



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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February 2, 2012

Mr. Peter Knutson
4602 SW Frontenac Street
Seattle, WA 98136

Re: Warning Letter for Violation of Washington State Laws or Rules by F/V *Njord* at
Shilshole Bay Marina in Seattle

Dear Mr. Knutson:

I wanted to personally send you this warning letter regarding a reported oil spill that the Washington State Department of Ecology responded to on November 9, 2011, at slip B-31 in Seattle's Shilshole Bay Marina.

Once we were at the scene, Ecology determined that your fishing vessel, the *Njord*, had an automatic bilge pump in operation that was actively discharging oily bilge water into Shilshole Bay. We also determined the oil in the bilge of the *Njord* was coming from a leaking hydraulic line.

Pollution of state waters, whether by oil or a hazardous substance, is a violation of state law regardless of amount or fault of the responsible party. When a spill to water is reported, it is Ecology's duty to first ensure the spill is contained and cleaned up and then determine how the spill happened and who was responsible.

When a person or company is found responsible for a spill, they may be required to pay:

1. A natural resource damage assessment
2. A penalty for violation of state law or rule
3. The state's expenses to respond, assess, and investigate the incident

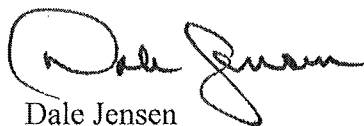
Here in Washington, natural resource damages may be assessed for up to \$100 per gallon spilled, depending on the sensitivity of the environment harmed. A penalty may be assessed up to \$10,000 per violation. If negligence is determined, an additional penalty for up to \$100,000 may also be assessed for each day the oil poses a threat to the environment (RCW 90.48.144 and RCW 90.56.330). Finally, if any state agency responds to a report of a spill, the spiller is responsible for reimbursing the state for any costs incurred. This includes the costs of hiring contractors.

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Washington State law requires immediate notification by the individual or company responsible for discharging an oil or hazardous substance to state waters (RCW 90.56.280). In the future if you have a spill, you must report it to the state Division of Emergency Management which has a 24-hour toll-free reporting number: **1-800-258-5990** or **1-800-OILS-911**. I encourage and appreciate your help in communicating these reporting numbers to your fellow fishermen. We all want to do our part in keeping our waters clean and healthy for fish.

We have evaluated all our regulatory responsibilities regarding this spill. We believe that this warning letter is the most appropriate action for this particular incident. This letter serves as a warning to let you know that any future violations of these regulations may result in enforcement actions. If you have any questions or need additional information, please contact Jacqui Schultz at (425) 649-7092.

Sincerely,



Dale Jensen
Program Manager
Spill Prevention, Preparedness, and Response Program

DJ:LH

Enclosures: Focus on Enforcement
Focus on State Costs for Spills

cc: Jeff Fishel, Ecology, Spills Program
Howard Zorzi, Ecology, Spills Program
Jacqui Schultz, Ecology, Spills Program
NWRO Central Files, ERTS #630289, King County