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# STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

STEVE COWPER, GOVERNOR

OFFICE OF THE COMMISSIONER  
P.O. BOX 0, JUNEAU, ALASKA 99811-1800

(907) 465-2600

POSITION PAPER HB 548

Title

An Act Relating to Oil Discharge Contingency Plans

Effect of the Bill


The bill would require that holders of oil discharge contingency plans maintain the capability to carry out their approved plans. The bill would also establish penalties for failure to maintain this capability.

Department Position

The Department supports the bill.

Fiscal Effect

The Department has provided a zero fiscal note on the bill.

  
Dennis D. Kelso  
Commissioner

March 25, 1988  
Date



HB 548 file  
Apr 6 member

# UNITED COOK INLET DRIFT ASSOCIATION

BOX 4649 - KENAI, ALASKA 99611

March 15, 1988

Alex Shadura  
505 N. Franklin St.  
Juneau, AK 99801

Dear Alex:

Thank you for your continued efforts on behalf of Alaskan fishermen. We appreciate the work you have done for our organization in the past and look forward to your assistance in the future.

Recently, I mentioned two pieces of legislation that we are very concerned about, S.B. 327 "Oil Discharge Liability" and H.B. 459 "Hazardous Waste Disposal." ~~In view of our fishing operations in Cook Inlet, these bills are critical to our future. Hopefully, you will keep us apprised of the progress of this legislation and continue to insist that there is sufficient language included to protect us from a similar situation as the "Glacier Bay" spill that occurred in July, 1987.~~

The proposed oil lease sale planned for Bristol Bay certainly adds to the urgency that environmental protection and financial responsibility be established during this legislative session. Hopefully, the State of Alaska will be successful in their attempt to have this area withdrawn from the March 1988 lease sale.

Sincerely,

Forrest Tressler  
President U.C.I.D.A.

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2

HOUSE BILL NO. 548

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 con-  
12 tingency plan has access to sufficient resources to protect environ-  
13 mentally sensitive areas and to contain, clean up, and mitigate poten-  
14 tial oil discharges from the facility or vessel within the shortest  
15 feasible time. The oil discharge contingency plan must provide for  
16 the use of the best available technology by the applicant. The de-  
17 partment may require an applicant or holder of an approved contingency  
18 plan to demonstrate its ability to carry out the contingency plan  
19 through

20 (1) periodic training;

21 (2) discharge exercises;

22 (3) inventories of available equipment, supplies, and  
23 personnel; and

24 (4) other measures [TO UNDERTAKE DISCHARGE EXERCISES].

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

26 (g) Failure of a holder of an approved oil discharge contingency  
27 plan to have access to the quality or quantity of resources identified  
28 in the plan, and to respond immediately with those resources in the  
29 event of a spill, is a violation of this chapter for purposes of

1 AS 46.03.760(a), 46.03.765, 46.03.790, and any other applicable law.

Original sponsor: Resources Committee

1 IN THE HOUSE

BY THE RESOURCES COMMITTEE

2 CS FOR HOUSE BILL NO. 548 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

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20 (1) periodic training;

21 (2) response team exercises;

22 (3) verifying access to inventories of available equipment,  
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**FISCAL NOTE**

**REQUEST:**

Revision Date: \_\_\_\_\_  
Title: An act relating to Oil Discharge  
Contingency Plans  
Sponsor: House Resources  
Requestor: Rep. Cotten

Agency Affected: Environmental Conservation  
BRU: Environmental Quality  
Components: ATI

**EXPENDITURES/REVENUES:** (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

**FUNDING:** (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

**POSITIONS:**

FULL-TIME						
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: Amy D. Kyle *adh* Phone: 465-2600  
Division: Commissioner's Office Date: 3/25/88  
Approved by Commissioner: *[Signature]* Date: 3/25/88  
Agency: Environmental Conservation

Distribution (by preparer):  
Legislative Finance  
Legislative Sponsor  
Requestor  
Office of Management and Budget  
Impacted Agency(ies)

STANDARD ALASKA PRODUCTION CO.

30 March 1988

House Resources Committee

House Bill 548 - Oil Discharge Contingency Plans

Standard Alaska Production Company supports House Bill 548,  
with the following amendments:

Line 21, delete [DISCHARGE] and insert response team

Line 22, add: verifying access to inventories ...

STANDARD ALASKA PRODUCTION CO.

30 March 1988

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Standard Alaska Production Company supports House Bill 548,  
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- ✓ Line 22, add: verifying access to inventories ...

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Neo -  
Copy for you

# HOUSE COMMITTEE REPORT

(9)

Date referred: 3/23/88

FURTHER REFERRALS:

DATE: 3-30-88

The Resources Committee has considered HB 548

"An Act relating to oil discharge contingency plans."

**RECOMMENDS:**

- replace with CS HB 548 (Res)  the same title
- attached amendment(s)  a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

**ADOPTS:**  \_\_\_\_\_ letter of intent

**ATTACHES NEW FISCAL NOTE(S):**

- fiscal impact  same as previous fiscal note published \_\_\_\_\_
- zero fiscal note  same as previous zero fiscal note published \_\_\_\_\_
- zero with analysis

**SIGNING DO PASS:**

**SIGNING OTHER RECOMMENDATIONS:**

Jim Galt  
Adelheid Herrmann  
Dick Stultz  
Mike Swader  
[Signature]

\_\_\_\_\_  
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 \_\_\_\_\_  
 \_\_\_\_\_

Jim Galt  
 Chairman's signature

STATE OF ALASKA  
1988 LEGISLATIVE SESSION

BILL VERSION: HB 548  
PUBLISH DATE: \_\_\_\_\_

FISCAL NOTE

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GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

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OTHER						
TOTAL						

POSITIONS:

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PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

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Division: Commissioner's Office Date: 3/25/88

Approved by Commissioner: [Signature] Date: 3/25/88  
Agency: Environmental Conservation

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