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Notice of Public Meeting for the Task Force on Motorized Oil Transport - Response Planning Standard Subcommittee Meeting.

The Alaska Department of Environmental Conservation (ADEC), Division of Spill Prevention and Response announces that a public meeting will be held on August 23, 2000 in the Legislative Information Office, 716 West 4th Avenue, 2nd Floor, suite 200, Anchorage, Alaska 99501 from 9 a.m to noon and 2:00 p.m to 5 p.m.

This is one of a series of Task Force on Motorized Oil Transport subcommittee meetings to determine how to implement response planning standards for a railroad tank car contingency plan and for a nontank vessel contingency plan as set out in Senate Bill 273 regarding oil discharge prevention and contingency plans for all self-propelled nontank vessels exceeding 400 gross registered tonnage and railroad cars carrying bulk oil and authorizing the inspection of nontank vessels and trains.

Any person interested in further information is encouraged to contact Larry Dietrick, Spill Prevention & Response, Alaska Department of Environmental Conservation, 410 Willoughby Avenue, Juneau, Alaska 99801, (907) 465-5250, e-mail at ldietric@envircon.state.ak.us. You may also contact Judith Erickson of Capital Information Group at (907) 586-3118.

If you are a person with a disability who may need special assistance to participate in the process on the proposed regulations, please contact Joel Casto at (907) 465-5041 as soon as possible to make necessary arrangements.

*This meeting will address
vessels - a separate
meeting will be held on
the AK Railroad.*

**Notice of Public Meeting for the
Task Force on Motorized Oil Transport –
Response Planning Standard Work Group Meeting.**

The Alaska Department of Environmental Conservation (ADEC), Division of Spill Prevention and Response announces that a public meeting of the Response Planning Standard Work Group of the Task Force on Motorized Oil Transport will be held on September 6, 2000 in the Legislative Information Office, 716 West 4th Avenue, 2nd Floor, suite 200, Anchorage, Alaska 99501 from 9:30 a.m to noon and 1:00 p.m to 4:30 p.m. This meeting will be a continuation of the work group's August 23 meeting.

This is one of a series of Task Force on Motorized Oil Transport work group meetings to determine how to implement response planning standards for a railroad tank car contingency plan and for a nontank vessel contingency plan as set out in Senate Bill 273 regarding oil discharge prevention and contingency plans for all self-propelled nontank vessels exceeding 400 gross registered tonnage and railroad cars carrying bulk oil and authorizing the inspection of nontank vessels and trains.

The agenda for the work group will be posted to the Task Force website at: <http://www.state.ak.us/local/akpages/ENV.CONSERV/nontank/home.htm>. Any person interested in further information is encouraged to review the website or contact Task Force facilitator Brian Rogers at (907) 452-2461, email at: brogers@infoinsights.com. You may also contact Judith Erickson of Capital Information Group at (907) 586-3118, email at jerickso@pob.x.alaska.net.

If you are a person with a disability who may need special assistance to participate in the process on the proposed regulations, please contact Joel Casto at (907) 465-5041 as soon as possible to make necessary arrangements.

RESPONSE PLANNING STANDARD WORK GROUP

Co-chairs: Gene Burden, Lee Egland, John Hansen

Meeting on August 23, 2000

Anchorage Legislative Information Office

9 a.m. to noon and 2:00 p.m. to 5 p.m.

DRAFT AGENDA

GOAL: Determine how to achieve the response planning standard for
(a) affected nontank vessels and
(b) trains carrying oil.

1. Work group process and methodology
 - Decision-making process
 - Timetable for work group
 - Objectives and deliverables
2. What is the response planning standard for non-tank vessels?
 - Discussion of similarities with and differences between non-tank vessels and currently regulated oil transporters
 - Explanation of current roles and responsibilities
3. Identify characteristics of affected vessels
 - What vessels, when, where, how often, what fuel type?
 - Comparison with currently regulated oil transporters
 - Identify any additional data needs
4. Identify potential additional response regions
 - What are Most Environmentally Sensitive Areas?
 - Where is existing response equipment, what kind, how much is there?
 - How does existing equipment relate to traffic patterns?
 - Identify gaps in coverage
 - Identify any additional data needs
5. Offshore response and navigation routes
6. Discuss process for designing standardized spill response scenarios
 - Identify maximum worst case discharge scenarios
 - Identify factors that will contribute to the threat of a discharge
 - Identify factors that will inhibit a response
 - Develop standardized spill and response scenarios
 - Identify any additional data needs
7. Review major response elements of contingency plans
8. Future Issues
 - Determine additional work group data needs
 - Determine agenda for 9/6 RPS Work Group Meeting
 - Review major Alaska Railroad issues for 8/30 RPS Work Group meeting



Teleconference Participants

TCN: 10910

Participant Lists

View List for

ALL



Testifiers



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Participants

Unidentified Testifiers: 0

Unidentified Observers: 0

JUNEAU (JNU)

1

Name: Kris Norosz

Phone: 772-4294

Address:

Affiliation: Icicle Sea

City /St /Zip:

Type: Testifier

Bill:

2

Name: Heather McCarty

Phone: 586-4260

Address:

Affiliation: At-Sea

City /St /Zip:

Type: Testifier

Bill:

3

Name: Stephanie Madsen

Phone: 586-6366

Address:

Affiliation: PSDA

City /St /Zip:

Type: Testifier

Bill:

4

Name: Bob Tkacz

Phone: 463-5455

Address:

Affiliation: AK Fisherm

City /St /Zip:

Type: Testifier

Bill:

KETCHIKAN (KTN)

1

Name: Mr. David Owings

Phone: 2257002

Address:

Affiliation: SEAPRO

City /St /Zip: Ketchikan AK 99901

Type: Testifier

Bill: Motorized Oil Transports



LEGISLATIVE TELECONFERENCE NETWORK

SIGN-IN SHEET

10910

PLEASE PRINT

SPONSOR: Motorized Oil Transport Task Force

SUBJECT: Meeting

START/END TIME: 9am DATE: 8-23-00

	Name/Representing	Address	Zip	Phone No.	Testify	Observe	Bill No.
1.	SCOTT CARTER / AK NITROGEN PRODUCTS						
2.	LESLIE PEARSON / ADEL						
3.	LURILLA LEE / Trident Seafoods Corp	5303 Shilshole Ave NW, Seattle, WA	98107	(206) 783-3818			
4.	Darryl Wamato	555 Cordova St Anchorage, AK	99501	269-7683			
5.	PAUL AXELSON	Box 8080, Ketchikan, AK 99901		225-8080			
6.	LEE EGUND	PO Box 2287 SEATTLE 98114		206 340 2741			
7.	BERNIE SMITH	17710 TOAKUAKA WAY EAGLE RIVER	99577	263-2101			
8.	BOB HEAVILIN AK CHADOUX CORP	721 W. 1st ANCHORAGE	99501	278-3348			
9.	TERRY MURPHY " " "	" " "	" "	278 3 301			
10.	Lynda Hycce / For Jim Carter	RCAC's - PO Box 3089 - Valdez	99686	835-5957			
11.	Tim Robertson	PO Box 175 Seldovia, AK	99663	234-7821			
12.	JAMES BRECKENRICH / CITY OF SEWARD, SCOTT JAWKE, MANAGER	P.O. BOX 167, SEWARD, AK 99664		224 4047		X	
13.	DOUG LENTSCHE CISPRI	PO Box 7314 NIKISKI AK 99602	99605	776-5129			
14.	Joe LeBeau ACE Valley ORG	601 S. Plaskett St Ste 206 Palmer	99645	745-6419			
15.	Jeff Ginalmas ARRC	327 W. Ship Creek Ave Anch	99501	265-2535			



