SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 59(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 3/29/96
Referred: Rules

Sponsor(s): REPRESENTATIVES GREEN, Rokeberg, Ogan
SEXTORS Salo, Torgerson, Leman

A RESOLUTION

1 Respectfully requesting the Environmental Protection Agency to issue a final
2 National Pollutant Discharge Elimination System permit for Cook Inlet oil and gas
3 operations that omits the incremental permittee monitoring and reporting
4 obligations identified in the Agency’s draft permit and, consistent with the
5 philosophy of the Agency’s 1996 National Water Program Agenda, allows the
6 permittees to operate under pollutant discharge monitoring and reporting
7 requirements that are not more rigorous than those requirements of the Cook
8 Inlet National Pollutant Discharge Elimination System permit in place.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS, under the federal Clean Water Act, the principal mechanism for
11 regulating and limiting pollutant discharge into water of the United States is the National
12 Pollutant Discharge Elimination System (NPDES) permit program; and
13 WHEREAS, under the monitoring and reporting requirements imposed as part of an
14 NPDES permit, the unit having responsibility for the Clean Water Act, the Environmental
Protection Agency, may require one or more parties who are responsible for pollutant
discharge to install and use equipment to monitor the discharge, develop and maintain records
and reports, and provide information to it as may be required under the Agency permit; and

WHEREAS the Environmental Protection Agency has determined in its 1996 National
Water Program Agenda to reduce permittee monitoring and reporting requirements, with the
objective of diminishing monitoring and reporting obligations imposed on permittees by about
25 percent; and

WHEREAS, the oil and gas industry has operated successfully in Cook Inlet for 30
years, coexisting throughout these decades with one of the state’s most productive salmon
fisheries; the industry operates in maturing fields that are at, or very close to becoming,
uneconomic to produce; and

WHEREAS the Environmental Protection Agency has issued a draft general NPDES
permit for Cook Inlet oil and gas operations; and

WHEREAS, despite the reduced monitoring and reporting initiative announced in its
1996 National Water Program Agenda, the draft permit for Cook Inlet operations proposes a
substantial increase in the monitoring and reporting requirements to be imposed by the two
agencies on the permittees; and

WHEREAS public comment on the proposed NPDES permit overwhelmingly endorses
the Cook Inlet oil and gas industry permittees’ ability to continue to operate under
requirements of the permit in place, and supports eliminating provisions in the draft permit
imposing an obligation on the permittees to increase monitoring and reporting requirements;
and

WHEREAS the Alaska Department of Environmental Conservation supports many of
the permittees’ recommendations to reduce excessive monitoring and reporting requirements;
and

WHEREAS recent scientific studies evaluating the quality of the water and other
resources of Cook Inlet determined that there has been no adverse environmental impact in
the inlet from the three decades of oil and gas operations; and

WHEREAS the Cook Inlet oil and gas industry’s history of successful coexistence
with a productive fishery combined with the results of these recent studies together
demonstrate that the Agency’s draft NPDES permit requiring the permittees to incur
substantial additional expense associated with the increased monitoring and reporting
requirements identified in the draft NPDES permit is unwarranted, nor is the increased effort
supported by public testimony;

BE IT RESOLVED that the Alaska State Legislature respectfully requests the
Environmental Protection Agency to issue a final National Pollutant Discharge Elimination
System permit for Cook Inlet oil and gas operations that
(1) omits the incremental permittee monitoring and reporting obligations
identified in the draft permit; and
(2) consistent with the philosophy of the Agency’s 1996 National Water
Program Agenda, allows the permittees either to operate under pollutant discharge monitoring
and reporting requirements that are consistent with the Agency’s national objective of
diminishing monitoring and reporting obligations generally to be imposed on permittees, or
to operate under pollutant discharge monitoring and reporting requirements that are not more
rigorous than those requirements of the Cook Inlet NPDES permit in place.

COPIES of this resolution shall be sent to the Honorable Carol M. Browner,
Administrator, Environmental Protection Agency; to Michele Brown, commissioner of
environmental conservation; to the Honorable Don Gilman, Mayor of the Kenai Peninsula
Borough; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S.
Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
delegation in Congress.