U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Tugboat Wm. McAllister - Removal Polrep
Final Removal Polrep

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region II

Subject: **POLREP #22**
Close-out of EPA Response Action
Tugboat Wm. McAllister
Z2AK
Port Douglass, NY
Latitude: 44.5038516 Longitude: -73.3543396

To: Paul Kahn, ERRD-RPB
Andrew Raddant, Department of Interior
Dennis Farrar, NYSDEC
USCG-NPFC Case Management Teams IV & II, USCG
Eric Mosher, USEPA , Region 2, ERRD-RPB
Tim Grier, USEPA Headquarters 5202G
Christopher Jimenez, USEPA Region 02
John Kushwara, USEPA Region 2 DECA-WCB
Doug Kodama, USEPA Region 2 ERRD
Beckett Grealish, USEPA Region 2, ERRD, RAB
John LaPadula, USEPA, Region 2 ERRD-NYRB
James Daloia, USEPA, Region 2, ERRD-RPB
John Higgins, USEPA, Region 2, ERRD-RPB
Mary Mears, USEPA, Region 2, PAD
Alex Sherrin, USEPA
Steve Lehmann, NOAA
Arthur Cohn, Lake Champlain Maritime Museum
Rudy Brown, Public Affairs
Matt Moran, Vermont DEC
Tim Cropley, Vermont DEC
Richard Spiese, Vermont DEC
Mario Paula, USEPA
Carl Pellegrino, USEPA
Berry Shore, USEPA
Karen Way, USEPA Region I
Adam Kane, Lake Champlain Maritime Museum
Andrew English, NYSDEC
Richard Schultz, Atlantic Strke Team
Joel Ferguson, Atlantic Strike Team
Michael Weaver, Atlantic Strike Team
Wilson Ring, Associated Press International
Donald Jaquish, Essex County OEM
Michael Blaise, Essex County OEM
Erik Beck, USEPA
David Sherry, Sector Northern New England
James Warren, NYS Historic Preservation Office
David Sherry, USCG
Paul L. Kahn, OSC; Neil Norrell,,
John Senn, USEPA

From: Paul L. Kahn, OSC
Date: 9/29/2011
Reporting Period:

1. Introduction

1.1 Background

Site Number:	Z2AK	**Contract Number:**	
D.O. Number:		**Action Memo Date:**	
Response Authority:	OPA	**Response Type:**	PRP Oversight
Response Lead:	EPA	**Incident Category:**	Removal Action
NPL Status:	Non NPL	**Operable Unit:**	
Mobilization Date:	8/29/2011	**Start Date:**	1/13/2010
Demob Date:	9/26/2011	**Completion Date:**	9/26/2011
CERCLIS ID:		**RCRIS ID:**	

1.1.1 Incident Category
The tugboat *William H. McAllister* sank in Lake Champlain in November,1963 after striking Schuyler Reef on the New York State side of the lake near the town of Westport. The vessel had a maximum fuel capacity of 14,000 gallons of Diesel fuel and it was/is not known how much was on-board when it hit the reef or whether there is any fuel still in the tanks.

1.1.2 Site Description
The *McAllister* is a steel-hull Diesel tug built by the now defunct Levingston Shipbuilding Company, Orange Texas, during World War II. The keel was laid on February 12, 1942 and launched September 18, 1943. Her papers describe it as an "oil screw vessel having one deck, two masts, a raked stem and elliptical stern", 85 ft. long, 23 ft. wide, and 10 ft. high. The registered tonnage was 140 gross and 95 net.

The tug was in U.S. Army service as ST-243 and was acquired by McAllister Brothers, Inc., of New York in 1949; it was renamed the *William H. McAllister.* While pushing an empty gasoline barge the tug sank on November 17, 1963, after striking Schuyler Reef on the NY side of the lake. An unsuccessful effort was made to beach the tug and t the crew made their way onto the barge when the tug sank. The owners of the vessel originally planned to recover the hull which was valued at $250,000 (see Burlington Free Press November 20, 1963 in Documents section).

Because of its interesting history and the appearance of an oil sheen over the suspected location of the wreck, in 1997 the tug became the subject of ROV documentation by the LCMM. The vessel was observed to be in good condition, it's red and white paint clearly visible on the hull. The tug has settled heavily into the mud but on an even keel. The sediment covers a good portion of the rudder, and only the top of one propeller blade is visible. The vessel's name is visible on the stern, the bow, and the front of the pilot house.