LEGISLATIVE TELECONFERENCE NETWORK SIGN-IN SHEET

SPONSOR: _____

SUBJECT: _____

START/END TIME: _____ DATE: _____

PLEASE PRINT

	Name/Representing	Address	Zip	Phone No.	Testify	Observe	Bill No.
1.	Tom Ruetter North Star	790 Ocean Dock Rd	99501	272-7537			
2.	JAMES S. BURNS VINTAGE	16200 LUNA ST	99516	345-8517			
3.	JEAN BUTLER USCG D17	Box 25517 Juneau AK 99802		463-2210			
4.	Susan Harvey ADEC	555 Cordova St Anch AK	99501	269-3054			
5.	Ken Rogowski	// //	//	269-7590			
6.							
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15.							

Response Planning Standard Work Group

August 23, 2000 Meeting Summary
Anchorage Legislative Information Office
9:00 - 12:00, 2:00 - 5:00

Task Force members present: RPS Work Group Co-chairs Gene Burden, Lee Egland and John Hansen; and members Scott Carter, Jeff Ginalias (for Ernie Piper), Bob Heavilin, Lynda Hyce (for Jim Carter), Doug Lentsch, Charlotte MacCay, Jeff Thompson, Denise Henderson (for Rep. Kott), Pat Carter and Kristopher Knauss (for Sen. Pearce)

Task Force members on teleconference: Rep. Beth Kerttula; Stephanie Madsen and Heather McCarty (Juneau LIO); Dave Owings (Ketchikan LIO)

DEC staff present: Larry Dietrick, Susan Harvey, Steve Provant, Ken Rogowski, Larry Iwamoto, Leslie Pearson

Task Force Facilitation: Brian Rogers, Judith Erickson

Task Force Technical Assistance: Paul Fuhs

Members of the public also attended

Agenda Item 1. Work group process and methodology

Decision-making process

Brian Rogers said the work group would attempt to achieve consensus on issues rather than conduct formal votes; he noted that membership of the work group is open to any task force member. The job of the work group is to frame issues for the Task Force to consider. The Task Force on Motorized Oil Transport will be the final decision maker.

Rogers said after the work group has concluded its discussion of an agenda item he would solicit any comments from the public participants on that item before moving on.

Objectives and deliverables

The goal of the work group is to "determine how to achieve the response planning standard (RPS) for affected nontank vessels and trains that carry oil." The work group will address how the Alaska Railroad can achieve the RPS at a separate meeting on August 30.

The work group members reached consensus on several objectives and deliverables.

Objectives:

1. Determine how to achieve the response planning standard for the affected vessels within the framework of SB 273.
2. Develop response strategies which are realistic, effective, economically feasible and flexible.

Deliverables:

1. Identify the areas that could be covered by existing oil spill cooperatives (CISPRI, Chadux and SEAPRO). Identify costs associated with coop membership.
2. Identify which geographic areas the coops could potentially expand into to supply spill response services within 48 hours if additional equipment was purchased. Determine to what extent this would cover the RPS for nontank vessels?

3. Identify geographic areas where providing spill response services within 48 hours poses a significant challenge and might require alternatives to the 48-hour RPS.
4. Address issues of cost, weather and whether nontank vessel owners will be required to plan for the largest spill in an area or for simultaneous spills.
5. Decide what additional response elements besides mechanical response will be required to meet the goal of the RPS for nontank vessels.

DEC SPAR Director Larry Dietrick noted there is a distinction between a planning standard and a performance standard. When planning a response, or trying to meet to a 48-hour requirement, Dietrick said it is done in conditions where a response can be delivered. "You define the realistic maximum operating limitation and if you determine that you can only contain and control oil up to a three-foot sea state, then that's what you plan your response to." Dietrick said an operator is not held to the planning standard for its response if weather conditions prevent meeting the RPS, and is not held liable under existing law for failure to meet the RPS.

Agenda Item 2. What is the response planning standard for nontank vessels?

Discussion of similarities with and differences between non-tank vessels and currently regulated oil transporters.

The facilitator handed out a table comparing the response planning standard for tank vessels, noncrude tank vessels and nontank vessels as required by SB 273. It was noted that the RPS for the noncrude vessels and barges and the RPS for the nontank vessels under SB 273 are nearly identical.

Gene Burden said that most cargo vessels, whether foreign trampers or U.S. fleet, and cruise ships carry persistent oil; almost all the fishing fleet carry nonpersistent, running on diesel, with the exception of the tenders which use persistent fuel. The majority of the fuel carried by the Alaska Railroad is nonpersistent.

Burden noted that apart from vessels controlled by Tesoro, Unocal, Phillips and Marathon, most of the large ships are operating in Alaska waters with 50 percent or less of their cargo capacity full. He said this might have some bearing on how worst case scenarios are structured.

DEC staff pointed out that the financial responsibility applications will supply a source of data regarding vessels, maximum volume of fuel and fuel type. The applications are due September 1.

Pat Carter, Sen. Pearce's staff, pointed out that under SB 273, the RPS applies to the predominant fuel carried on a nontank vessel. He said he could not think of any reason for different response planning standard for nonpersistent and persistent oil.

Lynda Hyce recommended that the group plan for response to the largest or maximum spill in each region.

Explanation of current roles and responsibilities

Work Group Co-chair John Hansen expressed an interest in the roles that various organizations in response planning and delivery of response services. What is the role of the U.S.C.G and DEC and what is their planning capability? What is the role of the co-ops? Are there gaps in the management organizational structures?

Susan Harvey, DEC, said it is clear in Alaska law that the responsible party (RP), the vessel owner, is responsible for the managing the response and cleaning up an oil spill. The RP may choose to use a spill contractor such as a co-op to efficiently manage the cleanup. She noted that many vessel owners secure their own resources, personnel and equipment rather than contracting with a co-op.

Hansen asked DEC to provide the work group with documents that outline the process for preparation, review and activation of a contingency plan. DEC will make that document available.

The work group agreed it would be helpful for DEC to provide them with a review of federal and state response planning and contingency plans. A brief overview of these topics will be included on the work group's 9/6 agenda; a more in-depth presentation will be made available to Task Force members at another time. Harvey asked that work group members submit their questions regarding response and the contingency planning process to Brian Rogers so DEC can tailor their presentation to those questions.

Audience member Tim Robertson suggested the work group focus on the subarea contingency plans, the state/federal documents that all other plans must be congruent with, and use them as the vehicle to accomplish as much as possible, putting as little as possible in private plans. These plans include tactics, definitions and lists of response resources available in the various subareas.

Agenda Item 3. Characteristics of affected vessels

Brian Rogers said that at its July 11 meeting the full Task Force had asked that the facilitator to prepare a data base of all affected nontank vessels, including size, amount of fuel carried and areas traveled. Task force members were asked to submit the information on their vessels to the facilitator.

Rogers said while waiting for the vessel information from task force members, he compiled a data base from marine pilot records. He described the data base that lists the largest vessels by gross tonnage by type by waters traveled. Rogers noted that there is no information in this data regarding fuel type or quantity. He handed out summaries of the data for Southcentral and Southeast Alaska.

