

EXECUTIVE ORDER

01.01.2000.12

Patuxent River Oil Spill Citizens Advisory Committee and Oil Spill Prevention Advisory Committee

WHEREAS, On April 7, 2000, the State was notified that a leaking pipeline at the PEPCO Chalk Point Generating Station had discharged oil into a tidal marsh on Swanson Creek, a tributary of the Patuxent River;

WHEREAS, This oil has since migrated into the Patuxent River, its tributaries, marshes and beaches, causing immediate damage to the natural resources in and around the Patuxent River, and may have longstanding negative effects on the Patuxent River ecosystem;

WHEREAS, The Patuxent River provides many valuable ecological, recreational and economic services to the environment and citizens of Maryland;

WHEREAS, Calvert, Charles, Prince George's and St. Mary's Counties (the affected counties) are most affected by the damage caused by the spill;

WHEREAS, Under state and federal law, the Departments of Natural Resources and the Environment, as co-trustees of Maryland's natural resources, together with the National Oceanic and Atmospheric Administration and the Department of the Interior, are responsible for developing and implementing a natural resources damage assessment plan and restoration/mitigation plan in response to the spill;

WHEREAS, Effective coordination and communication among the involved government agencies, local elected officials and citizens of the affected counties, as well as meaningful input from PEPCO, are all critical to the success of continued cleanup, damage assessment, restoration and mitigation efforts; and

WHEREAS, This incident dramatically illustrates the fragile nature of estuaries, the unique vulnerability of the Chesapeake Bay, and the special need for Maryland to evaluate the adequacy and effectiveness of the programs, standards and resources devoted to oil spill prevention and response.

NOW, THEREFORE, I, PARRIS N. GLENDENING, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Established. Two Advisory Committees are established to assist the State in effecting a coordinated cleanup and mitigation of the oil spill from the pipeline at the Chalk Point Power Plant, and to make recommendations for improving oil transport safety and spill response. They are:

(1) Patuxent River Oil Spill Citizens Advisory Committee; and

(2) Oil Spill Prevention Advisory Committee.

B. Membership, Duties and Operation. The Advisory Committees shall be structured and directed in the following manner:

(1) Patuxent River Oil Spill Citizens Advisory Committee

(a) Composition. The Advisory Committee shall be comprised of members appointed by the Governor to represent government, environmental interest organizations, the scientific community, business, community associations, watermen, fishermen, boaters and the general public. The Governor shall name a Chair and Vice Chair to serve at his pleasure.

(b) Duties. The Advisory Committee shall perform the following duties:

(i) Hold local meetings to inform the public about the status of the cleanup and restoration projects; help educate the public on the benefits and limitations of cleanup and restoration methods; and obtain citizen input about steps which should be considered to restore natural resources;

(ii) Assist the Departments of Natural Resources and the Environment in the development of the natural resources damage assessment plan and the restoration/mitigation plan;

(iii) Advise the Departments of Natural Resources and the Environment regarding issues such as priorities for cleanup and the criteria for the completion of the cleanup of the oil spill; and

(iv) Periodically provide reports at the request of the Governor or the Departments of Natural Resources and the Environment.

(v) The Advisory Committee shall not become involved in matters related to private claims relating to damage from the oil spill.

(vi) The Advisory Committee may seek input from PEPCO and the appropriate Federal agencies on issues under its consideration.

(vii) The Advisory Committee may provide comments and suggestions on future preventative measures as part of its advice to the Departments of Natural Resources and the Environment.

(c) Staffing. Staff support for the Patuxent River Oil Spill Citizens Advisory Committee will be provided by the Departments of Natural Resources and the Environment.

(d) Duration. The Patuxent River Oil Spill Citizens Advisory Committee shall operate through, and make a final report by June 30, 2002, unless otherwise extended by subsequent Executive Order.

(2) Oil Spill Prevention Advisory Committee

(a) Composition. The Advisory Committee shall be comprised of members appointed by the Governor to represent government, environmental interest organizations, the oil transport and utility industries, emergency response organizations, the scientific community; and the general public. The Governor shall name a Chair and Vice Chair to serve at his pleasure.

(b) Duties. The Advisory Committee shall perform the following duties:

(i) Review and analyze the adequacy of federal policy, laws and regulation, related implementing

legislation and administrative actions regarding oil transport and oil spill response;

(ii) Assess the adequacy of state laws and regulation addressing oil transport and oil spill response for protecting the Chesapeake Bay and the State's other natural resources;

(iii) Assess the adequacy of federal, state and local government resources and plans, and private contractor support available to prevent and respond to oil spills;

(iv) Review and analyze the preparedness of federal, state and local government agencies, private businesses, regional organizations and the oil industry to respond to oil spills;

(v) Recommend options to the Governor for addressing issues, concerns or problems surfacing through the review process, prioritizing sensitive areas of risk which are targets for immediate attention;

(vi) The Advisory Committee should identify and prioritize sensitive areas of risk which are targets for immediate improvement;

(vii) The Advisory Committee shall not become involved in matters related to private claims arising out of damages incurred from oil spills; and

(viii) The Advisory Committee may seek input from appropriate state and federal agencies, officials or experts on issues under its consideration.

(c) Staffing. Staff support for the Oil Spill Prevention Advisory Committee will be provided by the Department of the Environment and the Maryland Public Service Commission.

(d) Duration. The Oil Spill Prevention Advisory Committee shall operate through, and make a final report by December 31, 2000, unless otherwise extended by subsequent Order.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 7th Day of July, 2000.

Parris N. Glendening
Governor

ATTEST:

John T. Willis
Secretary of State