The tug had one 720-HP, four-cylinder Diesel engine. Cruising speed was about 10 knots, and it's cruising range was 2415 km (1500 nautical miles). Fuel capacity was 14,000 gallons with a daily consumption of 840 gallons at cruising speed. It is not known how much Diesel was on the vessel when it sank, nor is there any information as to how much may remain on-board.

1.1.2.1 Location
The wreck is located in 160 feet of water near Westport, NY. Shortly after it sank various parties conducted several dives on the wreck. Preliminary discussions centered on the feasibility of raising the vessel, although these discussions did not lead to any actual attempt to raise the tug. The vessel *Doris C* was chartered to locate the wreck but it is unclear whether it was unable to locate it or the parties merely concluded it was too deep to recover. The LCMM first located the wreck in 1988, relocated it during the 1997 Lake Survey,and examined it with an ROV that summer.

1.1.2.2 Description of Threat
The Lake Champlain Maritime Museum (LCMM), which has a role similar to that of a "Riverkeeper", has studied the lake for decades and routinely monitors it for various concerns, including pollution. In 1995 the LCMM reported to EPA that an oil sheen is often seen on the surface over the location of the wreck, indicating that Diesel may be escaping. It was referred to EPA Region II in 1995 as a potential source of water pollution. In 1999 EPA decided that there was a remote possibility that there was any fuel left on-board. In early 2010 this situation became the subject of renewed EPA interest and funds were obtained from the Coast Guard's National Pollution Funds Center (NPFC) for a site assessment.

From a "Big Picture" perspective, the tug is 65 years old and has been submerged for 46 of those years. Corrosion is visible on the superstructure, so it is possible that the fuel tanks also are corroded to the point where a catastrophic release of the fuel, if any remains on board, may be imminent. Should that happen, a major spill of oil into a navigable waterway of the United States would occur.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results
An ROV assessment of the condition and orientation of the wreck was successfully performed on June 15, 2010. Overall, the wreck has changed little over the intervening 13 years since the last ROV dive. The boat is clear of obstructions, although there are some rope/lines attached to the deck railing that were not in the 1997 ROV video, possibly indicating divers have accessed the wreck. There is additional silt accumulation that is almost as high as the level of the main deck, and some areas of rust are visible over the windows in the pilot house.

The ROV dive revealed specific features, such as the location/condition of the fuel tank breather vents, filler ports, and the underside of overhanging superstructure features near the vents. The vents appear to be clear of obstructions and externally accessible. The fuel filler ports are clear and accessible, although the type of tool needed to open the vents remains to be determined. A visible examination of the underside of the overhanging superstructure features and the ceiling in the pilot house/main cabin revealed no accumulation of fuel, eliminating the possibility that fuel had been released but might be trapped underneath enclosed portions of the wreck.

McAllister Transportation Co., through its dive contractor BIDCO, performed 13 manned dives onto and into the wreck between approx. September 20th and September 26th. The divers hot-tapped into each of the 4 on-board Diesel fuel tanks and found there was no oil inside the tanks. Approximately 200 gallons of oil/water mixture were removed from overhanging portions of the top deck and some sheen from disturbed pockets of oil was recovered on the surface.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

2.1.2 Response Actions to Date

EPA Region II opened an OPA Spill Account with the Coast Guard's National Pollution Fund Center for an initial amount of $6,000. The funding ceiling was increased to $50,000 and to $233,000 on May 6, 2010.

OSC Kahn met with LCMM personnel on March 4, 2010 to view the underwater video of the wreck and discuss the overall scope of the project. The U.S. Navy Superintendent of Salvage (NAVSUPSALV) has been sent a copy of the 1997 RV video and some documentation on the vessel. NAVSUPSALV had agreed to review the LCMM documentation and advise EPA as to whether the wreck can be safely accessed. However, on May 10, 2010, Mr. K. Skudin with NAVSUPSALV informed the OSC that he had been detailed to the BP oil release in the Gulf and would not be able to assist the OSC.

NAVSUPSALV was able to locate the original design plans and specs for the tug and forwarded them to EPA. This vital historical information shows the exact location of the wing fuel tanks (similar to saddle tanks) two forward and two aft inside the hull. There is also a 120 gallon lube oil tank in the engine room. Copies of these plans and specs were sent to the LCMM, the Region I Lake Champlain Initiative POC, and John Vetter, EPA Archeologist. Electronic copies of the plans and specs have been posted on this web site in the Documents Section.

EPA-Environmental Response Team (ERT) based in Edison NJ is supporting the OSCs in this project. It has provided advice on ROV and dive ops, and will support further efforts with a work boat and subcontractor support.