The facilitator will continue to build the database. Rogers noted, however, that the discussion at today's meeting has pointed out that what is most needed is the data on the vessel carrying the largest fuel quantity in each region.

Rogers asked the work group if this is the type of data they were looking for and whether they have any suggestions on how to fill in the holes. He noted that several task force members had contacted him to say their data work is underway.

Co-chair Gene Burden recommended that the group assume that the largest fuel capacity for these vessels is 800,000 gallons, or 20,000 bbls of persistent fuel. He asked the co-ops if they could take this assumption and identify the locations where each co-op currently provides spill services; where they possible could meet the 48-hour RPS with additional equipment; and which areas are totally "off the radar map."

Rogers noted that the Hyundai coal ships are currently carrying up to 1.8 million gallons (43,000 bbls), at 70 percent of their total 2.7 million gallon capacity. This would affect Seward.

The work group asked the co-ops to make a presentation at the next meeting on September 6, regarding their spill response coverage.

Bob Heavilin of Chadux said his co-op is set up to respond anywhere in the state. The co-op has equipment in Anchorage, in North Kenai, and response depots in Kodiak, Cordova, Valdez and Unalaska. He said a three-year plan is underway to add response hubs in Dillingham (summer 2001), Bethel, Nome and Prudhoe Bay.

Dave Owings with SEAPRO said his co-op can provide adequate spill response coverage for vessels in Southeast, Alaska. He noted that late last week the co-ops received word that they have collectively secured funding for a program called "Response." He said this will allow the co-ops to put together a

statewide database of all the spill response equipment in Alaska. The database will be available to the co-ops and the state. Owings said this will be a good tool for the Task Force.

Co-chair Burden asked the co-ops to provide the work group with a presentation at the next meeting detailing the areas they believe might be of concern to them. Burden said this will give the work group a better idea of where the gaps exist.

The facilitator handed out a large version of a map prepared for the Alaska Petroleum Distributors and Transporters (APD&T) organization in 1996/97 that illustrates the planning regions and characterization of APD&T operations and risks. Lee Eglund of Crowley Maritime said the map provides a good overview of the general traffic routes of the tank barges and the major locations they call on. He said it also shows the areas identified as the most environmentally sensitive areas or MESAs, which helped the APD&T decide where to place additional response equipment.

Lynda Hyce noted that the PWS RCAC is currently doing a survey of oil spill response equipment availability outside of that owned by SERVVS. The inventory will include the equipment owned by co-ops on the West Coast and in Alaska, and government and other sources. She said this inventory will be completed in September and she will share it with the work group.

Paul Fuhs said the task of this work group is to determine whether there is sufficient equipment to reach the 10 regions in Alaska and if not, what is needed. Fuhs said it is still unclear as to who should determine what will be sufficient. Should DEC say what is sufficient or is it the Task Force? Fuhs said the equipment issue must be settled early on to determine the cost to industry.

Steve Provant, DEC, noted that the noncrude contingency plan holders are now going through a process to identify how to get resources into the MESAs by aircraft. This information will be made available to the work group as it is compiled.

Agenda Item 4. Potential additional response regions

What are the Most Environmentally Sensitive Areas (MESAs)?

Larry Iwamoto, DEC, gave a presentation on MESAs. He handed out two maps—one depicting the MESAs in the Arctic, Western, and Southwest Alaska and the second depicting the MESAs in Southcentral, Southeast and Southwest Alaska. Iwamoto said 33 MESA maps were produced by the Alaska Dept. of Fish and Game in 1997 with funding from DEC. An additional 35 were produced in 1998. ADF&G anticipates finalizing the first 33 MESA maps in September and the next 35 by June 30, 2001. Iwamoto gave Rogers an electronic version of the maps to post on the web site.

He said while the MESA maps were produced primarily for the noncrude carriers to give them an idea of where the sensitive areas are in Alaska, they are being included in the subarea plans as they are updated. He advised the work group that there are geographic response strategy work groups in progress that are developing response strategies for each of the MESAs as they pertain Prince William Sound and Cook Inlet.

Steve Provant noted that the ADP&T map only illustrates the MESAs that members of the ADP&T barges travel within five miles of. He said there could be other MESAs that would be impacted by this legislation that are not impacted by the currently regulated community. He suggested they be added to the ADP&T map.

Iwamoto said that NOAA also has some subarea maps of environmental sensitive areas. A summary of the NOAA ESI (Environmentally Sensitive Index) maps was handed out to the work group.

What is existing response equipment, what kind, how much is there?

Brian Rogers said he had prepared a data base of the major spill equipment inventories (bladders, boom, tanks, vessels, skimmers) he received from DEC, Chadux, CISPRI and SEAPRO but had not received the information in time to prepare a summary. The data base was requested by the Task Force at its July 11 meeting. Rogers said the inventory identifies the equipment by location. He noted that some data might still be missing.

Bob Heavilin, Chadux, suggested the facilitator add response equipment from the U.S. Navy (Fort Rich), the U.S.C.G at their Kodiak base and DEC nearshore equipment.

Paul Fuhs questioned whether there are mutual aid agreements amongst the co-ops in Alaska. He asked if DEC has a policy regarding mutual aid agreements. Gene Burden noted that no one can name SERVS as a back-up responder.

Pat Carter said DEC must make it clear if co-op A loans its equipment to co-op B during a spill, will the membership of the co-op A have to scale back on its operations until the equipment is back in place. He said it is unlikely a co-op will loan equipment if it will affect its members' operations.

Steve Provant, DEC, said there is equipment that the co-ops have that goes beyond what they need for meeting the RPS. Provant said DEC would approve that equipment for mutual exchange between co-ops. He noted that some of this is nearshore equipment that is not needed to meet the RPS.

Fuhs said companies that operate in several regions of the state have expressed concern over how they will achieve the RPS. He said mutual aid agreements might address this issue. Fuhs said he sees no other way around this unless a co-op decides to operate statewide and place equipment in areas already covered by another co-op.

Lynda Hyce said there is an agreement in process between SERVS and the U.S.C.G. to allow the Coast Guard to use SERVS equipment in the event of a spill.

Lee Eglund noted that under current law, a vessel owner cannot include equipment in a C plan unless that equipment is under contract.

Pat Carter said these vessels must be able to meet the 15 percent RPS without any public resources.

The oil spill co-ops were asked to look at the areas where they have equipment to respond to nonpersistent spills and identify what equipment would be needed to respond to persistent oil spills in the outlying areas. It was noted that the Chadux hubs for nonpersistent oil don't include skimmers because the barges are required to carry skimmers onboard.

Work group members questioned what is meant by the first part of the RPS— the requirement to contain and control 15 percent of the maximum capacity of a nontank vessel within 48 hours. Larry Dietrick, DEC, said the intent of the statute is to get some boom out to the site and start the initial containment and control actions on the leak coming from the vessel. This means the boom arrives on scene, is deployed and is effectively containing the oil within the 48-hour mark. Dietrick said in remote areas this means the ability to get the boom to the spill by air or sea within 48 hours. He said this assumes the weather is flyable and the seas are navigable. Dietrick said the mission of this Task Force is how to achieve or implement this standard.

