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March 23, 2001

- ◆ The big news this week has been the sinking of the world's largest oil platform (in terms of capacity) off the coast of Rio de Janeiro. The \$350 million platform, owned by Brazilian oil giant Petrobras, suffered a series of explosions late last week, and ultimately sank on March 20. 10 people lost their lives in the incident. In the wake of the sinking, Petrobras said it had dispersed or collected all but 3,200 gallons of crude and 81,600 gallons of diesel fuel that had been detected on the surface. Because the spill area is 75 miles offshore, officials are reporting that there's little or no chance oil will impact the Brazilian coast. The platform had 316,000 gallons of diesel and 79,000 gallons of oil aboard. The wells on the ocean floor have reportedly been capped and are secure. (*Miscellaneous Sources*) ***Editor's Note: Hmmm . . . We wonder how the amounts detected and recovered could have been recorded and determined so quickly under open ocean conditions . . .***
- ◆ Earlier this month, Sorbent Products Co., Inc. announced the addition of Cansorb™ to their product line. Cansorb™ is an all-organic oil-only absorbent made from high quality, large fiber Sphagnum Peat Moss. This product is unique in that it simultaneously repels water and absorbs oil - up to eight times its own weight. SPC will offer Cansorb™ in compressed bales and in loose granular form. For more information, contact SPC's Jill Kelly at 800-333-7672 or send her e-mail at kellyj@sorbentproducts.com. You can also visit the company's web site at www.sorbentproducts.com.
- ◆ A mandatory OPA '90 spill response exercise was conducted this week along the Cape Fear River near Wilmington, North Carolina. Participants in the exercise included the U.S. Coast Guard, CITGO Asphalt Refining Company, Chemserve Marine, Koch Petroleum Group, PDV Marina, and the State of North Carolina Emergency Management Division. The overall purpose of the exercise was to evaluate response contingency plans and capabilities. A part of the exercise included the Coast Guard Cutter *ELM* and deployment of its Spilled Oil Recovery System, as well as the deployment of oil containment boom. (Source: *Coast Guard Press Release* and *Maritime Items*) ***Editor's Note: It's interesting (and troubling) to note in the press release that no private sector response companies are mentioned as participants, and that the only response resources listed for deployment are those owned by the Coast Guard. We hope that the private sector was involved in this exercise, and would welcome any comments or input from our membership in this regard.***
- ◆ ***Did anyone read the article appearing on page 16 of the March 12, 2001 edition of Newsweek written by Capt. Paul Watson?*** The article is entitled "Will We Be Prepared for the Next Spill" and primarily discusses the response to the Jessica incident in the Galapagos last January. Capt. Watson states his opinion about the global lack of preparedness to respond to oil spills and the apathetic nature by which many countries respond to them. SCAA is in the process of writing a letter to the editor of Newsweek about this article and the false impressions it may leave to readers not directly

involved in our profession. ***We trust that all our members and the response community at large will let their voices be heard on this and similar issues!***

- ◆ On March 20, the U.S. Supreme Court ruled that employers could force workers to take job-related disputes to arbitration rather than to court – a decision that could have widespread effects on workplaces in America. Essentially, the Supreme Court ruled that arbitration agreements relative to workplace disputes are enforceable even if the employer required the worker to sign the agreement in order to be hired. Supporters of arbitration say that it's less complicated and costly than a lawsuit, while employees' advocates say that the process can favor employers and that workers can forfeit certain rights. In arbitration, appeals can be limited, damages can be capped, and fact-finding can be restricted. Several appeals courts had ruled that employers could require arbitration for the resolution

of workplace disputes, but an appeals court in San Francisco disagreed in 1999 and refused to enforce a company's arbitration agreement, a decision that was ultimately challenged. In its decision, the Supreme Court majority said the appeals court interpretation is not workable, and would spawn more lawsuits instead of limiting them. (Source: *MSNBC*)

- ◆ Last year, Alaska's State Senate passed Bill 273, which required the Alaska Railroad and non-seagoing vessels of 400 or more gross tons to demonstrate the ability to pay for responding to oil spills and proposed a response planning standard (cleanup 15% of the vessel's maximum oil storage capacity within 48 hours of an oil spill). The legislature established a task force (comprised of a total of 23 representatives from the maritime industry, railroad, petroleum producers/transporters/distributors, spill cooperatives, and the U.S. Coast Guard) to make recommendations on how industry should be allowed to implement the response standard. Last week, SB 16 (which enacts the task force recommendations of how to implement the standard) was passed by the Alaska House of Representatives. It was approved by the Alaska State Senate in February. (Sources: *Maritime Items* and *ADEC Press Release*) ***Just wondering . . . How realistic is it to put a time factor on cleanup?***
- ◆ Crowley Liner Services, a subsidiary of SCAA member Crowley Maritime Corp., has become the first carrier in over 40 years to receive authorization from the U.S. government to carry licensed food and medicine between the U.S. and Cuba. The Treasury Department's Office of Foreign Assets Control granted the above-described authorization, and the goods carried by Crowley are expected to consist primarily of poultry and dairy products. Legislation was passed last year that permits the shipment of agricultural products to Cuba for the first time in 40 years. As you may know, the U.S. government embargoed Cuba in 1960 after Fidel Castro set up a communist government on the island. (Source: *JOC Week*)
- ◆ The "Oil Pollution 2001: Claims Handling & Clean Up Response" conference will be held May 14-15, 2001 at the Inmarsat Conference Center in London. Program highlights include discussions on the International Regime on Liability and Compensation for Oil Pollution Damage; latest European proposals on maritime safety measures; European Government emergency response systems and emergency towing vessels; and salvor and responder immunity. More information on the event can be obtained on line at www.lloydslistevents.com/oilpollution, or by calling +44-1932-893-861.
- ◆ ***Work/Life/Health:*** Many companies are implementing work/family initiatives so that employees are better able to balance careers with family lives. However, many employers are experiencing a backlash from single employees who are tired of carrying extra workloads, working longer hours, and getting less flexibility because they don't have traditional families at home. The Bureau of Labor Statistics reports that 66% of employees in the workplace at any given time don't have children under the age of 18. The potential resentment from this scenario can damage morale in your department or company. If you can answer "yes" to any of the following questions, you probably need to reevaluate your company's work/family benefits: (1.) Are employees with children allowed more flexibility with their schedules? (2.) Are employees without children expected to work longer hours? (3.) Do employees with children get more benefits coverage for dependent care? (4.) Do married employees get to choose vacation and holiday time first? (Source: *Positive Leadership*)
- ◆ ***Quote of the Week:*** "If you once forfeit the confidence of your fellow citizens, you can never regain their respect and esteem. It is true that you may fool all the people some of the time; you can even fool some of the people all the time; but you can't fool all of the people all the time." Abraham Lincoln (1809-1865), *To a Caller at the White House, From Alexander K. McClure, Lincoln's Yarns and Stories* (1904)
- ◆ ***Final Note: There will be no "Spill Briefs" newsletter next week due to the SCAA Annual Meeting and ensuing International Oil Spill Conference!***