

**HOUSE BILL NO. 297**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**EIGHTEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE SPECIAL COMMITTEE ON OIL AND GAS**

**Introduced: 4/26/93**

**Referred: House Special Committee on Oil and Gas, Resources, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act reassigning responsibility for the oil and hazardous substance response  
2 corps and for the emergency response depots to the Department of Environmental  
3 Conservation."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* **Section 1.** AS 26.23.195(b) is amended to read:

6 (b) The Alaska division of emergency services may contract with persons to  
7 provide personnel [, INCLUDING MEMBERS OF THE EMERGENCY RESPONSE  
8 CORPS,] to assist [THEM] with a nongovernmental response to a release or threatened  
9 release of oil or a hazardous substance.

10 \* **Sec. 2.** AS 46.08.040(a) is amended to read:

11 (a) In addition to money in the fund that is transferred to the commissioner of  
12 community and regional affairs to make grants under AS 29.60.510 and to pay for  
13 impact assessments under AS 29.60.560, the commissioner of environmental  
14 conservation may use money from the fund to

1 (1) investigate and evaluate the release or threatened release of oil or  
2 a hazardous substance, and contain, clean up, and take other necessary action, such as  
3 monitoring and assessing, to address a release or threatened release of oil or a  
4 hazardous substance that poses an imminent and substantial threat to the public health  
5 or welfare, or to the environment;

6 (2) pay all costs incurred to

7 (A) establish and maintain the oil and hazardous substance  
8 response office;

9 (B) review oil discharge prevention and contingency plans  
10 submitted under AS 46.04.030;

11 (C) conduct training, response exercises, inspections, and tests,  
12 in order to verify equipment inventories and ability to prevent and respond to  
13 oil and hazardous substance release emergencies, and to undertake other  
14 activities intended to verify or establish the preparedness of the state, a  
15 municipality, or a party required by AS 46.04.030 to have an approved  
16 contingency plan to act in accordance with that plan; and

17 (D) verify or establish proof of financial responsibility required  
18 by AS 46.04.040;

19 (3) pay the expenses incurred by the department [ALASKA  
20 DIVISION OF EMERGENCY SERVICES] for the oil and hazardous substance  
21 response corps and the oil and hazardous substance response depots [WHEN  
22 PRESENTED WITH APPROPRIATE DOCUMENTATION BY THE DIVISION];

23 (4) provide matching funds for participation in federal oil discharge  
24 cleanup activities and under 42 U.S.C. 9601 - 9657 (Comprehensive Environmental  
25 Response, Compensation, and Liability Act of 1980);

26 (5) recover the costs to the state, a municipality, or a village of a  
27 containment and cleanup resulting from the release or the threatened release of oil or  
28 a hazardous substance;

29 (6) prepare, review, and revise

30 (A) the state's master oil and hazardous substance discharge  
31 prevention and contingency plan required by AS 46.04.200; and

1 (B) a regional master oil and hazardous substance discharge  
2 prevention and contingency plan required by AS 46.04.210; and

3 (7) restore the environment by addressing the effects of an oil or  
4 hazardous substance release.

5 \* Sec. 3. AS 46.08.110 is amended to read:

6 Sec. 46.08.110. RESPONSE CORPS. (a) The department [DIVISION OF  
7 EMERGENCY SERVICES, DEPARTMENT OF MILITARY AND VETERANS'  
8 AFFAIRS,] shall establish an oil and hazardous substance response corps.

9 (b) The corps consists of volunteers who register with the department  
10 [DIVISION] and agree to be trained by the department [DIVISION] in techniques for  
11 containment and cleanup and to be available on short notice to assist in containment  
12 and cleanup consistent with the responsibilities assigned to the corps under an  
13 applicable incident command system.

14 (c) Members of the corps are entitled to per diem and expenses as determined  
15 by the department [DIVISION] for training and for days spent in service to the state  
16 in containment and cleanup actions.

17 \* Sec. 4. AS 46.08.120 is amended to read:

18 Sec. 46.08.120. RESPONSE DEPOTS. The department [DIVISION] shall  
19 maintain emergency response depots in areas of the state determined in the plans  
20 prepared under AS 46.04.200 - 46.04.210 to be potential sites of releases or threatened  
21 releases of oil or hazardous substances. The depots shall be equipped and staffed in  
22 a manner that ensures prompt response when containment and cleanup actions are  
23 necessary.

24 \* Sec. 5. AS 46.08.150 is amended to read:

25 Sec. 46.08.150. CONTRACTS. The office [OR THE DIVISION,  
26 AS APPLICABLE,] may enter into agreements with agencies of the state and federal  
27 government, political subdivisions, the University of Alaska, or private persons or  
28 entities to

29 (1) provide the personnel, equipment, or other services or supplies  
30 necessary to establish and maintain regional oil and hazardous substances depots and  
31 as necessary for response readiness;

- 1                           (2) train members of response corps; and  
2                           (3) conduct research into oil and hazardous substances spill technology;  
3       the office shall include in the research topics for which it conducts or contracts for  
4       research, the research topics recommended to it by the Hazardous Substance Spill  
5       Technology Review Council under AS 46.13.120.  
6       \* Sec. 6. AS 46.08.190(3) is repealed.