The second part of the standard, Dietrick said, is "cleanup within the shortest possible time." He said this means that containment equipment must be out to the spill at the 48-hour mark and within the shortest possible time after that the equipment to remove the oil from the water needs to arrive on scene along with the storage vessels so the oil can be pumped off the water into a container.

Susan Harvey, DEC, noted the RPS calls for cleanup within the shortest period of time so a vessel owner would not want to wait for the 48-hour mark to move in cleanup equipment if it was available earlier.

Larry Dietrick said the work group should be able to assume that the contingency plans the state has already approved for the noncrude tank vessels are acceptable and would cover any nonpersistent spill that could occur from one of these nontank vessels. He said there are two things that must be still be addressed: if the product is switched to persistent what kind of adjustments will need to be made; and are there new spill scenarios that are not covered. Dietrick said these new spill scenarios need to be identified and then the co-ops can determine whether or not they can cover them. He said more vessel data is needed before the department can determine any new spill scenarios.

Larry Dietrick said the work group should establish the minimum amount of equipment that is needed in each hub to meet this standard. He reminded the group that this is a planning standard. Because it calls for planning for 15 percent of what comes out of a vessel, it makes sense to standardize the response equipment kits based on best professional judgment.

Gene Burden said in Cook Inlet and Seward response capabilities are in place to deal with a 6,000 bbls persistent oil spill. He said a good first pass would be to ask the co-ops if they can respond to a 6,000 bbls spill of persistent oil in their areas of operations. If they can't, the co-ops will have to say how large a spill they can respond to.

Lee Eglund noted that the response hubs the barge operators put together contain only enough equipment to deal with an initial spill response. The majority of the equipment would be brought in by the co-op. He said it is up to DEC to say how much equipment and capability is needed to respond to a 6,000 bbl spill of persistent product. Then it will be up to the co-ops to determine if they can respond. If they can't respond, what further equipment would they need to meet the RPS.

Pat Carter suggested the work group make a decision on the amount of boom that will be needed to meet the RPS. He recommended the work group consider enough boom to circle the largest vessel two or three times.

Steve Provant, DEC, said barges are now required to have enough boom on board to circle the barge twice. He reminded the committee that the source of the spill must be controlled first. Then, by 48 hours, the vessel owner must have the spill contained and controlled.

A member asked if DEC will make nontank vessel owners plan for simultaneous oil spills. Larry Dietrick said no.

Paul Fuhs suggested a subcommittee of the work group match up the existing oil spill response coverage with the nontank vessel routes and trades and make a recommendation to the work group at its September 6 meeting on the additional equipment that will be needed for nontank vessels to meet the RPS.

How does existing equipment relate to traffic patterns? Identify gaps in coverage.

The work group reviewed the 10 regions in Alaska to determine where gaps might exist. From the data available they tentatively identified the largest vessel in the region and where gaps might exist.

Southeast Alaska Region 1

largest vessel: 77,441 gross tons

fuel tankage capacity: 20,400 bbls persistent fuel

15 % = 3,000 bbls

persistent and nonpersistent coverage

gap - Yakutat area (covered for containment, but not cleanup)

Prince William Sound Region 2

largest vessel: noncrude haulers, nonpersistent fuel
20,000 bbls (largest vessel capacity)
15 % = 3,000 bbls
gap - persistent cleanup

Cook Inlet Region 3

largest vessel: crude oil transfers
20,000 bbls (covers Panamax coal ships)
15 % = 3,000 bbls
gap - Seward (cleanup)

The work group concluded that if a vessel owner uses an existing co-op there isn't a gap for containment and control within 48-hours within regions 1, 2, and 3.

Kodiak Island Region 4

largest vessel: CSX, persistent
20,000 bbls (largest capacity)
15 % = 3,000 bbls
[gap not identified]

Aleutian Region 5

largest vessel: APL container ship (Dutch Harbor)
32,000 bbls (may be higher, need better identification of vessel traffic)
15 % = 4,800 bbls
gap: persistent cleanup
May be some operating areas not covered including cruise operating areas, fishing operating areas.
transitory issues

DEC is looking at a C plan for a vessel proposing to bring 140,000 bbls of nonpersistent product into Adak.

Bristol Bay Region 6

10,000 bbls (largest capacity, primarily fishing activity)
(APD&T) hub in Dillingham in 2001
gap: persistent cleanup (trampers)
transitory issues

Western Alaska Region 7

10,000 bbls (largest capacity, primarily fishing activity)
(APD&T) hub in Bethel in 2002
gap: persistent cleanup

Northwest Arctic Region 8

10,000 bbls
(APD&T) hub in Nome in 2002
gap: persistent cleanup

North Slope Region 9

8,000 bbls
(APD&T) hub in 2003
limited equipment, seasonal

gap: persistent cleanup
gap: lack of boom/co-op

Equipment could be deployed from Anchorage by air as easily as from Wainwright.

DEC staff reported that Alaska Clean Seas is working to acquire enough equipment to respond to a spill of 45,000 bbls.

10. Interior Alaska Region

More vessel information is needed

After all the vessel data is assembled the work group will be able to determine at its next meeting if these figures represent the largest vessel in each region, Brian Rogers said. The work group discussed basing the RPS for each region on the largest vessel that transits through the region. It was pointed out that most of these nontank vessels do not operate at full capacity. DEC was asked for some direction on the definition of capacity.

Steve Provant, DEC, said the department has a policy that allows vessel owners to plan for less than full capacity if they certify the maximum capacity they will carry. Susan Harvey, DEC, said this is then a legal obligation and the shipper may never carry more than the amount certified. Gene Burden noted that CISPRI charges its members based on volumes transported. Bob Heavilin said Chadux assesses its full members based on volume transferred and its associate members on cubic capacity.

It was recommended that a system be built into the RPS to upgrade areas if larger vessels move into an area.

Pat Carter said it is his understanding that the existing co-ops have adequate equipment, once all of it is in place, to meet the 15 percent RPS in all regions in Alaska except in the Aleutian Islands. No one disagree with his assessment for the initial containment and control requirement in the RPS. All agreed that more equipment will be needed for cleanup of persistent fuel.

Agenda 5. Offshore response and navigation routes

Larry Dietrick, DEC, said the RPS is required only in state waters, within three miles. He said in California, vessels are being routed up to 25 miles offshore. In the event they lose power a tug can reach the ship before it could reach the shore. This works as well for cleanup.

Dietrick said the TAPS crude tankers used to transit within 50 miles of Alaska's coast. To meet the federal OPA 90 requirements, they were required to stockpile dispersant in Sitka, in the event of a spill within federal waters. The vessel routes have since been changed to more than 200 miles offshore, so the tanker owners are exempt from state and federal requirements.

He said nontank vessel routes could possibly be adjusted to keep some of these vessels outside of state waters, exempting the vessels from the state's oil spill planning requirements. Dietrick said the state has argued in the past, however, that if a vessel is beyond the state's three mile limit it will still need a contingency plan if a spill could migrate into state waters.

If vessels are offshore except when they enter a port, Dietrick said the work group could focus its efforts on positioning a response capability to address transit in and out of those ports.

Dietrick suggested a map illustrating nontank vessel traffic would be helpful in planning where further response hubs will need to be positioned. He said offshore navigation routes is a tool to deal with the RPS in Western Alaska and the Aleutians.

Lee Egland noted that the APD&T changed some of their barge routes in order to avoid the MESAs.

