



Oil Spill Liability Trust Fund Disbursements for FY 2021

Report to Congress
October 19, 2022



U. S. Coast Guard

Foreword

October 19, 2022

I am pleased to present the following report, “Oil Spill Liability Trust Fund Disbursements for FY 2021,” which has been prepared by the U.S. Coast Guard.

Section 2712 of Title 33, United States Code, directs the annual submission of a report listing each incident that occurred in the preceding two fiscal years that resulted in disbursements of \$500,000 or more from the Oil Spill Liability Trust Fund and an accounting of any amounts reimbursed to the Fund in the preceding fiscal year that were recovered from a responsible party for incidents with disbursements that totaled \$500,000 or more.



Pursuant to Congressional requirements, this report is being provided to the following members of Congress:

The Honorable Maria Cantwell
Chair, Senate Committee on Commerce, Science, and Transportation

The Honorable Roger Wicker
Ranking Member, Senate Committee on Commerce, Science, and Transportation

The Honorable Peter DeFazio
Chairman, House Committee on Transportation and Infrastructure

The Honorable Sam Graves
Ranking Member, House Committee on Transportation and Infrastructure

I am happy to answer any further questions you may have, or your staff may contact my Senate Liaison Office at (202) 224-2913 or House Liaison Office at (202) 225-4775.

Sincerely,

A handwritten signature in blue ink that reads "L L Fagan".

Linda L. Fagan
Admiral, U.S. Coast Guard
Commandant



Oil Spill Liability Trust Fund Disbursements for FY 2021

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I. Legislative Language

This report responds to the language under Section 2712 of Title 33, United States Code (U.S.C.), which states:

33 U.S.C. §2712. Uses of Fund

...

(l) Reports

(1) IN GENERAL.—Each year, on the date on which the President submits to Congress a budget under section 1105 of title 31, United States Code, the President, through the Secretary of the Department in which the Coast Guard is operating, shall—

(A) provide a report on disbursements for the preceding fiscal year from the Fund, regardless of whether those disbursements were subject to annual appropriations, to—

(i) the Senate Committee on Commerce, Science, and Transportation; and

(ii) the House of Representatives Committee on Transportation and Infrastructure; and

(B) make the report available to the public on the National Pollution Funds Center Internet website.

(2) CONTENTS.—The report shall include—

(A) a list of each incident that—

(i) occurred in the preceding fiscal year; and

(ii) resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more;

(B) a list of each incident that—

(i) occurred in the fiscal year preceding the preceding fiscal year; and

(ii) resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more; and

(C) an accounting of any amounts reimbursed to the Fund in the preceding fiscal year that were recovered from a responsible party for an incident that resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more.

(3) AGENCY RECORDKEEPING.—Each Federal agency that receives amounts from the Fund shall maintain records describing the purpose for which such funds were obligated or expended in such detail as the Secretary may require for purposes of the report required under paragraph (1).”

II. Background

This report is the fourth submission of a revised Oil Spill Liability Trust Fund (OSLTF) Disbursement Report since the *Frank LoBiondo Coast Guard Authorization Act of 2018* amended Section 2712 of Title 33, U.S. Code. The report identifies incidents with cumulative disbursements of \$500,000 or more for removal costs or damages from the OSLTF.

- Section III of this report lists incidents that occurred in fiscal years (FYs) 2020 and 2021 and resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more.
- Section IV provides an accounting of any amounts reimbursed to the Fund in FY 2021 that were recovered from a responsible party for an incident that resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more.

The OSLTF is the federal funding source for oil pollution prevention, response, and compensation under the *Oil Pollution Act of 1990* (OPA 90). Amounts are available until expended and are administered by the National Pollution Funds Center. The OSLTF is also a source of annual appropriations to federal agencies responsible for implementing, administering, and enforcing various oil pollution prevention programs under OPA 90 and section 311 of the *Federal Water Pollution Control Act* (FWPCA).

National Pollution Funds Center provides funding to Environmental Protection Agency and Coast Guard Federal On-Scene Coordinators (FOSCs) acting under FWPCA section 311(c) authority. FOSCs coordinate agency removal actions through contracts with commercial entities and interagency agreements with federal, state, and local response partners.

III. Disbursements for Pollution Incidents

Table 1 identifies disbursements which occurred in FY 2021 from the OSLTF for removal costs and damages, totaling \$500,000 or more.

TABLE 1: FY 2021 Disbursements

Federal Project #	Name of Case¹	Incident Start Date	Source of Spill	Sum of All Tasks
M21017	MUNGER T. BALL	02-Mar-2021	Vessel	\$2,401,433
P21001	BROADKILL BEACH	19-Oct-2020	Mystery	\$2,255,221
A21014	M/V AMERICAN CHALLENGER	06-Mar-2021	Vessel	\$2,046,331
N21003	MAIN PASS 2	15-Oct-2020	Facility	\$1,137,610
E21702	DESTINY	01-Apr-2021	Facility	\$806,193
M21003	JIMMY & CHARLIE JR	12-Nov-2020	Vessel	\$640,706
N21013	YUMA MP BLOCK 4	03-Feb-2021	Facility	\$637,127
M21004	CAPE LOOKOUT	17-Nov-2020	Vessel	\$526,597
Total:				\$10,451,218

Table 2 disbursements which occurred in FY 2020 from the OSLTF for removal costs and damages, totaling \$500,000 or more.

TABLE 2: FY 2020 Disbursements

Federal Project #	Name of Case¹	Incident Start Date	Source of Spill	Sum of All Tasks
N20019	BOUCHARD GIRLS	14-Feb-2020	Vessel	\$8,574,662
N20020	DONNA J BOUCHARD	14-Feb-2020	Vessel	\$3,369,919
H20005	F/V MIDWAY ISLAND	04-Feb-2020	Vessel	\$1,290,120
N20014	PAPPYS PRIDE	15-Jan-2020	Vessel	\$898,934
N20018	MYSTERY	02-Feb-2020	Mystery	\$796,024
920017	NRC# 1262581	30-Oct-2019	Mystery	\$722,130
A20012	USS BONHOMME RICHARD	13-Jul-2020	Vessel	\$509,586
Total:				\$16,161,375

¹ As named by Federal On Scene Coordinator

IV. Amounts Reimbursed and Recovered

Table 3 provides an accounting of any amounts reimbursed to the OSLTF in FY 2021 that were recovered from a responsible party for an incident that resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more. The incidents identified are not limited to those occurring only in the two preceding FYs—the incident may have occurred in any prior FY.

TABLE 3: Amounts Reimbursed and Recovered (FY 2021)

Federal Project #	Name of Case²	Amount Recovered
N10DWH	DWH CONSENT DECREE	\$48,232,400
B17001	PSE&G/ConEd DIELECTRIC SPILL	\$9,486,144
J18009	ABANDONED CANNERY	\$189,150
H18001	PACIFIC PARADISE	\$97,000
H04007	F/V MWALIL SAAT	\$25,220
S13012	M/V HELENA STAR	\$16,296
E15004	DEATON FARM AST SPILL	\$9,967
E14459	BEAVER CREEK CRUDE	\$4,858
E10111	CHARLTON WELDING	\$3,574
087149	OVERHOLT TRUCKING TANK FARM	\$3,403
A20002	CF4477EY	\$1,550
M16004	M/V ENDEAVOUR	\$774
E15001	ALASKA PETROLEUM DISTRIBUTORS	\$649
Total:		\$58,070,985

² Table 3 provides an accounting of amounts reimbursed to the Fund in a single fiscal year. Additional amounts for each incident may have been reimbursed in previous years or may be reimbursed in subsequent years.