities in both federal and state waters. In addition to the modifications in oil spill response resources, ExxonMobil also proposes to submit revised pages for the *June 2000 OSRP* to the MMS for approval. Once all the necessary approvals are received, ExxonMobil will replace the oil spill response resources.

[3] Platform Hondo was constructed prior the Commission's federal consistency authority. See pages 2 and 3 of the cover letter to this attachment for a more detailed explanation of the federal consistency reviews for the Santa Ynez Unit.

development permit (E-88-001) for the construction as part of the SYU production complex of onshore processing facilities, a marine terminal, and pipelines to shore.

In the above-referenced proceedings, Exxon made commitments to provide oil spill response capabilities sufficient to mitigate, to the maximum extent feasible, damage to coastal and marine resources resulting from spills from its SYU oil and gas production facilities. Exxon's commitments for oil spill response were made in (1) the *DPP* document itself (required by MMS regulations [currently, 30 CFR § 250.204(b)(3)] to describe pollution prevention and control features, including oil spill containment and clean-up plans); (2) in the environmental reports done for the *DPP*; (3) in the *Oil Spill Contingency Plan* (now called an *Oil Spill Response Plan*); and (4) in the company's SYU consistency certification submittals. The *Oil Spill Contingency Plan* and subsequent periodic updates to the plan are incorporated by reference into the *DPP*.[4] ExxonMobil'*s* submitted proposal changes some of those commitments.[5]

The Commission staff has reviewed ExxonMobil's submittal and determined that proposed modifications in spill response equipment and procedures will result in an oil spill response capability that is equivalent to or better than the spill response capability for the SYU platforms originally reviewed and concurred in by the Commission in CC-7-83 and CC-7-83R, and therefore will not cause effects on California's coastal zone resources and uses substantially different than those originally reviewed by the Commission. Thus, the proposed modifications will not require additional federal consistency review by the Commission.

A detailed discussion of the basis for the Commission staff determination is provided below.

Process and Standard of Review for Onsite Oil Spill Response Equipment Changes

The Commission's Adopted Revised Findings for consistency certification CC-7-83 set forth the Commission's standard that on-site oil spill response equipment must be located at offshore oil platforms in order to help provide the first line of defense against oil spills.

Specifically, the Adopted Revised Findings (page 61) stated:

> *The Commission has determined in past permit and federal consistency certification decisions that the following oil spill containment and clean-up equipment must be located at the site of offshore drilling operations to help provide the first line of defense against oil spills:*

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[4] See particularly the following: (1) *Consistency of the Santa Ynez Unit Development and Production Plan with the California Coastal Management Program*, May 20, 1983, Exxon Company, U.S.A. (pp. 84, 86); (2) a background report referenced in the *DPP: Proposed Santa Ynez Unit, Oil Spills: Analyses and Response Capabilities*, prepared by Hooks, McCloskey & Associates, April 15, 1983 (p. 9); (3) *Las Flores Marine Terminal Oil Spill Contingency Plan*: Response Equipment – Offshore and Onshore, Revised 12/23/87.

[5] See the cover letter to this attachment for an explanation of the Commission's authority to review changes in the DPP and the oil spill response plans incorporated therein.

- *1500 feet of oil spill containment boom capable of open ocean use;*
- *An oil recovery device (skimmer) capable of open ocean use;*
- *Oil storage capacity to handle skimmer throughput until the oil spill cooperative can arrive from shore with additional equipment;*
- *A boat located at the site of drilling operations or within 15 minutes of the site at all times;*
- *Oil sorbent material capable of absorbing 15 barrels of crude oil.*

The Commission developed this standard for "the first line of defense" — now referred to as the initial/1st tier response phase — in consultation with the MMS, the United States Coast Guard ("USCG") and other state and federal agencies. The standard is based on the premise that locating response equipment at or near the site of offshore oil operations provides the most effective initial response capability to contain and clean-up small spills and retard the progress of large spills. On-site equipment is necessary because oil is most toxic immediately after a spill and it can be much more difficult to recover or chemically disperse after it has weathered, emulsified, or become more viscous.