Agenda 6. Discussion of standardized spill response scenarios

Identify maximum worst case standardized spill response scenarios

Susan Harvey, DEC, said in designing a worst case standardized spill response scenario one must take into account equipment, personnel, weather constraints and environmental considerations in each region and design a response to address all these factors.

Leslie Pearson, DEC, said in each subarea plan there is a generic scenario that the work group could look at when determining where additional equipment might be needed.

Lee Egland said this work group must decide how an affected vessel can achieve the RPS. He said that would include what response resources will be needed to contain and control 15 percent of a vessel capacity within 48 hours. Egland said how it is implemented will take into account personnel, communications and other issues and will be addressed in the contingency planning process.

Paul Fuhs said the work group should be piggybacking on what is already in place for spill response. He said it is the work group's job to identify areas that are not currently covered. He noted that during the legislative session, DEC Commissioner Brown testified that these nontank vessel owners could have streamlined contingency plans that would require the owner to have a certificate of financial responsibility, to certify that any mandatory prevention equipment is onboard and have a contract with a response action contractor. Fuhs said it was not Brown's idea that these small fishing vessels would need large contingency plans. He said these scenarios could be considered in regards to training and spill drills, but no one knows yet what DEC will require for training and drills.

Gene Burden said there is a good history of C plans and scenarios in many of the areas where these vessels will be operating, but many vessel owners required to meet this RPS are new to the contingency plan process. Burden suggested the work group consider a phase-in program for these smaller companies accompanied by workshops, training and assistance to help get them underway with this program.

Susan Harvey, DEC, said the quickest win for the cruise ships might be to hand DEC their current SOPEP (federally required shipboard oil pollution emergency plan) and ask if it is acceptable. She said smaller operators might need a "turn-key operation," where a co-op supplies the spill response equipment and helps the operator find an incident command team. Harvey said the work group must look at a range of alternatives that is based on the planning capability, sophistication and size of the operator.

Jeff Thompson said it is important for the vessel agents and others who will be assisting their members in meeting the requirements to be better educated on spill response planning.

Brian Rogers said he would work with DEC to schedule a "Response 101" workshop for task force members.

Agenda Item 7. Major response elements of contingency plans

This agenda item was held over until the work group's September 6 meeting.

Agenda Item 8. Future Issues

Determine additional work group data needs

The work group asked the facilitator to review the Financial Responsibility (FR) applications that are currently being submitted to DEC to secure additional vessel data. The deadline for the applications is September 1, 2000.

The work group requested the facilitator to provide a map reflecting the vessel data that is compiled for regions 5 through 9, and locations of existing and planned equipment hubs.

DEC was asked to come back to the 9/6 meeting with a "straw-man" proposal for how the RPS can be achieved by these nontank vessels. Co-chair Lee Eglund said he wants DEC's strawman to include what resources are needed to achieve the RPS. He said resources includes equipment, people and process. He asked DEC to come up with a list of what will be needed to achieve the RPS.

Determine agenda for 9/6 RPS Work Group meeting

Agenda items agreed upon for the 9/6 meeting:

- Review of major response elements of contingency plans
- Review of a DEC "strawman" proposal detailing what equipment will be needed to achieve the RPS. DEC will bring the subarea plans so the work group can review the generic spill scenarios in these plans.
- Review vessel data information compiled for regions 5, 6, 7, 8, 9
- PRACs will provide an overview of their response capabilities
- DEC staff will provide an executive summary of "Response 101"
- Discussion of participation by regional citizens advisories councils (RCACs) in the development of contingency plan (Jim Carter, CIRCAC). This may be held for the full Task Force meeting on 9/20
- A briefing on Marine Exchange Alaska

Brian Rogers said he would work to have the draft agenda for the 9/6 meeting out to task force members by August 31.

Review major Alaska Railroad issues for 8/30 RPS Work Group meeting

The work group agreed to address the Alaska Railroad response and prevention issues in a separate subcommittee. RPS Work Group Co-chair Gene Burden said he would like the recommendations to the Legislature for nontank vessels and the Alaska Railroad to be as similar as possible. Burden will attend the Railroad meetings.

Brian Rogers noted that RPS Work Group Co-chair John Hansen will also participate. Hansen has a member with a subsidiary rail line that can bring some expertise to the proceedings.

Ernie Piper, Alaska Railroad, said while the technical issues associated with spill response in the railroad setting and the variables in the risk assessment are different than for marine transport, the Alaska Railroad's contingency planning and approval process will not be a substantially different structure than what is required of vessels.

Larry Dietrick, DEC, said how the RPS is achieved for marine vessels is totally different than how it will be achieved along the railroad alignment. He believes there is an efficiency to addressing the railroad separately.

Brian Rogers said the focus of the RPS Work Group meeting on August 30 will be to deal with issues unique to the Alaska Railroad, but he added it will be informed by the work group's discussions today.

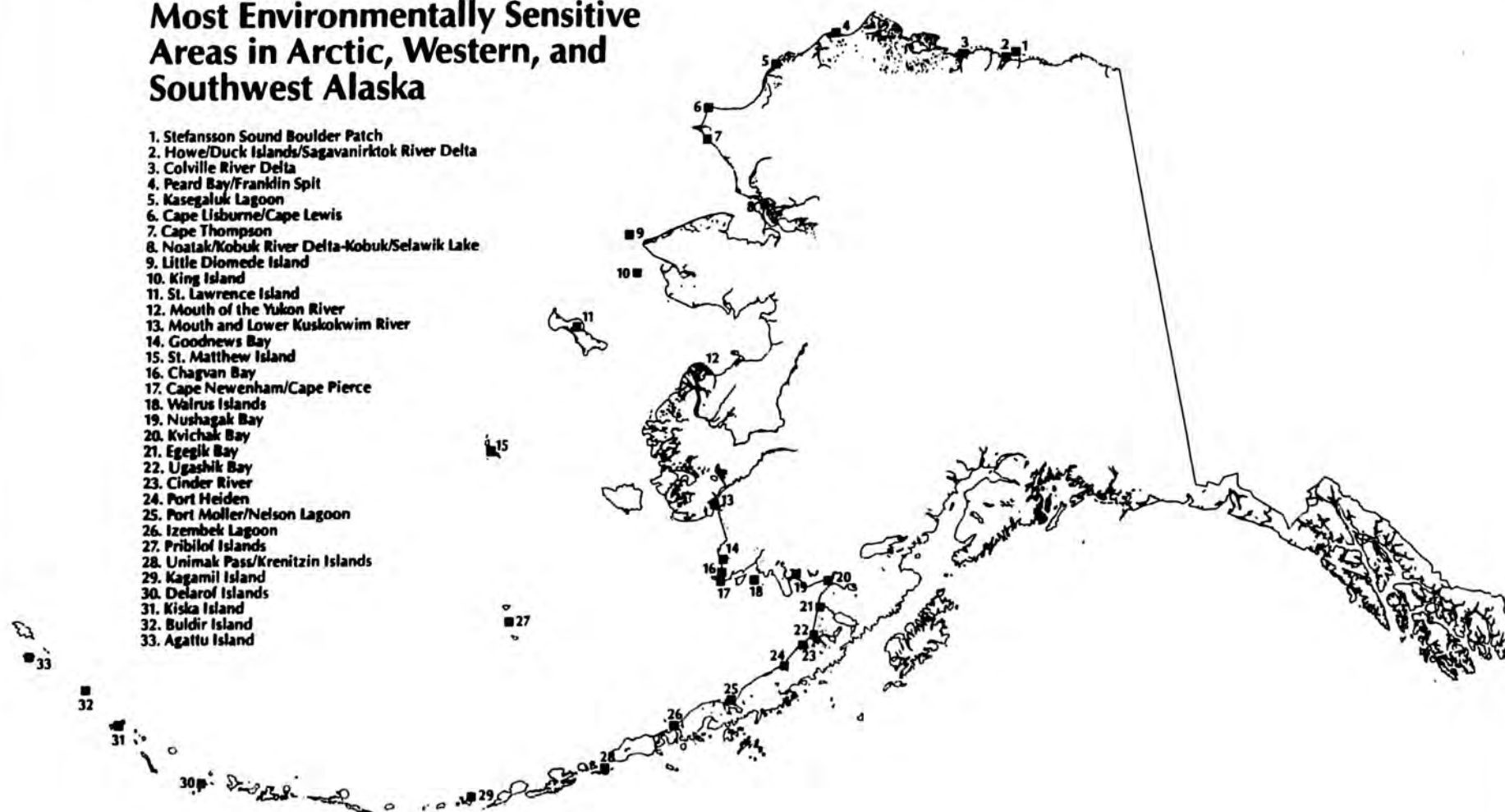
In closing, Rogers announced that all meetings will end on schedule. The work group was concluded at 5:00 p.m.

