



SOLUTIONS TO OIL SPILL PREVENTION AND RESPONSE: STRENGTHENING PREPAREDNESS AND ENFORCEMENT

Following the November 2007 spill of 58,000 gallons of fuel oil into San Francisco Bay, Governor Schwarzenegger took immediate action on response and clean-up. He also promised to take steps to prevent that kind of spill from happening again. Today, together with a bipartisan group of legislators, the Governor is making good on that promise by announcing his support of three pieces of legislation and a series of administrative changes that will enhance spill prevention and response, step up enforcement and fines, and for the first time focus on inland oil spills with the same attention as those that take place in our coastal waters. These are the solutions that will prevent another devastating oil spill like the one California saw last November.

Administrative Actions: The Governor's Administration Has Already Taken Steps To Improve Oil Spill Response Times And Environmental Protection.

- ***Response Times: The Office of Spill Prevention and Response is speeding up the response times to oil spills in high-traffic ports.*** Oil Spill Response Organizations will have to comply with regulatory changes to speed up response in the San Francisco Bay and the Los Angeles / Long Beach ports and be able to demonstrate their ability to meet the new standard. These changes are expected to take fewer than six months to implement.
- ***Notification: Improving the accuracy of information and more quickly notifying local governments and neighboring counties is the focus of the Office of Emergency Services.*** OES is changing its protocols for notifying local governments that are potentially impacted by an oil spill. The Office of Spill Prevention and Response is working with OES to ensure the State Warning Center always has the most up-to-date, accurate information.
- ***Wildlife Protection: The administration is developing new guidelines to enhance recovery and rehabilitation of wildlife affected by an oil spill.*** Through a coordinated effort with the Oiled Wildlife Care Network, the Office of Spill Prevention and Response has developed recovery and training classes for volunteers, as well as established two new positions focused on wildlife recovery and rehabilitation.
- ***Prevention With New Technologies: The Governor's state Budget proposal includes funding for a 24-hour monitoring program in the San Francisco Bay.*** The Physical Oceanographic Real-Time System in the Bay is a 24 hour-a-day program that measures the currents, depth, salinity and wind in San Francisco and Suisun Bays every 6 minutes.

AB 1960 (Nava) – Enhancing Oversight of Inland Oil Facilities

The goal is to prevent oil spills from happening in the first place, and that requires effective maintenance standards and oversight of inland oil-producing facilities. The Governor supports Assemblymember Pedro Nava's bill, which will be amended to enhance the state's oversight and better prevent expensive and environmentally damaging oil spills.

This bill will:

- Help the Department of Conservation's Division of Oil, Gas and Geothermal Resources (DOGGR) effectively oversee the inspection, testing, maintenance, and operations of oil production facilities by:

- Increasing bonding requirements by requiring an operator to obtain a bond covering the life of a well and production facilities – rather than just for its first six months of production – if that operator has a history of violating DOGGR laws and regulations.
 - Reducing from six months to three the amount of time operators have to submit an oil spill contingency plan to DOGGR after initial production or acquisition of an oil well.
 - Authorizing DOGGR to develop minimum facility maintenance standards.
 - Giving DOGGR the authority to shut down a production facility that is being operated in violation of the minimum maintenance standards.
- Enhance enforcement authority for inland oil spill violations.

SB 1739 (Simitian) – Preparing For Oil Spills

Responding effectively to an oil spill requires that first-responders prepare, in advance. The Governor supports Senator Simitian’s bill, which will be amended to strengthen oil response by ensuring that routine, thorough emergency drills and practices are taking place.

- This bill will make it mandatory that oil spill response organizations actually demonstrate that they can deploy the response resources outlined in their contingency plans. It will increase the quality and detail of drills.

AB 2911 (Wolk) – Wildlife Contaminations, Volunteers, and Inland Oil Response

The Governor supports Assemblymember Lois Wolk’s bill that will be amended to: 1) **enhance the state’s wildlife protection efforts** following an oil spill, 2) **increase and enhance volunteers’ involvement** in spill cleanups, 3) **strengthen enforcement**, and 4) for the first time **enact comprehensive statutes to address inland oil spills** like those that already exist for marine spills.

The bill will:

- Statutorily enact an Inland Oil Spill Response and Clean-up program within OSPR similar to what currently exists in law for marine oil spills.
- Strengthen enforcement penalties for inland oil spills and marine oil spills, including giving the OSPR administrator the same ability to administratively enforce penalties for inland oil spill violations as exists for marine oil spills; and also:
- Doubling the civil penalties for both inland and marine spills;
 - Increasing the criminal penalties for inland oil spills, and;
 - Doubling the administrative penalties that exist for spills caused by negligence.