The Commission also determined in past permit and federal consistency certifications that the "on-site boat requirement" can also be met by locating a "fast response" boat at another onshore or offshore location for providing initial response within 15-60 minutes. The appropriate equipment configuration and response time is determined on a case-by-case basis and is dependent on the location of the offshore production facility, proximity to environmentally sensitive habitats, and the response time for the oil spill response organization.[6]

Oil spill response technologies are evolving and improving. In order to ensure that the maximum feasible level of protection from oil spills is provided for California's coastal zone resources, the Commission recognizes that oil companies need some flexibility to make changes to existing on-site response equipment in the form of substitution of improved response equipment capabilities.

The evaluation of the overall effectiveness of proposed changes to on-site response equipment configurations must be made on a case-by-case basis. Using specific case facts (*i.e.*, the type of equipment change, applicable Adopted Consistency Certification Findings for the subject DPP), the Commission's Executive Director has approved offshore platform response equipment changes when they result in initial/1st tier response capability equal to or better than that originally reviewed by the Commission in its federal consistency concurrence for the applicable DPP. In these case-by-case reviews, the analysis has concluded there are "no

[6] For example, in consistency certifications CC-12-83, CC-27-83and CC-24-84 for Point Arguello Platforms Harvest, Hermosa and Hidalgo, the Commission determined it was safer and more effective to have initial/1st tier response provided by the oil spill response vessel *Mr. Clean III*, with required mooring in the vicinity of Platform Harvest.

effects" on the coastal zone resources substantially different those originally reviewed by the Commission for the consistency certification for the subject offshore platform.[7]

Changes and Improvements to SYU On-Site Response Equipment Since 1983

Exxon's amended *DPP* — as described in the Commission's Adopted Revised Findings for consistency certification CC-7-83 (page 61) — provides the equivalent of the on-site oil spill response equipment specified in the Commission's standard for initial/1st tier response. It states the following:

> *Onsite equipment and clean-up equipment associated with the proposed project will be stored at each of the 3 or 4 new platforms, and at platform Hondo A for rapid response to spills in the Santa Ynez Unit. This equipment will include the equivalent of:*
>
> *At platform Hondo and each of the 3 or 4 new platforms: 1,500 ft. of Kepner 18-inch sea curtain, 5 bales 3M sorbent, 1 each 1,200 gallon floating storage container, 2 drums of dispersant and 20 gallons of surface collecting agent. Two 32-foot boats[s] and two Walosep WI skimmers will be provided for the entire development. Skimmer deployment will be accomplished using field workboats or crew boats which may [not] be at the site operations, but which will be available within 50 minutes of any platform.*

On March 30, 1993,[8] Exxon submitted a proposal to the Commission staff to update the on-site response equipment at Platform Harmony with the following improvements: (1) replace 2 older model Walosep skimmers with one GT185 skimmer with improved capability for handling heavy crude; (2) replace the 1,200 gallon floating oil storage bags with one improved fixed 1,600 gallon oil storage tank; and (3) replace one 32' response vessel with two crewboats, each equipped with 500' feet of boom, to be available for skimmer deployment within 50 minutes of Platforms Harmony, Heritage and Hondo. The amounts of boom and sorbents on the platform were to remain the same.

The Commission staff, after consultation with the MMS, other state and federal agencies, and response industry experts, determined that the 1993 proposed equipment substitutions resulted in an initial/1st tier oil spill response capability that was equivalent to or better than that which was originally reviewed and approved by the Commission in CC-7-83 and CC-7-83R. Therefore, the 1993 proposed change in response capabilities did not cause effects on

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[7] For example: (1) Letter dated April 7, 1993 from Susan Hansch, Coastal Commission staff member, to Tom Dunaway, MMS, in which the Commission's Executive Director determined that the replacement of skimmer and storage equipment at Exxon's Platform Harmony with improved skimmer and storage tank was equivalent or better than the response capability originally reviewed by the Commission; (2) NE-112-00 letter, dated October 24, 2000, from Robin Blanchfield, Coastal Commission staff member, to Tom Dunaway, MMS, in which the Commission's Executive Director determined that Clean Seas response vessels (*Clean Sweep and Mr. Clean*) and other shore based response equipment were equivalent or better in response capability than the on-site boom equipment at Platforms Hogan and Houchin and did not cause effects on the coastal zone resources substantially different than those originally reviewed by the Commission.