An ROV survey of the wreck was successfully performed on June 15, 2010. Present during the survey were reps from the LCMM, Phoenix International which operates the ROV, three EPA reps, a consultant for McAllister Transportation, two AP reporters, and a civilian with the US Coast Guard. Video observations made with the ROV show the wreck to be in essentially the same good condition that was observed during the 1997 ROV survey. There is light silt accumulation on the flat surfaces, and the silt around the wreck has increased by about 6 inches. The top of the rudder and its shaft, clearly seen in the 1997 video, are almost totally obscured by silt now.

There were two ROV dives on the wreck on 6/15: one in the AM for the starboard side and one in the PM for the port side. The starboard side clearly shows both fuel tank vents and two deck-mounted fuel tank filler ports. There are two tank vents on the port side but no filler ports were seen. The absence of filler ports on one side leads to the possibility that both *aft* saddle tanks are manifolded to each other, as may be the two *forward* saddle tanks. We were able to clearly see underneath the overhanging upper deck over each of the four fuel tank vents and there was no accumulation of oil in these areas, indicating no on-going release from the tank vents. The video also showed that there are no obstructions on or around the wreck, so it will be safe to send a diver to the wreck in Phase 2 to determine if there is any fuel still on-board.

On June 30, 2010 the OSC visited the Essex County OEM in Lewis, NY. The OEM file of the sinking was made available and the OSC made copies of relevant documents, correspondence and contemporary news articles. Three news articles about the sinking went into great detail about the *grounding* and the *crew*, but there was not a word about fuel being released when the boat sank. A 1995 news article reported on a local boat captain who dived on the wreck shortly after it sank, and he stated that there could be at least 4,000 gallons of fuel on-board. Also in 1995 the same captain told the Essex County OEM Director that he believed there could be 6,000 to 10,000 gallons on-board in two tanks, one forward and one aft.
This information was sent to EPA in 1995, and with a renewed interest in the potential threat of a release it raises the current level of suspicion that there is still fuel in the tug.

The Coast Guard's Atlantic Strike Team (AST) Ft. Dix NJ, has committed to support this assessment, and recently the US Navy's Mobile Division Salvage Unit Two (MOBDIVSALU TWO) Hampton VA, has offered to provide Navy divers and equipment to support the next phase of the assessment: a manned dive on the wreck to try to sample the fuel tanks. The OSC has sent a letter request for Navy assistance to the DoD through channels, but any answer from DoD is not expected for a few weeks.

The time frame for a reply from DoD will push any dive into September at best. Based on information received from the assessment partners it is highly unlikely that EPA will be able to complete plans for a manned dive on the wreck this year. The anticipated mid-August dive date is out, and a dive in September is unrealistic due to intemperate weather conditions making diving unsafe. Consequently, Phase II, the manned dive to further assess whether there is fuel aboard the McAllister, is postponed until Spring 2011.

EPA and it's partners will use the intervening time to bring either the Navy dive team or a commercial dive team up to speed, review and award bids for supporting assets such as a work barge, push boat, shore crane etc, and devise a dive plan and a HASP.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

In response to the Field Expedient Notice issued on May 11, 2010 Independent Maritime Consulting (IMT), representing McAllister Towing, contacted the OSC on May 20, 2010. IMT indicated that McAllister is interested in taking over the oil removal project from EPA and would be willing to enter into a consent order with EPA if indeed McAllister decides to step-up. The date to respond to the FEN was extended to May 28, 2010 in order to give McAllister time to devise a formal reply.

On May 27, 2010 a revised FEN was issued to McAllister Transportation and Towing. This FEN was issued to correct the use of the word "facility" used in the May 11, 2010 FEN to the more correct word "vessel".

On May 28, 2010, a rep with IMT, a consultant for McAllister Transportation Co., visited the EPA Edison, NJ office and met with the OSC. The rep was shown and given a copy of the 1997 ROV survey of the *Wm. H.McAllister,* and was also given a set of deck plans of the vessel that had been provided to EPA by Navy SUPSALV. The rep stated that McAllister Transportation and Towing was willing to take over the oil removal project if it was confirmed that oil remained in the vessel. The rep was asked to put that response in writing to EPA. The rep also asked that someone from his company be allowed to observe the ROV during the event. The OSC agreed to this and a rep was present during the entire ROV survey.

On January 14, 2011 the OSC had a planning call with EPA-ERT and ERT's contractor SERAS. Final details were agreed upon for the bid soliciting a dive company to place a diver on the wreck to sound the tanks for fuel.
The bid package will be sent to the LCMM to review and it is anticipated that the bid will be issued to interested parties in early February 2011. The tentative date for the manned dive onto the wreck is set for the third week of May, 2011.

