

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

SENATORS 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.**

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

**10 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**

1 Protection Agency, may require one or more parties who are responsible for pollutant
2 discharge to install and use equipment to monitor the discharge, develop and maintain records
3 and reports, and provide information to it as may be required under the Agency permit; and

4 **WHEREAS** the Environmental Protection Agency has determined in its 1996 National
5 Water Program Agenda to reduce permittee monitoring and reporting requirements, with the
6 objective of diminishing monitoring and reporting obligations imposed on permittees by about
7 25 percent; and

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

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

14 **WHEREAS**, despite the reduced monitoring and reporting initiative announced in its
15 1996 National Water Program Agenda, the draft permit for Cook Inlet operations proposes a
16 substantial increase in the monitoring and reporting requirements to be imposed by the two
17 agencies on the permittees; and

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

23 **WHEREAS** the Alaska Department of Environmental Conservation supports many of
24 the permittees' recommendations to reduce excessive monitoring and reporting requirements;
25 and

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

29 **WHEREAS** the Cook Inlet oil and gas industry's history of successful coexistence
30 with a productive fishery combined with the results of these recent studies together
31 demonstrate that the Agency's draft NPDES permit requiring the permittees to incur

1 substantial additional expense associated with the increased monitoring and reporting
2 requirements identified in the draft NPDES permit is unwarranted, nor is the increased effort
3 supported by public testimony;

4 **BE IT RESOLVED** that the Alaska State Legislature respectfully requests the
5 Environmental Protection Agency to issue a final National Pollutant Discharge Elimination
6 System permit for Cook Inlet oil and gas operations that

7 (1) omits the incremental permittee monitoring and reporting obligations
8 identified in the draft permit; and

9 (2) consistent with the philosophy of the Agency's 1996 National Water
10 Program Agenda, allows the permittees either to operate under pollutant discharge monitoring
11 and reporting requirements that are consistent with the Agency's national objective of
12 diminishing monitoring and reporting obligations generally to be imposed on permittees, or
13 to operate under pollutant discharge monitoring and reporting requirements that are not more
14 rigorous than those requirements of the Cook Inlet NPDES permit in place.

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