[8] Letter dated March 30, 1993 from D.C. Tyler, Exxon Company U.S.A. to Robin Blanchfield, California Coastal Commission staff member. These proposed changes were in the *December 1992 Oil Spill Contingency Plan Update for the SYU Unit* ("*1992 Update*") that had been submitted to the MMS for its approval.

California's coastal zone resources and uses that were substantially different than those originally reviewed by the Commission for consistency certifications CC-7-83 and CC-7-83R. Thus, the proposed equipment modifications to the 1993 *Oil Spill Contingency Plan Update* did not require additional federal consistency review by the Commission and were approved by the Commission's Executive Director.[9, 10]

Evaluation of ExxonMobil's Current Proposal to Change the On-Site (Platform) Oil Spill Response Equipment

ExxonMobil's current proposal to reconfigure the initial/1st tier response capability for on-water skimmer recovery operations at Platforms Hondo, Harmony and Heritage and associated subsea pipelines consists of the following changes:

1. Remove the following on-site response equipment located on Platform Harmony: (1) one GT 185 skimmer and associated powerpak equipment *(i.e.,* tool/hose kit and hydraulic power unit); and (2) one 1600-gallon (38 barrel) oil storage tank.

2. Substitute the Clean Seas oil spill response vessels and fast response vessels (*i.e., Mr. Clean III, Mr. Clean* and *Clean Sweep*) — which have larger and more efficient oil spill skimmers and oil storage capacities — to provide the initial/1st tier response capability to oil spills at Platforms Harmony, Heritage, Hondo and the associated subsea pipelines.

3. Modify the 50-minute timeframe for deployment of a skimmer.[11] The substitution of Clean Seas' vessels as the initial/1st tier response may under some circumstances result in skimmer deployment times of greater than 50 minutes.

The issue to be addressed is whether ExxonMobil's proposed equipment and personnel changes will result in an initial/1st tier oil spill response capability for Platforms Hondo, Harmony and Heritage, and the associated subsea pipelines, that is equal to or better than that evaluated by the Commission in its original federal consistency review and concurrences (CC-7-83 and CC-7-83R).

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[9] Letter dated April 7, 1993 from Susan Hansch, Manager of Energy and Ocean Resources Unit, California Coastal Commission to Mr. Tom Dunaway, MMS.

[10] The April 7, 1993 letter also contained the following clarifications: (a) the Adopted Revised Findings for CC-7-83 and CC-7-83R provided for the substitution of equivalent or better response equipment, subject to Commission staff review; (b) the Commission staff had indicated to Exxon that the Commission staff right to review did not ensure that all equipment changes could necessarily be approved at the Executive Director level; (c) the Executive Director would determine when an equipment change must come before the Commission for review, based on the specific case facts, the type of equipment change, and the Commission's Adopted CC-7-83 and CC-7-83R Consistency Certification Findings.

[11] The amended 1983 Santa Ynez Unit DPP provided:

> "Skimmer deployment will be accomplished using field workboats or crew boats, which may be at the site operations, but which will be available within 50 minutes of any platform."

The more specific issue is whether the initial/1st tier response capability provided by the Clean Seas is equal to or greater than the on-site skimming recovery equipment and personnel capabilities at a given SYU ExxonMobil platform. The following questions are considered:

1. Is skimmer capability and storage capacity on-board the Clean Seas' response vessels (*Mr. Clean III, Clean Sweep* and *Mr. Clean*) that would respond to a spill at the SYU platforms better than the response resources (equipment and personnel) at the platforms themselves? Specific to this review, are overall *Clean Sweep* response capabilities for Platform Harmony better than the GT 185 skimmer and other resources stationed on the platform?

2. Should the responsibility for initial skimmer operations be shifted to experienced Clean Seas' personnel so that platform personnel can focus on finding and abating the spill source?

3. In the event Clean Seas' response vessels take longer than 50 minutes to deploy the skimmers, do they nevertheless provide faster and overall more effective skimmer operations for the intial/1st response tier response phase compared to that implemented by platform personnel deploying the GT 185 skimmer?

