

1 IN THE SENATE

BY THE RULES COMMITTEE BY
REQUEST OF THE GOVERNOR

2

SENATE BILL NO. 327

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to oil discharge contingency plans."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 46.04.030(e) is amended to read:

9 (e) The department may attach reasonable terms and conditions to
10 its approval of an oil discharge contingency plan which it determines
11 are necessary to insure that the applicant for an oil discharge
12 contingency plan has access to sufficient resources to protect
13 environmentally sensitive areas and to contain, clean up, and mitigate
14 potential oil discharges from the facility or vessel within the
15 shortest feasible time. The oil discharge contingency plan must
16 provide for the use of the best available technology by the applicant.
17 The department may require an applicant or holder of an approved
18 contingency plan to demonstrate its ability to carry out the
19 contingency plan through periodic training; discharge exercises;
20 inventories of available equipment, supplies, and personnel; and other
21 measures [TO UNDERTAKE DISCHARGE EXERCISES].

22 * Sec. 2. AS 46.04.030 is amended by adding a new subsection to read:

23 (g) Failure of a holder of an approved oil discharge contingency
24 plan to have access to the quality or quantity of resources identified
25 in the plan, and to respond immediately with those resources in the
26 event of a spill, is a violation of this chapter for purposes of
27 AS 46.03.760(a), AS 46.03.765, AS 46.03.790, and any other applicable
28 law.