

Bakken Federal Executives Group Spill Response Update



Extent of
Bakken
Formation

Williston

Nesson
Arbitrage

United States

Williston
Basin

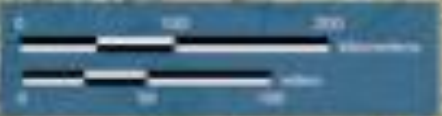
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Powder
River
Basin

Kennedy
Basin



Purpose:

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- Provide the Missouri River Basin Interagency Roundtable (MRBIR) with an update on emergency spill response strategies and coordination

Background

- Bakken Federal Executives Group (BFEG)
 - ▣ Established in April 2012; MOU Signed November 2014
 - ▣ Forum for Senior-level Executives
 - ▣ Specific to Bakken energy development
- Goal: work together to identify and address common issues associated with the rapid and widespread changes related to oil and gas development in the Bakken region
- Membership comprised of 14 federal agencies
- Subcommittees established to address high priority concerns

Spills/Releases

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- ▣ A collaborative interagency response strategy is being sought by the BFEG and the Federal Partners Working Group
- ▣ Challenges include:
 - Complicated jurisdictions
 - Timely communication and response
- ▣ Key players include:
 - Industry
 - State
 - Federal agencies
 - Tribal governments

Current Response Strategy: Industry

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- 10 companies have formed the Sakakawea Area Spill Response LLC as of October 2013)
 - Bridger Pipeline
 - Enbridge Pipeline
 - WPX Energy Marathon Oil
 - Whiting Petroleum
 - Hess Corp.
 - Slawson Exploration
 - Enerplus
 - Continental Resources
 - Bakken Link Pipeline

Current Response Strategy: Industry

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- The organization is about a year old and has invested over \$325,000 in equipment that members can access in addition to the companies' own resources
- Equipment includes:
 - Two boats and two 28-foot spill response trailers with containment booms, oil skimmers, generators, lights and other equipment
 - The equipment is stored in New Town, ND
 - Recently purchased winter spill response equipment
 - A process for nonmembers to access equipment (with an associated fee)
 - Working on MOA with ND so state can use equipment
- Three training sessions were conducted in 2013 with the EPA in Riverdale, New Town, and Williston

Current Response Strategy: State/North Dakota

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- The state handles initial spill response through the North Dakota Department of Emergency Services, Department of Emergency Response, under their State Emergency Response Plan
- The state of North Dakota requires immediate reporting of any spill or other incident that could adversely affect human health or the environment
- The wellsite operator is responsible for making proper notifications to the state, but suspected leaks or observed spills needing immediate attention may also be reported by the public

Current Response Strategy: State/North Dakota

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- Depending on the spill or incident, one of the following agencies should be notified and provided with relevant information:
 - North Dakota Department of Emergency Services (800) 472-2121 (24-hour hotline)
 - North Dakota Industrial Commission, Department of Mineral Resources, Oil and Gas Division (701) 328-8020
 - North Dakota Department of Health (701) 328-5210 or (701) 328-5166

Current Response Strategy: Tribe

- The Three Affiliated Tribes-Tribal Response Program (TAT-TRP) is responsible for the investigation and remediation of a release, or threat of release, of a hazardous substance, pollutant or contaminant, including controlled substances, petroleum products and mining materials as provided for in the Act on reservation lands
 - http://www.mhanation.com/main2/departments/mha_energy_division/mha_energy_website/TAT%20-%20Environmental%20Codes%20-%20Tab%201.pdf
- Led by the Environmental Division Director, this program is similar to the one EPA implements on non-Tribal federal lands under Section 128(a) of 42 U.S.C. § 9601 et seq. (CERCLA)

Current Response Strategy: Tribe

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- BIA Fort Berthold (BIA FB) Environmental Agency is notified by operators (oil and pipeline companies) by phone or email when an undesirable event occurs on Trust Property
 - In most case these are events that occur on leased property (well pads, access roads, pipeline rows)
- Operators are then instructed to fill out a report from NDIC and BLM and reports are then sent to BIA FB environmental staff
- BIA FB environmental staff then conduct an inspection of the event

Current Response Strategy: Federal

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- EPA designated as the lead agency by the Department of Homeland Security under the National Response Framework
 - EPA has responsibility for Emergency Service Function No. 10 (ESF #10) which pertains to Oil and Hazardous Materials Response
- Other potential Federal involvement also includes other BFEG member agencies/offices/bureaus: BLM, BIA, FS, FWS, NPS and USACE
 - EPA Region 8 is a member of the BFEG and actively involved in both planning and response activities

Current Response Strategy: Federal

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- ▣ In 2012 EPA embarked upon a new phased approach to oil spill planning in ten watershed-based planning areas
 - Each Sub-Area Contingency Plans (SACP) will identify resources and equipment, and clarify each agency's responsibility and each facility's responsibility when responding to a worst case discharge
 - The SACP of particular interest to the BFEG includes the Missouri, Lake Sakakawea, and Lake Oahe basins
 - The final SACP for this region is scheduled to be complete by Spring 2015

Collaboration

- A collaborative response strategy to spills/releases is being sought by the BFEG
- Several BFEG agencies are actively involved in the process to facilitate
 - Seamless interagency communication
 - Timely response on the ground
 - Accountability for environmental quality
- The EPA SACP also seeks increased governmental interagency coordination (local, state, federal, and tribal) and collaboration with facility representatives

Questions and Discussion

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- Any questions or recommendations for the BFEG?