Effectiveness of Skimmer and Storage Systems

Existing Skimmer and Storage Capability located at Platform Harmony

The "non-advancing" GT 185 skimmer currently on Platform Harmony is a weir-type skimmer that allows oil floating on the surface of the water to flow over the top edge of the "weir", or dam, into a collection sump where the oil is then pumped to storage. The GT 185 is a stationary skimmer that requires personnel to manually manipulate and move it within a boomed area. Weir-type skimmers are most efficient when the oil is in a thin, flowing layer so that the fluid passing over the weir is mostly oil. Each time the oil thickness varies, the skimming depth must be manually readjusted. Two or three people are required to operate the GT 185 and its associated boom. The GT 185 can recover 282 barrels of water/oil mixture per hour, but actual oil recovery (as opposed to an oil/water mix) is better with the "advancing" LORI Oil Recovery System ("LORI") skimmers employed by Clean Seas. The GT 185 loses even more effectiveness in the higher sea states (swells or waves over 2 feet) present at platforms. The LORI advancing skimmer is also better for recovering the type of heavy crude oil found in the SYU field. [12]

Current platform equipment calls for the oil/water mix taken in by the GT 185 to be pumped to the1,600 gallon (38 barrel) storage tank. The tank is equipped with an oil/water separation system; it could provide sufficient storage capacity for up to three hours.

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[12] Marine Spill Response Corporation website (as of 02/19/02):
http:/www.psiweb.com/showcase/websites/1/gt185.html
Australian Marine Oil Spill Center website (as of 02/19/02):
http://www.aip.com.au/amosc/australian_response.html

Clean Seas' Response Vessel Skimming and Storage Capability

In the event of an oil spill at the SYU platforms, Clean Seas would typically send out its fast response vessel, *Clean Sweep,* followed as soon as possible by its two oil spill response vessels, *Mr. Clean III* and *Mr. Clean. Mr. Clean III* and *Mr. Clean* each have two LORI five-brush advancing skimmer systems, and *Clean Sweep* is equipped with a LORI three brush advancing skimming system. The LORI advancing skimmer system consists of patented brush conveyors or a rotating brush drum, booms, and flow-through channel designs. The Clean Seas' LORI systems are built into the *Clean Sweep, Mr. Clean III, and Mr. Clean* so that the LORI skimmers encounter and recover oil as the boat advances through the slick. The LORI advancing skimmer systems recover a higher concentration of oil at a faster rate than the stationary GT 185 skimmer deployed within a boomed area. The design of the LORI advancing skimming system allows sweeping speeds of 1 to 4 knots. Each one of the two five-brush systems on the *Mr. Clean III* and *Mr. Clean* has an oil recovery capacity of 1,290 barrels per hour. The *Clean Sweep's* three-brush LORI advancing skimmer system has an oil recovery capacity of 774 barrels per hour. The LORI advancing skimmer system has a greater than 95% oil recovery efficiency rating.

The LORI advancing skimmer systems are state-of-art skimming systems for use in the open ocean. Clean Seas specifically upgraded its oil spill response vessels with the LORI oil spill recovery system because the LORI systems are designed specifically for offshore oil recovery in the most demanding weather and sea conditions and have operated successfully in seas of up to 6.5 feet.[13]

The *Mr. Clean* and *Mr. Clean III* have 1,400 and 1,200 barrels of on-board storage capacity, respectively; the *Clean Sweep* has an on-board 30-barrel storage capacity. The *Clean Sweep* 30-barrel storage capacity, while apparently less than the existing 38-barrel storage tank at Platform Harmony, is offset by the higher oil recovery ratio of the LORI skimmer.

Response Times and Overall Response Capability for Initial/1st Tier Response

In the event of a spill in the Santa Ynez Unit, Clean Seas may immediately deploy (upon notification and as appropriate given spill location and size) all three of its response vessels — *Mr. Clean III, Mr. Clean* and *Clean Sweep*. If it was immediately known that the spill was small (*e.g.*, 1-10 barrels), the *Clean Sweep* might likely be the only vessel deployed. Typical response time of the *Clean Sweep* to the platforms is 1.0 – 2.3 hours, depending on the spill location and whether it is day or night. The Clean Sweep could begin skimming operations immediately upon the oiled area being declared safe to enter.