List of documents distributed:

- a table comparing the response planning standard for tank vessels, noncrude tank vessels and nontank vessels as required by SB 273
- A summary of largest vessels by waters traveled and type for Southeast and Southcentral Alaska
- two MESA maps—one depicting the MESAs in the Arctic, Western, and Southwest Alaska and the second depicting the MESAs in Southcentral, Southeast and Southwest Alaska
- two spreadsheets illustrating contingency plan requirements for noncrude oil tank vessels:
- a contingency plan review checklist (DEC document)
- a comparison of contingency plan requirements in the West Coast states and B.C. (not available electronically)
- a listing of ports that have had fish related shipping in the past 10 years
- a memorandum from Jim Carter, CIRCAC, regarding RCAC involvement in non-tank vessel contingency plans
- Integrated Vessel Response Plan Format Guidelines for Tank Vessels
- a table on the status of NOAA's ESI (Environmentally Sensitive Index) mapping projects
- a memorandum from Charlotte MacCay detailing contingency plan recommendations from the Spot Charter Group
- Map of Alaska, Planning Regions, and Characteristics of APD&T Operations and Risks

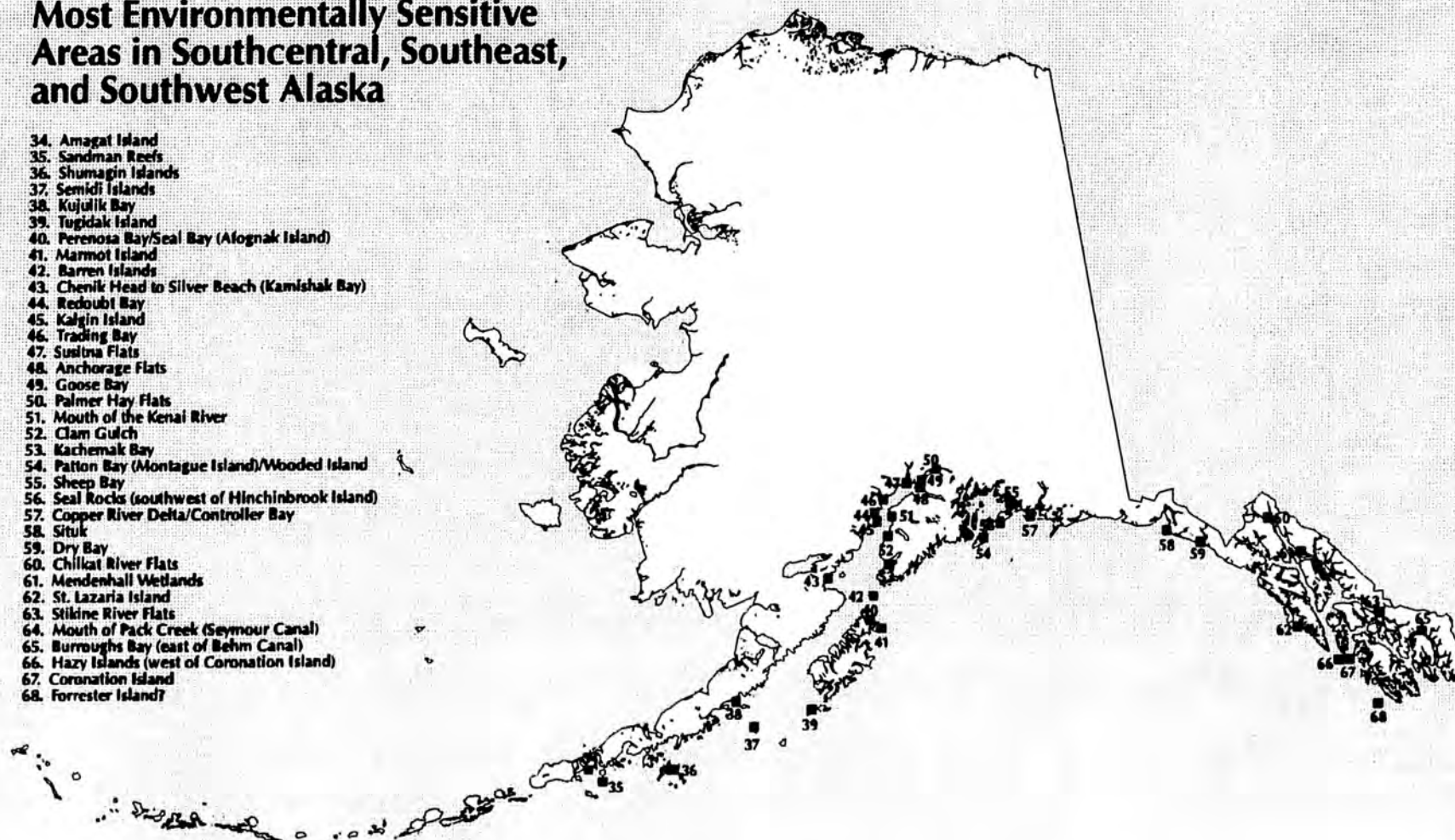
Most Environmentally Sensitive Areas in Arctic, Western, and Southwest Alaska

1. Stefansson Sound Boulder Patch
2. Howe/Duck Islands/Sagavanirktok River Delta
3. Colville River Delta
4. Peard Bay/Franklin Spit
5. Kasegaluk Lagoon
6. Cape Lisburne/Cape Lewis
7. Cape Thompson
8. Noatak/Kobuk River Delta-Kobuk/Selawik Lake
9. Little Diomed Island
10. King Island
11. St. Lawrence Island
12. Mouth of the Yukon River
13. Mouth and Lower Kuskokwim River
14. Goodnews Bay
15. St. Matthew Island
16. Chaguan Bay
17. Cape Newenham/Cape Pierce
18. Walrus Islands
19. Nushagak Bay
20. Kvichak Bay
21. Egegik Bay
22. Ugashik Bay
23. Cinder River
24. Port Heiden
25. Port Moller/Nelson Lagoon
26. Izembek Lagoon
27. Pribilof Islands
28. Unimak Pass/Krenitzin Islands
29. Kagamil Island
30. Delarof Islands
31. Kiska Island
32. Buldir Island
33. Agattu Island



