



National Transportation Safety Board

Washington, D. C. 20594

Safety Recommendation

Date: October 21, 1991

In Reply Refer To: M-91-29 and -30

Honorable William K. Reilly
Administrator
Environmental Protection Agency
401 M Street, S.W.
Washington D.C. 20460

About 1440 on July 28, 1990, the 601-foot-long Greek tankship SHINOUSSA collided with a three-tank barge tow being pushed by U. S. towboat CHANDY N near Red Fish Island, Houston Ship Channel, in Galveston Bay, Texas. The tow's overall length was about 966 feet. The inbound CHANDY N had just been overtaken by the 820-foot-long Liberian tankship HELLESPONT FAITH and was meeting the outbound SHINOUSSA. The SHINOUSSA sustained damage to its bow. One barge, APEX 3417 sank, and the other two barges, APEX 3503 and APEX 3510, were damaged. The CHANDY N and the HELLESPONT FAITH were not damaged. Total estimated damage to vessels and cargo was \$1,784,105. No one was injured. The Coast Guard estimated clean-up cost to the Federal Pollution Fund to be \$2.1 million. Oil lost to the environment was estimated at 347,000 gallons.¹

About 15 minutes after the accident, the CHANDY N operator notified the Coast Guard that the loaded oil tank barge APEX 3417 had sunk and that oil was polluting the waterway. The On-Scene Coordinator (OSC), who was also Captain of the Port (COTP) and commanding officer of Marine Safety Office-Galveston, closed the Houston channel in the vicinity of the vessel, notified all appropriate pollution response agencies, and commenced an investigation of the spill. The OSC had to determine the spill size, monitor the barge owner's cleanup actions, and determine whether a Federal cleanup should be initiated.

Apex accepted responsibility for the cleanup and hired two contractors. One contractor was on scene in about 3 hours and had a containment boom around the partially sunk barge in about 8 hours. The contractor had also ordered skimming equipment; however, because of contracting and logistical problems, the skimming

¹For more detailed information, read Marine Accident Report--"Collision Between the Greek Tankship SHINOUSSA and the U.S. Towboat CHANDY N and Tow Near Red Fish Island, Galveston Bay, Texas, July 28, 1990" (NTSB/MAR-91/03).

equipment did not arrive on scene until about 40 hours after the spill. The Safety Board believes that the time required to get booming and skimming equipment on scene was excessive. If the contractor had contained and removed the spilled oil earlier, the pollution would have been significantly less.

The Galveston-Houston area is one of the largest high-volume bulk oil and chemical vessel loading and unloading areas in the United States. Most spills that occur in Galveston Bay are minor mishaps at transfer facilities. The Coast Guard requires that each facility have ready access to containment material and cleanup equipment in the event oil is spilled at its dock area. Access may be by direct ownership, a cooperative ownership of cleanup equipment, or a contractual agreement with one or more cleanup contractors to provide the equipment.

If the oil is spilled from the facility, the facility has cleanup responsibility. If oil is spilled from a vessel when it is at a facility or under way, the vessel has primary cleanup responsibility. In such cases, the vessel representative, master, or person-in-charge usually uses the cleanup contractor recommended or preferred by the facility. If a vessel is in transit and has an oil spill as a result of a collision or other cause, the vessel representative may not know who to contact for cleanup assistance and may therefore delay containment and cleanup. In this situation, a vessel representative should contact the facility for which the vessel is bound or from which it has departed to obtain initial response containment equipment and cleanup assistance, as well as for cleanup contractors in the event of a large spill.

The U.S. Mineral Management Service (MMS) requires that Outer Continental Shelf (OCS) lessees have an oil spill contingency plan (30 CFR 250.42) to identify oil spill response equipment and response times, that they have provisions for inspecting and maintaining response equipment, and that they maintain an inventory of such equipment, materials, and supplies available locally and regionally. An exploration company must submit this plan before submitting an exploration plan or a development and production plan to the MMS. OCS companies formed a cooperative, the Clean Gulf Associates, to store and maintain oil spill cleanup equipment so that member companies could comply with the OCS regulatory requirements. Located in various places along the Gulf coast, the equipment is immediately available to association members for cleanup operations.

The Safety Board believes that the cleanup delay for this accident could have been avoided if a cooperative or other organization of waterfront oil transfer facilities and vessel owners had been formed to share the cost of purchasing, stockpiling, and maintaining necessary cleanup equipment for an immediate response in the Galveston Bay and surrounding waterways.

The EPA does not have any guidance in the National Contingency Plan for minimum oil spill cleanup equipment that must be available to Regional Response Teams nor to port areas to initiate an immediate cleanup. The Safety Board believes that the EPA should require waterfront facilities and the vessel owner loading or unloading bulk oil to meet requirements similar to those required by the MMS.

As a result of its investigation of the grounding of the U.S. tankship EXXON VALDEZ on Bligh Reef, Prince William Sound, Alaska, on March 24, 1989, the Safety Board made the following recommendation to the EPA:

M-90-47

Develop guidance for Regional Response Teams that enables them to establish the minimum amount of cleanup equipment that must be immediately available to initiate a cleanup response.

Because the EPA had not responded to this recommendation, the Safety Board sent a follow-up letter on June 21, 1991. On July 15, 1991, the Safety Board received a telephone call from the EPA advising the Board that EPA is in the process of drafting a response to this safety recommendation and that it should be completed in the near future. We advised the EPA that this safety recommendation would continue to be classified as "Open--Await Response" pending their reply. During a telephone call to the EPA on August 5, 1991, the Board was advised that the response was still in the draft stage but should be sent soon. As a result of this investigation, the Safety Board reiterates this recommendation.

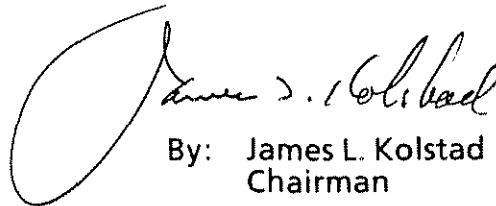
In addition, the National Transportation Safety Board recommends that the U.S. Environmental Protection Agency:

Develop guidance for port areas that will enable port authorities to establish the minimum amount of cleanup equipment that must be immediately available to initiate cleanup of oil spills. (Class II, Priority Action) (M-91-29)

Include in the waterfront oil transfer facility pollution contingency plan mandated by the Oil Pollution Act of 1990 a provision that requires the facility to have sufficient oil cleanup equipment readily available for vessels in transit to or from the facility that in the event vessels must initiate an oil spill cleanup. (Class II, Priority Action) (M-91-30)

Also, the Safety Board issued Safety Recommendations M-91-26 through -28 to the U.S. Coast Guard and reiterated M-88-1.

KOLSTAD, Chairman, COUGHLIN, Vice Chairman, and LAUBER, HART and HAMMERSCHMIDT, Members, concurred in these recommendations.



By: James L. Kolstad
Chairman