



**NRDC Policy Statement on the Cosco Busan  
Oil Spill in San Francisco Bay  
November 14, 2007**

The November 7 oil spill in San Francisco Bay is a tragic reminder of the fragility of our coastal ecosystems, as well as the risks of relying on fossil fuels. While spills in the bay have been rare in the past, vessel traffic is increasing and ships are getting larger. It will take time to determine exactly what should have been done to avert this disaster and how to improve the response in the future. But we don't have to wait for a full accounting of the accident to start planning ways to prevent another catastrophe. The following recommendations draw on NRDC's decades of experience in protecting our coastal ecosystems:

- The most important point is to avoid a spill in the first place. Once the oil hits the water, the battle is already lost. The aging international shipping fleet should be upgraded to newer, more efficient ships, which can not only protect against spills but also reduce oil dependency and pollution. We must prioritize prevention, not just disaster response.
- The first few hours after a spill are the most critical for response. Once oil has dispersed it is difficult to remove and poses a greater threat to more birds, fish, and other marine wildlife. If San Francisco can run a regular Tuesday alarm siren, the state should be able to run annual unannounced oil response drills in the Bay.
- The communications chain, including the State Interagency Oil Spill Committee, needs to be clear, redundant, and activated immediately upon report of a spill.
- The state Legislature and the administration should have full and open hearings on options to improve vessel traffic and spill prevention and response policies, and they should follow these hearings with funding in the 2008 budget.
- Congress should examine oil spill response procedures nationwide to ensure that other harbor cities—along the Mississippi and the coasts—are prepared for oil spills.
- Wildlife and fisheries stand to suffer more from oil spills when their populations are depleted, diseased, or otherwise in trouble. Part of mitigating against the effects of oil spills should be rebuilding and protecting our marine life including the creation of marine reserves, which help keep our coastal waters resilient.
- While the impacts of this one spill are acute, we should not lose sight of the fact that the annual amount of oil washed into Bay dwarfs this specific spill. In an average year, 6.1 million gallons of oil runs into California's waters from our roads and sidewalks<sup>1</sup>. We need to reduce the pollution from these 'invisible spills' as well.

Governor Schwarzenegger's 2004 Ocean Action Plan highlights not only the need for oil spill readiness and response but also the importance of close coordination with federal agencies. Fixing the problems brought to light by the Cosco Busan spill will require a continuing commitment to trained personnel and dedicated equipment by the state, the federal government, and the private companies that transit California waters. Even the best designed system will break down if neglected and subject to "bureaucratic cannibalism"<sup>2</sup> during tight budget years.

## Background

At 8:30 am on Wednesday, November 7, 2007, the container ship Cosco Busan struck a tower of the Bay Bridge, spilling 58,000 gallons of bunker fuel into San Francisco Bay. The Coast Guard estimates it was able to contain only 9,000 gallons of oil, and its response has been widely criticized as slow and uncoordinated. Oil has been found over 20 miles from the site of the accident, out at the Farallon Islands, as well as north along the coast in Drake's Bay in Point Reyes National Seashore. The state has closed the Bay and waters off of San Mateo, San Francisco, and Marin counties to all fishing until December 1<sup>st</sup>.

In the wake of the Exxon Valdez oil spill in Alaska in 1989, NRDC authored *No Safe Harbor* which examined the potential for a Exxon Valdez-sized oil spill in the ports of New York, Los Angeles/Long Beach, and the San Francisco Bay area. The findings of *No Safe Harbor* and the recommendations it set forth helped NRDC advocate for the successful passage of the federal Oil Pollution Act (OPA) and California's Oil Spill Prevention and Response Act in 1990. Both laws recognized the danger posed by oil spills and promised to dramatically improve spill prevention and response.

Two years after OPA was signed into law, NRDC authored *Safety at Bay*, which criticized the federal government for failing to take key steps to improve spill prevention and response and for interpreting OPA in a way that undermines its effectiveness. In 2000, NRDC co-authored *Boom...not Promises*, exposing the fact that the state was not conducting the unannounced drills required by law and companies lacked the staff and training to respond quickly to spills. This led California to raise the fees charged to oil tankers, which support the state's Office of Spill Response (OSPR). And yet, despite the availability of funding and strong laws mandating preparation and action, it appears that many of the problems identified 17 years ago persist today.

### For more information:

The State of California's Cosco Busan spill page

[http://www.dfg.ca.gov/ospr/spill/incidents/cosco\\_busan/cosco\\_busan.html](http://www.dfg.ca.gov/ospr/spill/incidents/cosco_busan/cosco_busan.html)

The Oiled Wildlife Care Network

[www.vetmed.ucdavis.edu/owcn/](http://www.vetmed.ucdavis.edu/owcn/)

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<sup>1</sup> *Characterization of Used Oil in Stormwater Runoff in California*. California Environmental Protection Agency Office of Environmental Health Hazard Assessment, September 2006. Available at <http://www.oehha.ca.gov/water/reports/OilInRunoff0906.pdf>

<sup>2</sup> *2005-2006 Biennial Report by the California Oil Spill Technical Advisory Committee to the California Governor and the Legislature*. Available at [http://www.dfg.ca.gov/ospr/commit/tac/tac\\_2005-2006\\_biennial\\_report.pdf](http://www.dfg.ca.gov/ospr/commit/tac/tac_2005-2006_biennial_report.pdf)