On January 19, 2011, the OSC forwarded a revised claim for reimbursement from the LCMM to the OSLTF offices along with a cover letter approving the expenditures made by the LCMM in support of EPA last summer. Over the intervening months since the ROV dive on the wreck last August, the LCMM had contacted the RP, McAllister Brothers Towing and Transportation, and requested reimbursement from that entity. The RP has rejected the request and the LCMM has now turned to the OSLTF for reimbursement, with the full support of EPA Region II.

On 4/26/2011, McAllister Brothers Towing and Transportation, through its consultant Meridian Management Group, has committed in writing to do the manned dive either the week of May 23rd or the week of June 6th. McAllister has previously committed to removing any fuel discovered on the wreck. If Diesel fuel is discovered inside the tug the removal phase may be done at the same time while the dive assets are already in-place on the lake. Recovered Diesel fuel would be pumped into a portable storage tank or a tanker truck and transported for disposal or fuel-blending.

As the result of an historically high water (3+ feet over flood level) in Lake Champlain, and the sever flooding of on-shore support facilities such as docks and marinas, the manned dive that was tentatively scheduled for May 23, 2011 is hereby postponed. The manned dive will take place later this summer, possibly between July 11th and July 31st, when the water level of the lake has sufficiently dropped to allow a safe dive. The RP will use the intervening time to draft a dive plan and a draft HASP.

S. Kress, VP for McAllister Towing and Transportation Co., has informed the OSC in writing that his company is concluding negotiations with Buffalo Industrial Diving Co. (BIDCO) to undertake the manned dive on the wreck this summer. The company has named Capt. Pat Kinnier as its project manager for the manned dive and removal of oil from the wreck.

S. Kress with McAllister Bros. Towing has provided a timeline for their contractor to begin the manned dive on the wreck of the Wm. H. McAllister. Mobilization and set-up will start on 8/22/2011 and the manned dive will occur on 9/72011. Five days are scheduled for diving and sounding the fuel tanks. Fuel recovery is scheduled to last 8 days and will commence on 9/14.

The OSC has been officially informed that the contract for the manned dive/oil pump-out has been awarded by McAllister Brothers Transportation to Buffalo Industrial Dive Corp. (BIDCO) on August 10, 2011. The tentative date for BIDCO to mobe equipment to the Site is August 22, 2011, with the first actual dive day set for September 7, 2011. A meeting will be scheduled with EPA, McAllister, and BIDCO prior to the mobe date to review the dive plan and other logistical needs.

On 8/19/2011 the OSC participated in a conference call with EPA/ERT and reps with the salvage company BIDCO, the responsible party McAllister Towing and Transportation, and McAllister's consultant Capt. Tom Neumann.

On Monday, September 19, 2011, the work barge was anchored over the wreck of the McAllister and manned dive operations commenced.

McAllister Transportation Co., through its dive contractor BIDCO, performed 13 manned dives onto and into the wreck between September 20th and September 26th. The divers hot-tapped into each of the 4 on-board Diesel fuel tanks and found there was no oil inside the tanks. Approximately 200 gallons of oil/water mixture were removed from overhanging portions of the top deck and some sheen from disturbed pockets of oil was recovered on the surface.

Waste Stream	*Medium*	*Quantity*	*Manifest #*	*Treatment*	*Disposal*
Diesel fuel		**200 gals**	**n/a**	**n/a**	**recycling**

2.2 Planning Section

2.2.1 Anticipated Activities

None

2.2.1.1 Planned Response Activities

2.2.1.2 Next Steps

EPA will prepare a video summary and report of all dive operations and close-out the case.

2.2.2 Issues

None

2.3 Logistics Section

n/a

2.4 Finance Section

2.4.1 Narrative

The cost of the entire response to EPA was approximately $200,000. This money will be cost-recoverable by the US Coast Guard. The majority of the costs associated with the manned dive were borne by the RP, McAllister Towing and Transportation Co.

2.5 Other Command Staff

2.5.1 Safety Officer

n/a

2.6 Liaison Officer

n/a

2.7 Information Officer

2.7.1 Public Information Officer

2.7.2 Community Involvement Coordinator

3. Participating Entities

3.1 Unified Command

n/a

3.2 Cooperating Agencies

n/a

4. Personnel On Site

n/a

5. Definition of Terms

n/a

6. Additional sources of information

6.1 Internet location of additional information/report

n/a

6.2 Reporting Schedule

n/a

7. Situational Reference Materials

n/a