The *Mr. Clean III,* depending on where it is moored and the location of the spill, can typically arrive on-scene and deploy its skimmer within 1.3 and 3.0 hours. *Mr. Clean* can typically

[13] Hyde Marine (manufacturer of the LORI Brush Oil Recovery System) website (as of 02/19/02): www.hydeweb.com/oilspill/lori.htm
Clean Coastal Waters website (as of 02/19/02): www.cleancoastalwaters.org/ccw/pages/equip_inv_table.html

arrive on-scene within 2.6 and 3.6 hours, depending on spill location. Both of these vessels would arrive after *ExxonMobil's* required 50-minute timeframe for skimmer deployment.

A 1996 spill at Platform Heritage helps illustrate Clean Seas' response times. On May 2, 1996, at 12:05 AM ExxonMobil reported to Clean Seas a spill at Platform Heritage. Because this was reported as a large spill (approximately 200 barrels), Clean Seas deployed *Mr. Clean III.* Clean Seas also chose *Mr. Clean III* for response because it (as well as *Mr. Clean*) is equipped with infrared camera surveillance kits so that oil on water can been seen at night.[14] *Mr. Clean III* was on-scene by 1:40 AM, and *Mr. Clean III* personnel were able to begin almost immediate booming and skimming operations. *Mr. Clean II* [15] and *Clean Sweep* arrived on scene at 3:45 AM and 3:50 AM, respectively. Clean Seas recovered all the oil on the ocean water surface, and none was known to have impacted the shoreline.

Summary and Conclusions

We summarize the foregoing facts as follows:

- Each of the Cleans Seas' vessels (*Mr. Clean III, Mr. Clean* and *Clean Sweep*) contain improved skimmer technology and storage capacity, and overall provide faster and more effective oil spill recovery than that currently in place with the GT 185 skimmer and 1,600 gallon (38 barrel) storage tank on Platform Harmony.

- The *Clean Sweep, Mr. Clean III* and *Mr. Clean* are better equipped to operate in the rough seas typical of platform areas.

- The Clean Seas' LORI skimmers and boom systems are more effective at containing and recovering the heavy grade oil that produced at the SYU platforms.

- While SYU platform personnel receive training in the emergency operation of the GT 185 skimmer system, they do not routinely use the skimmer. Clean Seas' response personnel are specifically trained in oil spill containment and recovery operations and routinely train with and use the LORI advancing skimmer systems.

- The limited number of personnel on the platforms should focus their efforts on identifying and abating the source of the spill. Their specific tasks should be to: (1) identify the spill source and take immediate steps to abate the flow; (2) immediately notify the major response contractors and the respective federal and state agencies; (3) deploy oil spill containment boom around the platform; and (4) conduct the site safety assessment to determine if the oil spill zone is safe for entry.

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[14] The SYU platform crew boats cannot deploy the GT 185 skimmer at night.

[15] *Mr. Clean II* was decommissioned in 2000 and moved from Avila Beach to Santa Barbara. In a letter dated June 13, 2000, to Mr. Tom Dunaway, MMS, the Commission's Executive Director determined that the decommissioning of *Mr. Clean II* caused no effects on the coastal zone resources that were substantially different than those originally reviewed by the Commission.

- It is more effective and appropriate to use platform personnel on tasks directed at identifying and abating the spill source, rather than diverting their attention and resources to GT 185 skimmer deployment.

- Clean Seas' response equipment and personnel can arrive on-scene at a SYU platform spill and deploy state-of-the-art LORI brush advanced skimmer systems within the 50 minute timeframe or shortly thereafter.

In conclusion, based on the above evidence, the Commission staff has determined that the Clean Seas' vessels, *Clean Sweep, Mr. Clean III* and *Mr. Clean,* can provide a response capability for the initial/1st tier response that is equivalent to or better than that previously reviewed and concurred in by the Commission in federal consistencies CC-7-83 and CC-7-83R for the SantaYnez Unit; and therefore will not cause effects on California's coastal zone resources and uses substantially different than those originally reviewed by the Commission. Thus, the proposed modifications will not require additional federal consistency review by the Commission.