

Good morning Sate Affairs Committee members,

My name is Mark Farley and I have been actively involved in the Ocean Ranger program for many years. Since the program began, I have been deployed as an Ocean Ranger when not working aboard commercial vessels around the world. I have also served in the US Coast Guard and I have been a Marine Engineer for 20 years. I am writing today in opposition to HB 74, repealing the Ocean Ranger Program. After listening to Commissioner Brune speak to the House State Affairs committee for HB 74 last week, I felt compelled to speak on behalf of the Ocean Ranger Program and provide a rebuttal to some of the items discussed during the meeting.

First, I'd like to address his suggestion that electronic monitoring of overboard discharge valves is a viable option. This sort of monitoring is *not* possible on the vast majority of vessels operating in Alaska waters for the following reasons:

- Most of the older vessels' automation is not compatible with the newer equipment, as these vessels found out during the process of installing both the open and closed loop exhaust gas cleaning systems.
- Even if the State *could* determine if the overboard discharge valve was open, electronically, from a distance, it would be impossible to determine that what is actually being discharged was within the State's parameters. The third-party sampling company (Admiralty Environmental) can take up to 24 hours to notify a vessel of a failed sample AFTER the sample was taken (i.e. when the valve was initially opened). In this situation, the cruise vessel would have spent those 24 hours discharging wastewater that did not meet the State's parameters.
- Commissioner Brune also suggested "FaceTime" calls with ship's personnel as a means of monitoring as well, however, satellite signal coverage is sparse or nonexistent in certain areas, such as Glacier Bay and Skagway. Communication of this type is not a practical option.

I would also like to comment on Commissioner Brune asking the committee about removing the time line for AS **46.03.465 (a)** *The owner or operator of a commercial passenger vessel shall maintain daily records related to the period of operation while in the state, detailing the dates, times, and locations, and the volumes and flow rates of any discharges of sewage, gray water, or other waste waters into the marine waters of the state, and provide electronic copies of those records on a monthly basis to the department not later than five days after each calendar month of operation in state waters.*

The Ocean Ranger Program has observed and verified wastewater discharge logs and has found countless discrepancies across the entire fleet. Year after year these discrepancies have been written up in daily reports and no corrective action has been taken nor has an NOV ever been issued. The errors/infractions include, but are not limited to: incomplete entries, errors in discharge amounts, dates and times, vessel speed and vessel position in latitude and longitude, as well as the lack of separate entries for stationary discharges, as the following statute states:

18 AAC 69.050. Sewage and graywater discharge record book.

(c) For an automatic or continuous discharge, in port, at anchorage, or underway, of treated sewage, graywater, or other wastewater into the marine waters of the state, the records required by AS 46.03.465(a) must describe for each voyage

(1) the daily estimated volume of discharge by type;

(2) a description of how the daily volume by discharge type was estimated;

(3) for each stay that a vessel makes at an anchorage or dock, the

(A) date of the stay;

(B) time expressed in a 24-hour clock format at the beginning and end of each docking or anchorage;

(C) latitude and longitude of the stay; and

(D) estimated average flow rate of discharge by type of discharge; and

(4) for each vessel route while the vessel is underway between each stay identified in (3) of this subsection, the

(A) dates while en route;

(B) time expressed in a 24-hour clock format at the beginning and end of each vessel route;

(C) vessel's average speed; and

(D) estimated average flow rate of discharge by type of discharge.

Regarding shoreside wastewater plants, I have a couple of questions for Commissioner Brune, starting with why would money designated for the Ocean Ranger Program be put toward municipal wastewater treatment plants? Revenue that is collected for the cruise head tax should be utilized for upgrading the wastewater plants in the Ports these cruise vessels visit in Alaska waters, *not* the monies collected to fund the Ocean Ranger program. Significantly more money is collected for the cruise head tax than for the Ocean Ranger Program. The cost of revamping these wastewater plants in each of these Ports would be staggering; the Ocean Ranger monies wouldn't come close to covering it. In Juneau, each berth or dock (AS, CT, Franklin, and AJ) has facilities for receiving wastewater from these large cruise vessels. On average a cruise vessel discharges 450 or more cubic meters of wastewater, and sometimes there are several cruise vessels discharging wastewater in Juneau in the same day. The hydraulic load on the municipal wastewater treatment plant would be prodigious during the tourist season (May - September) but in the off season, the hydraulic load would be cut to nearly zero. My next question is this: does DEC test the wastewater plants in each of the Ports throughout the year? That way the wastewater plants could be tested with normal hydraulic load from year-round residents to full-on tourist season in order to determine the size and scope needed to effectively handle the highest level of usage. However, creating a system that will work efficiently during both the high and low season is nearly impossible. In short, there is no quick or easy or cheap fix to the shore side waste management system.

Commissioner Brune mentioned cruise vessels self-reporting. Ocean Rangers that attend training each year are given instructions from ADEC to inform cruise vessel staff of potential items of interest. Ocean Rangers do not have the authority to write NOV's,

they must write in their Daily Report or General Observation Report what happened, and where or when the potential items of interest took place. Then the Ocean Rangers have to write who was informed about the potential item or items of interest, where you informed the person or persons, and what time this person or persons was informed. Before sending these reports to ADEC, Ocean Rangers must comply with these requests, following both ADEC instructions and the guideline of the Daily Report or General Observation Report. Thus, the cruise operator is informed by the Ocean Ranger of the item or items of interest and then the cruise operator sends a "self-report" to their home office and to ADEC. So, it *appears* these cruise vessels were self-reporting, when in fact they were informed by the Ocean Ranger that was present onboard the vessel. Had an Ocean Ranger not been onboard, the item or items of interest would have not been found nor would it ever have been reported to the proper authorities.

Commissioner Brune also stated inspections of cruise vessels would occur at the beginning of the season only. How are 60 cruise vessels to be inspected with such a small staff and why would it only be in the very beginning of the season?

I would also like to ask what are the six NOV's that Commissioner Brune always speaking about and how much were the fines associated with these NOV's?

Commissioner Brune was also asked about opacity and method nine. Ocean Rangers were not method nine trained but did verify opacity monitoring systems were either operating or not. Ocean Rangers did report Opacity issues observed by thickness and color to ADEC in Reports, which led staff from ADEC to perform method nine readings on certain cruise vessels in Alaska Ports. Ocean Rangers also reported thick and dark opacity while cruise vessels were underway in especially sensitive areas such as Tracy or Endicott Arm or Hubbard Glacier in Yakutat Bay.

Ocean Rangers have also been an extremely effective tool to help correct staff behavior on cruise vessels while in Alaska waters. Ocean Rangers have urged the Environmental Officers to make rounds on open decks to observe items left out on open decks that could blow overboard, such as food, plates, cups, towels, napkins, seat cushions and blankets. Environmental Officers then remind the staff in charge of these areas to maintain their areas. Ocean Rangers also inform the Bosuns and Environmental Officers about crew members painting over the side of these very large cruise ships and getting paint in the water surrounding the vessel. Chipping and maintenance of areas on the outside of the cruise vessels almost always need attention and observation and Ocean Rangers were there to inform the crew that items were not to go overboard.

Thank you for your time and I hope we can work together to protect the great State of Alaska.

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