Most Environmentally Sensitive Areas in Southcentral, Southeast, and Southwest Alaska

34. Amagat Island
35. Sandman Reefs
36. Shumagin Islands
37. Semidi Islands
38. Kujulik Bay
39. Tugidak Island
40. Perenosa Bay/Seal Bay (Aloknak Island)
41. Marmot Island
42. Barren Islands
43. Chenik Head to Silver Beach (Kamishak Bay)
44. Redoubt Bay
45. Kalgin Island
46. Trading Bay
47. Sustina Flats
48. Anchorage Flats
49. Goose Bay
50. Palmer Hay Flats
51. Mouth of the Kenai River
52. Clam Gulch
53. Kachemak Bay
54. Patton Bay (Montague Island)/Wooded Island
55. Sheep Bay
56. Seal Rocks (southwest of Hinchinbrook Island)
57. Copper River Delta/Controller Bay
58. Situk
59. Dry Bay
60. Chilkat River Flats
61. Mendenhall Wetlands
62. St. Lazaria Island
63. Stikine River Flats
64. Mouth of Pack Creek (Seymour Canal)
65. Burroughs Bay (east of Behm Canal)
66. Hazy Islands (west of Coronation Island)
67. Coronation Island
68. Forrester Island



C Plan Requirements Noncrude Oil Tank Vessels and Barges, drawn from "Approval Criteria," 18 AAC 75.445.	Applicable to Nontank Vessels > 400 gross tons (as per SB 273)?	Not Applicable
General Response Criteria:		
° ID maximum discharge could occur		
° ID general procedures to be following in responding to discharge of that magnitude.		
° ID resources in addition to those maintained by plan holder or under contract to meet RPS		
Deployment Strategies:		
° Demonstrate that identified personnel and equipment are sufficient to meet applicable RPS and can be deployed within required time.		
° State what conditions assumed, taking into account maximum operating conditions and their effects on response capability and deployment of resources.		
° Plans using contractual resources must demonstrate that the transition and substitution of equipment and resources will occur without interruption of response or cleanup.		
Response Strategies		
° Must take into account the type of product discharged.		
° Must demonstrate that procedures are in place to stop the discharge at its sources within shortest possible time.		
° Must demonstrate that plans, procedures and equipment are sufficient to monitor and track the discharge in order to ensure proper allocation and deployment of response personnel and equipment.		
° Must demonstrate sufficient oil discharge response equipment, personnel, and other resources are maintained and available to prevent discharged oil from entering environmentally sensitive area or area of public concern. Areas must include those added by DEC as a condition of plan approval.		
° Must demonstrate that discharge response equipment will be deployed and maintained on a time schedule that will protect those areas before oil reaches them.		
° Must demonstrate that plan strategies are sufficient to meet applicable RPS for containment, control, recovery, transfer, storage, and cleanup within specified time and under environmental conditions reasonably expected to occur at discharge site.		
° Must demonstrate access to sufficient lightering equipment and personnel to transfer all oil from damaged tanks and from undamaged tanks if the risk of additional discharge is present.		
° Provide for commencement and completion of lightering with the shortest possible time, consistent with ensuring the safety of personnel.		
° Demonstrate that adequate temporary storage and removal capacity for recovered oil and oily wastes will be available at or near the site of the spill to keep up with skimming and recovery operations and to meet applicable RPS.		
° Plans for temporary storage and ultimate disposal must include the specific actions to obtain all necessary permits and approvals.		

C Plan Requirements Noncrude Oil Tank Vessels and Barges, drawn from "Approval Criteria," 18 AAC 75.445.	Applicable to Nontank Vessels > 400 gross tons (as per SB 273)?	Not Applicable
Realistic Maximum Response Limitations		
° In design of spill response, identify severe weather and environmental limitations that might be reasonably expected to occur during a discharge event.		
° Plan must use realistic efficacy rates for the specified response methods to account for the reduction of control or removal rates under those severe weather or other environmental limitations that might reasonably be expected to occur.		
° DEC may require plan holder to take specific temporary measures until environmental conditions improve to reduce the risk or magnitude of an oil discharge during periods when planned spill response measures are rendered ineffective by environmental limitations.		
Response Equipment		
° Must have ready access to enough equipment to meet RPS using mechanical methods of oil control, containment, and cleanup.		
° Identified equipment must reflect best available technology (BAT) at time the plan is submitted		
° ID types and amount of boom, boom connectors, and anchorage devices must be appropriate design for the particular oil product, type of environment, and environmental conditions experienced.		
° Boom must be of sufficient length to mount an effective response to the volume of discharged oil established in RPS		
° Vessels used to deploy and tow boom must be of a number, size, and power adequate to deploy the types and amounts of boom addressed above and must be capable of operating in the manner and at speeds necessary for the effective use of boom.		
° The number and size of skimmers and pumps to be used must be appropriate and adequate for recovery of the planning standard volume of the type of oil discharged within the planning standard limit for cleanup (in regulation).		
° Equipment types must be compatible with each other as necessary to ensure an efficient response.		
Nonmechanical Response Info.		
° Plans proposing to use dispersants, in situ burning, or other nonmechanical response techniques during periods when environmental conditions or other factors limit the use of mechanical spill response methods must demonstrate their efficiency and effectiveness and include full assessment of potential environmental consequences, provisions for continuous monitoring and real-time assessment of environment effects, and full compliance with all applicable approval requirements.		
° A completed application to DEC is required for approval of in situ burning as response technique.		

C Plan Requirements Noncrude Oil Tank Vessels and Barges, drawn from "Approval Criteria," 18 AAC 75.445.	Applicable to Nontank Vessels > 400 gross tons (as per SB 273)?	Not Applicable
Required Info. Oil Spill PRACs		
* Plan must include correct and complete list of each PRAC and statement that each contract meets department's info. requirements. Statement must be signed by plan holder and PRAC.		
* PRAC contract must clearly specify that the contractor is obligated to provide response services and equipment listed for that contractor in C plan; respond if discharge occurs; notify plan holder immediately if contractor cannot carry out response actions specified in contract or C plan; give at least 30 days written notice before terminating contract; respond to a department-conducted discharge exercise required of C plan holder; continuously maintain in a state of readiness the equipment and spill response resources to be provided under C plan.		
Training		
* Plan hold shall demonstrate that designated oil spill response personnel are trained and kept current in the specifics of plan implementation, including deployment of equipment and organization and mobilization of personnel and resources.		
* Plan holder shall ensure the proof of training is maintained for three years and made available to DEC upon request.		

