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Senator Feinstein Introduces Legislation to Prevent Oil Spills Like the Cosco Busan Incident

- Legislation would mandate that the Coast Guard intervene during adverse conditions; Require double hulls for all large cargo ships -

Washington, DC – U.S. Senator Dianne Feinstein (D-Calif.) today introduced legislation to prevent oil spills like the November 2007 Cosco Busan incident, when a 900-foot cargo ship crashed into Bay Bridge and spilled more than 53,000 tons of toxic bunker fuel into the San Francisco Bay.

The Cosco Busan spill was an environmental disaster. More than 2,900 seabirds were affected, commercial fishing and crabbing was suspended for up to three weeks, and 26 beaches along the San Francisco Bay shoreline were closed for up to a week as the oil washed ashore. All told, the economic impacts are expected to total more than \$50 million.

“We need strong, common-sense standards that will protect our waters from devastating spills,” Senator Feinstein said. **“First, the Coast Guard must intervene during adverse conditions to ensure that ships meet their destination safely, particularly during periods of low visibility. Second, it’s time to require double hulls for large cargo vessels. This standard has dramatically reduced the threat of catastrophic spills from oil tankers – and there’s no question that similar requirements would improve the safety and integrity of cargo vessels.”**

Specifically, the Feinstein bill:

- **Directs the U.S. Coast Guard to control and oversee a vessel’s route and speed during dangerous conditions, like low visibility, an environmental hazard or a terrorist attack, within U.S. waters.** The Coast Guard has the authority under existing law to intervene during these conditions, but is not mandated to do so.
- **Mandates all large cargo ships (over 5,000 gross tons) carrying high volumes of fuel oil double hull their fuel tanks.** The legislation requires that all new ships meet international standards to have a double hull by 2010. It also requires that existing ships convert to the double hull protection system by 2024.

“Bottom line: We must do everything we can to prevent future accidents like the Cosco Busan crash and the resulting spill,” Senator Feinstein said.

Coast Guard Intervention during Dangerous Conditions

Although the Coast Guard currently has the authority to take such actions under the Ports and Waterways Safety Act of 1972, the Cosco Busan incident highlighted the fact that they rarely fulfill this important function.

The Feinstein legislation would require the Sector Commander of Coast Guard – the top official within each of the Coast Guard’s 35 regions – to assume direct authority of all vessels during adverse conditions. The legislation defines several “enhanced danger” situations within which the Coast Guard would be required to use this authority, including: the commission of an act of war or an act of terrorism, a period of low visibility, or after an oil spill of more than 5,000 gallons or the discharge of an hazardous materials.

The Sector Commander will have the authority to stop ships, change their course, or return them to a safe harbor. They will have the authority to alter the course of one ship, or of all ships. This authority is necessary to ensure safe navigation of dangerous waterways.

Double-hulling Cargo Ships

In 1990, in the wake of the Exxon Valdez disaster, Congress passed legislation to require that all oil tankers have double hull protection. Since then, only 10 percent of all oil spills have been from oil tankers. Cargo ships were exempted from the regulations because, at the time, they carried smaller volume of oil. However, newer, larger cargo ships like the 900-foot Cosco Busan carry hundreds of thousands of gallons of oil as fuel, and this oil poses a serious environmental threat.

The Feinstein legislation not only requires that all new ships meet international standards to have a double hull by 2010, it also requires that existing ships convert to the double protection system by 2024.

The bill establishes a time frame for the transition to the double hull system.

- By 2010, all new ships built will have double hulls.
- By 2014, all cargo vessels over 40 years of age and weighing between 5,000 and 30,000 gross tons must be converted to the double hull;
- By 2014, vessels larger than 30,000 gross tons that are 28 years old or older must be converted to the double hull.
- By 2024, all cargo vessels over 5,000 gross tons must be converted to the double hull.

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