

STATE OF ALASKA  
THE LEGISLATURE

2000

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Legislative  
Resolve No.  
51



Relating to the Task Force on Motorized Oil Transport.

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

**WHEREAS** concern has developed among the people of Alaska about potential petroleum product spills from the Alaska Railroad and nontank vessels operating in Alaska waters; and

**WHEREAS** there are many complexities in applying oil spill prevention and response rules to the Alaska Railroad and to the various classes and categories of nontank vessels operating in the waters in different areas of Alaska; and

**WHEREAS** it is the intent of the legislature to establish reasonable oil spill prevention and response rules for the Alaska Railroad and for nontank vessels taking into account the different classes of vessels and different operating conditions in Alaska and the costs associated with the rules; and

**WHEREAS** it appears that several months of work by interested parties and the Department of Environmental Conservation will be needed to draft the rules for consideration by the legislature;

**BE IT RESOLVED** that the Alaska State Legislature establishes the Task Force on Motorized Oil Transport, composed of a number of members as follows:

- (1) one member appointed by the President of the Senate from among the members of the Senate;
- (2) one member appointed by the Speaker of the House of Representatives from among the members of the House of Representatives;
- (3) one member to serve as a representative of the United States Coast Guard, appointed by the commanding officer of the 17th Coast Guard District;
- (4) one member from a response action co-op in Alaska appointed by the Governor with the advice and consent of the Senate and House members of the task force;
- (5) one member from the Alaska Railroad appointed by the Governor with the advice and consent of the Senate and House members of the task force;
- (6) one member who is a maritime shipping agent in Alaska appointed by the Governor with the advice and consent of the Senate and House members of the task force;
- (7) one member from the Alaska Steamship Association appointed by the Governor with the advice and consent of the Senate and House members of the task force;
- (8) one member from the container ship industry operating in Alaska appointed by the Governor with the advice and consent of the Senate and House members of the task force;
- (9) two members from the spot charter vessel industry in Alaska appointed by the Governor with the advice and consent of the Senate and House members of the task force;
- (10) the director of the division of spill prevention and response in the Department of Environmental Conservation;
- (11) the commissioner and deputy commissioner of the Department of Environmental Conservation; and
- (12) other participants as may be agreed to by the commissioner of environmental conservation and the Senate and House members of the task force; and be it

**FURTHER RESOLVED** that the commissioner of environmental conservation, or the deputy commissioner, shall serve as chair of the task force, and that the Department of Environmental Conservation shall provide staff support to the task force; and be it

**FURTHER RESOLVED** that the task force may meet as frequently as its members determine necessary to perform the work; and be it

**FURTHER RESOLVED** that the task force shall determine how to achieve response

planning standards for a railroad tank car contingency plan and for a nontank vessel contingency plan as set out in a version of an Act of the Twenty-First Alaska Legislature regarding oil discharge prevention, and relating to contingency plans and proof of financial responsibility for all self-propelled nontank vessels exceeding 400 gross registered tonnage and for railroad tank cars; and authorizing inspection of nontank vessels and trains; and be it

**FURTHER RESOLVED** that the task force shall consider only the following motorized oil transport:

(1) self-propelled watercraft of more than 400 gross registered tons, except when the watercraft are tank vessels, oil barges, or public vessels operated by and owned or bareboat chartered by the United States, a state, a political subdivision of a state, or a foreign nation; and

(2) railroad tank cars that are rolling stock used to transport oil in bulk as cargo by rail; and be it

**FURTHER RESOLVED** that the task force shall deliver a report to the Twenty-Second Alaska State Legislature on or before the day the legislature first convenes that contains recommendations by the task force concerning

(1) Alaska statutes and regulations not subject to preemption by federal law that are calculated to achieve the response planning standard for motorized oil transport in a practical and cost-efficient manner; the Department of Environmental Conservation has the burden of showing why the response planning standard cannot be implemented using containment equipment that is readily available for purchase in the market;

(2) practical measures to implement the response planning standard as are necessary to take into account the special conditions within waters of the state west of 157 degrees West Longitude or north of 62 degrees North Latitude;

(3) use of fleet plans, vessel agents, generic contingency plan contents established by regulations, streamlined contingency plans with membership in a nonprofit corporation that is a primary response action contractor, and spill prevention measures as means of achieving the response planning standard; and

(4) inspection measures to be included in the regulations; and be it

**FURTHER RESOLVED** that the task force is terminated on the first day of the Twenty-Second Alaska State Legislature.