

HB

548

Original sponsor: Resources Committee

1 IN THE HOUSE

BY THE LABOR AND  
COMMERCE COMMITTEE

2 SENATE CS FOR CS FOR HOUSE BILL NO. 548 (L&C)

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) response team exercises; and

22 (3) verifying access to inventories of available equipment,  
23 supplies, and personnel [TO UNDERTAKE DISCHARGE EXERCISES].

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

25 (g) Failure of a holder of an approved oil discharge contingency  
26 plan to have access to the quality or quantity of resources identified  
27 in the plan, and in the event of a spill to respond with those  
28 resources within the shortest feasible time, is a violation of this  
29 chapter for purposes of AS 46.03.760(a), 46.03.765, 46.03.790, and any

1 other applicable law.  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

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 *ADK*  
Division: Commissioner's Office

Phone: 465-2600  
Date: 3/23/88

Approved by Commissioner: *[Signature]*  
Agency: Environmental Conservation

Date: 3/25/88

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

# 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

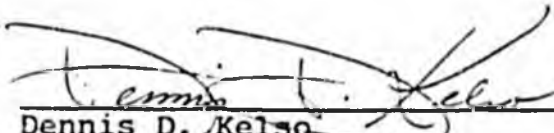
The bill would require that holders of oil discharge contingency plans maintain the capability to carry out their approved plans. The bill would also establish penalties for failure to maintain this capability.

### 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 518  
An Act

# 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~~ <sup>in view</sup> 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.

# 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:**

Jim G.T.  
Edelheid Herrmann  
Dick Stultz  
Mike Spitzer  
[Signature]

**SIGNING OTHER RECOMMENDATIONS:**

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

Jim G.T.

Chairman's signature