C Plan Requirements for Noncrude Oil Tank Vessels and Barges, drawn from 18 AAC 75.425	Applicable to Nontank Vessels > 400 gross tons?	Not Applicable
Part 3: Supplemental information		
• Facility description and operational overview.		
° a general chart showing routes normally used for the transportation of oil products within AK waters and frequency of use for each route.		
° plans or diagrams that ID cargo, bunker, and ballast tanks, all tank capacities, cargo piping, ballast piping, winches, emergency towing equipment, power plants, manifold pipe size, containment structures and equipment, and a description of the method for containing a discharge from fuel oil tank vent overflow and fill pipes.		
° description of normal procedures for loading or transfer of oil from or to a pipeline, facility, tank vessel, oil barge, or storage tank.		
° a description of methods for retention and disposal of oily wastes and bilge slops		
• Command system		
• Realistic maximum response operating limitations: i.e: weather, seas state, ice and debris, hours of daylight, other known environmental conditions that might influence efficacy of response equipment or effort.		
• Identification of logistical support		
• Complete list of contracted or other response equipment		
• Nonmechanical response information		
° description of specific mechanisms in place to assess environmental consequences of the nonmechanical response option and to provide continuous monitoring of environmental effects.		
° complete inventory of nonmechanical response equipment and supplies, including type and toxicity of each dispersant, with procedures for storage, maintenance, deployment.		
° ID of all necessary approvals, completed DEC application for in situ burning.		
° ID all permits, approvals and authorizations for use and timeline for obtaining them.		
° a plan for protecting environmentally sensitive areas, areas of public concern, and the public from any adverse effects.		
• PRAC information		
• Training. A detailed description of training programs for discharge response personnel.		
• Protection of environmentally sensitive areas by mapped predictions of discharge movement, spreading, and probable points of contact.		
• Bibliography all data and information sources used to determine information contained in plan.		

C Plan Requirements for Noncrude Oil Tank Vessels and Barges, drawn from 18 AAC 75.425	Applicable to Nontank Vessels > 400 gross tons?	Not Applicable
Part 4: Best Available Technology Review		
• Plan must provide for use of best available technology.		
• ID technologies applicable to applicant's operation.		
° For all C Plans: communications.		
° For a tank vessel C plan, measures to assure prompt detection of an oil discharge.		
° For a barge C plan, measures to assure prompt detection of an oil discharge and means to recover a barge that breaks free of its towing vessel.		
• For each applicable technology ID all available technologies and an analysis of each.		
• Written justification that technology proposed is BAT.		



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Memorandum

8/22/00

To: Members of the Task Force on Motorized Oil Transport

From: Jim Carter, Executive Director, Cook Inlet RCAC

Re: RCAC involvement in non-tanks vessel contingency plans.

A scheduling conflict prevents me from joining you today, but I want to relate to you an important policy position from our organization and ask that you consider it during your deliberations. As you probably know, two Regional Citizens' Advisory Councils were formed in Alaska as the result of the Oil Pollution Act of 1990, in part to oversee crude oil tanker operations in Cook Inlet and Prince William Sound. I don't think that I'm being biased when I tell you that these programs have proven to be successful in contributing to increased oil spill prevention and response capabilities. We have developed a positive working relationship with ADEC and the crude oil transportation industry. These programs insure that local citizens are informed about the C-plans of crude oil tankers operating in our waters and that citizens' concerns are known to the planholders and their oversight agencies.

ADEC regulations designate Regional Citizens' Advisory Councils as reviewers of C-plans submitted to the State. However, we do not receive funding to review C-plans of non-crude oil tank vessels or non-tank vessels. We honestly believe that citizens' oversight programs can add significant value to the safety net being woven to help increase oil spill prevention and response in Alaskan waters, but first we must address the issue of funding programs to provide these services.

Please consider the following position statement and options for funding arrangements. We would value any recommendations you may have on this issue.

I look forward to our next meeting.

Cook Inlet Regional Citizens Advisory Council * 910 Highland Avenue, Kenai, AK 99611-8033
Phone: (907)283-7222 * Fax (907) 283-6102



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Whereas:

Oil spills of any kind into marine waters can cause severe damage to the environment and social and economic impacts to the citizens of the State of Alaska;

More oil spills occur from non-tank vessels and non-crude oil tank vessels than from crude oil tank vessels;

During the past ten years the Regional Citizens' Advisory Programs in Cook Inlet and Prince William Sound have proven that citizens' oversight is an effective method to prevent oil spills and increase oil spill response readiness;

The citizens of the State of Alaska expect the same level of oil spill prevention and response from all marine vessels;

The Alaska Department of Environmental Conservation's Oil and Hazardous Substance Regulations specifically name Regional Citizens' Advisory Councils as reviewers of Oil Discharge Prevention and Contingency Plans; and

At present there is no funding mechanism to allow the Regional Citizens' Advisory Programs to review non-tank vessel's or non-crude oil tank vessel's oil discharge prevention and contingency plans.

Therefore Now Be It Resolved That:

1. This Cook Inlet Regional Citizens' Advisory Council has adopted the following policy position:

Regional Citizens' Advisory programs should be fully funded to provide oversight of the oil discharge prevention and contingency plans and associated oil spill prevention and response activities of non-tank vessels and non-crude oil tank vessels through one or more of the following options:

- a. The State of Alaska Legislature should pass legislation requiring non-tank vessels and non-crude oil tank vessels, which are required to submit oil discharge prevention and contingency plans, to contract with a Regional Citizens' Advisory program to provide funding for review of these plans and oversight of their oil discharge prevention and response activities from the citizens' perspective, as outlined for crude oil tankers in Section 5002 the Oil Pollution Act of 1990.*

or

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b. The Alaska Department of Environmental Conservation should adopt regulations allowing substantial reduction in the response planning standards of non-tank vessels and non-crude oil tank vessels required to submit oil discharge prevention and contingency plans, which participate in the funding of a Regional Citizens' Advisory program, as outlined for crude oil tankers in Section 5002 the Oil Pollution Act of 1990.

or

c. The State of Alaska should provide direct funding to the Regional Citizens' Advisory programs, as outlined for crude oil tankers in Section 5002 the Oil Pollution Act of 1990, to provide review of non-tank vessel and non-crude oil tank vessel's oil discharge prevention and contingency plans and oversight of associated oil spill prevention and response activities.

or

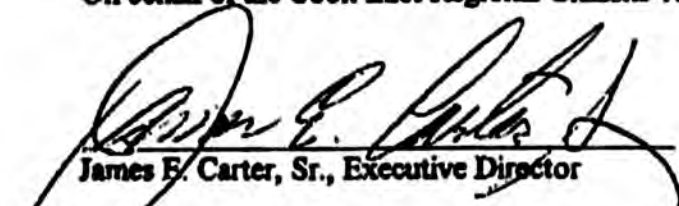
d. Other mechanisms should be put in place that insure funding for Regional Citizens' Advisory programs, as outlined for crude oil tankers in Section 5002 the Oil Pollution Act of 1990, to provide review of non-tank vessel and non-crude oil tank vessel's oil discharge prevention and contingency plans and oversight of associated oil spill prevention and response activities.

2. Members of the Task Force on Motorized Oil Transport are requested to make recommendations to the State Legislature and the Department of Environmental Conservation on the most appropriate option to fund Regional Citizens' Advisory programs to provide review of non-tank vessel and non-crude oil tank vessel's oil discharge prevention and contingency plans and oversight of associated oil spill prevention and response activities.

3. Copies of this resolution shall be sent to:

Governor Tony Knowles,
All members of the Alaska Legislature,
ADEC Commissioner Michele Brown, and
All members of the Task Force on Motorized Oil Transport

On behalf of the Cook Inlet Regional Citizens' Advisory Council


James E. Carter, Sr., Executive Director

August 22, 2000

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