

HOUSE JOINT RESOLUTION NO. 19

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE SAMUELS

Introduced: 3/26/03

Referred: Resources

A RESOLUTION

1 **Relating to the ultra low sulfur diesel fuel requirements of the United States**
2 **Environmental Protection Agency and their application to Alaska.**

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

4 **WHEREAS** the United States Environmental Protection Agency has ruled that, in
5 order to reduce emissions of particulate matter and nitrogen oxide from large trucks and buses
6 into the air, which causes environmental and health problems in parts of the country, ultra low
7 sulfur diesel fuels having a sulfur content of not more than 15 parts per million must be used
8 nationwide for road vehicles; and

9 **WHEREAS** rural Alaska depends on diesel fuel for its electrical power generation;
10 and

11 **WHEREAS** ultra low sulfur diesel fuel costs more to produce and is less efficient,
12 resulting in an overall higher cost to produce the same output as the high sulfur fuel currently
13 in use; and

14 **WHEREAS** northern Alaska temperatures are colder than most areas of the United
15 States, and fuel additives that create an arctic-grade of ultra low sulfur diesel fuel are
16 necessary to avoid fuel failure; and

1 **WHEREAS** arctic-grade ultra low sulfur diesel fuel is currently manufactured only in
2 Alberta, Canada, and must be imported into the state, increasing fuel transportation costs; and

3 **WHEREAS** diesel fuel constitutes only a small part of the fuel refined in Alaska, and
4 to modify Alaska refineries to produce low sulfur diesel fuel would be prohibitively
5 expensive; and

6 **WHEREAS** ultra low sulfur diesel fuel may not be transported or stored in the same
7 tanks used for high sulfur diesel fuel unless the tanks have been cleaned; and

8 **WHEREAS** the necessary separation of fuel types will make it more expensive to
9 transport more than one type of fuel to rural Alaska; and

10 **WHEREAS** the necessary separation of fuel types will create storage problems in
11 rural Alaska and will make it prohibitively expensive for communities to import more than
12 one type of fuel; and

13 **WHEREAS** electric utilities that serve rural communities estimate that electric costs
14 will increase 25 to 33 percent based on the lower efficiency and higher cost of producing,
15 transporting, storing, and using arctic-grade ultra low sulfur diesel fuel; and

16 **WHEREAS** the Alaska Department of Environmental Conservation has
17 recommended applying the national plan proposed by the United States Environmental
18 Protection Agency for ultra low sulfur diesel fuel requirements to all road communities and
19 major communities on the Alaska marine highway system by September 2006, despite the
20 fact that many of these communities are small and rural and have few heavy-duty diesel
21 trucks and buses; and

22 **WHEREAS**, by June 2003, the Alaska Department of Environmental Conservation
23 must submit a plan for applying the United States Environmental Protection Agency standards
24 for the use of ultra low sulfur diesel fuel in rural Alaska communities;

25 **BE IT RESOLVED** that the Alaska State Legislature urges the state's delegation in
26 the United States Congress to request the United States Environmental Protection Agency to
27 provide funding to investigate and examine the fiscal and logistical effects of arctic-grade
28 ultra low sulfur diesel fuel on the current energy and transportation infrastructure in Alaska;
29 and be it

30 **FURTHER RESOLVED** that the Alaska State Legislature urges the state's
31 delegation in the United States Congress to request the Denali Commission to coordinate with

1 the United States Environmental Protection Agency to determine the fiscal and logistical
2 effects on the state of using arctic-grade ultra low sulfur diesel fuel in Alaska and to consider
3 those effects when reviewing fuel storage tank plans for possible funding; and be it

4 **FURTHER RESOLVED** that the Alaska State Legislature urges the Governor to
5 direct the Alaska Department of Environmental Conservation to coordinate with the United
6 States Environmental Protection Agency and the Denali Commission to determine the fiscal
7 and logistical effects on the state of using arctic-grade ultra low sulfur diesel fuel in Alaska;
8 and be it

9 **FURTHER RESOLVED** that the Alaska State Legislature urges the Governor to
10 direct the Alaska Department of Environmental Conservation to provide, in its plan for the
11 application of the United States Environmental Protection Agency standards, that rural Alaska
12 have as much flexibility as possible in the use of ultra low sulfur diesel fuel; and be it

13 **FURTHER RESOLVED** that the Alaska State Legislature urges the Governor to
14 direct the Alaska Department of Environmental Conservation to reexamine how the United
15 States Environmental Protection Agency standards for the use of ultra low sulfur diesel fuel
16 are applied to the state's plan for off-road communities.

17 **COPIES** of this resolution shall be sent to the Honorable Christine Todd Whitman,
18 Administrator, U.S. Environmental Protection Agency; and to the Honorable Ted Stevens and
19 the Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
20 Representative, members of the Alaska delegation in Congress.