ALASKA LEGISLATURE SPECIAL COMMITTEE/SUBJECT FILES 8672

2826 SCOMM 123. TASK FORCE ON MOTORIZED OIL TRANSPORT, 2000

> (C) a person who acts as a volunteer and is engaged in a response action."

AS 46.03.826(11).

Finally, a response action contract is defined as:

> a written contract or agreement to provide response action with respect to a release or threatened release of a hazardous substance entered into by a person with
> (A) the department;
> (B) another person who has entered into an agreement with the department that provides for response action subject to the department's oversight and control;
> (C) a federal agency with jurisdiction over the release or threatened release; or
> (D) another person potentially liable for the release or threatened release under state or federal law;

AS 46.03.826(10).

In sum, a RAC is a person involved in providing services or equipment related to an actual release or threatened release of oil "who responds to a release or threatened release of oil." These services could include spill response notification, coordinating spill response for the responsible party, incident management team services, coordinating with response action contractors to initiate spill response and similar activities.

Pre-spill planning or drafting of c-plans would not be considered response action services for purposes of AS 46.03.825 because the contractor would not be "responding to a release or threatened release of oil." The term "threatened release," while not specifically defined in AS 46.03, has been generally interpreted to involve a substantial threat of an actual release of oil in a specific incident and not the general threat posed by the normal operations of a vessel. *Cf.* AS 46.08.900(15).

However, as noted above, a person's assistance with the drafting or development of a c-plan does not render that person a c-plan holder under AS 46.04.030 or a responsible party under AS 46.03.822 or AS 46.03.758. Given that their services do not actually involve physical oil spill cleanup, contingency planning contractors are not generally exposed to liability for the "removal costs or damages" which are the subject of the immunity in AS 46.03.825. I am not aware of any court cases

addressing third party liability relating to the drafting of c-plans. Regardless of the speculative nature of such liability, it could be addressed contractually between the vessel owner/c-plan holder and the contractor providing these contingency planning services and through professional liability insurance. AS 45.45.900.

PRAC Status and Registration. A PRAC is a response action contractor (RAC) who is 1) listed in a responsible party's c-plan as providing resources or equipment to contain, control or cleanup an oil discharge and 2) who is directly obligated under contract to the c-plan holder to provide those services. AS 46.04.035; 18 AAC 75.500. A PRAC must be registered with DEC in order for its resources to be listed in a c-plan and for DEC to approve the c-plan. AS 46.04.030(e); AS 46.04.035. Even if not listed in a c-plan or directly obligated to a c-plan holder, any person may apply to DEC for registration and approval as a PRAC. 18 AAC 75.500(d). If a vessel agent, for example, agrees to provide "response action" services to a non-tank vessel owner/operator, then in addition to statutory status as a RAC, vessel agents could also voluntarily apply for PRAC status under 18 AAC 75.500(d). However, registration as a PRAC is not a prerequisite for RAC immunity if the contractor otherwise satisfies the requirements of AS 46.03.825.

10. Question: Can DEC inspect a vessel for compliance with federal requirements and can the USCG inspect a vessel for compliance with State requirements?

Answer: If within the general scope of the respective agency's inspection authority, one agency can, as a general proposition, inspect for the other agency's requirements. Under AS 46.04.060 and AS 46.03.020, DEC may inspect vessels to ensure compliance with DEC statutes and regulations. If a DEC statute or regulation adopts a federal regulation as a State requirement then DEC can inspect a vessel for compliance with that requirements. *See, e.g.*, 18 AAC 75.007. In addition, DEC may participate in an examination of the structural integrity and the operating and mechanical systems of regulated vessels, barges, pipelines, and facilities by Federal and State agencies with jurisdiction. If other Federal or State agencies with jurisdiction of a regulated vessel are performing timely and adequate inspections, DEC may perform its own inspection of the structural integrity and operating and mechanical systems of a regulated vessel by using personnel with qualifications in the areas being inspected. If DEC personnel identify violations of federal requirements during an inspection, DEC has agreed to share such information with the U.S. Coast Guard under its Memorandum of Agreement with the Commander of the 17th Coast Guard District. VI(B)(1), (3) & (7).

The United States Coast Guard is empowered to conduct inspection programs for the purpose of enforcing both international agreements and domestic law aboard United States and foreign-flagged vessels. Pursuant to its Memorandum of Agreement with DEC, the 17th Coast Guard District has also agreed to make its inspection records available to DEC and share all applicable information obtained from its vessel inspections with DEC. Consequently, if a Coast Guard inspector noted facts or circumstances which constituted a violation of State requirements that information would be shared with DEC. Under this inspection information sharing, DEC and the Coast Guard have agreed to work together to avoid inconsistent requirements, undue disruption to industry and to avoid unnecessary duplication. V1(B). DEC and the Coast Guard have also agreed to "endeavor to exchange information and conduct joint inspections or may pursue agreements under which a single inspection may fulfill both State and Federal requirements. VI(B)(1). A copy of the relevant sections of the 1999 State-Coast Guard Memorandum Of Understanding on vessel inspections is attached.

RCAC

"The mission of the Council is to represent the citizens of Cook Inlet in promoting environmentally safe marine transportation and oil facility operations in Cook Inlet."

Members

Alaska State Chamber of Commerce

Alaska Native Groups

Environmental Groups

Recreational Groups

Aquaculture Associations

Fishing Organizations

City of Kodiak

City of Kenai

City of Seldovia

City of Homer

Kodiak Island Borough

Kenai Peninsula Borough

Municipality of Anchorage

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 the 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*

RCAC

"The mission of the Council is to represent the citizens of Cook Inlet in promoting environmentally safe marine transportation and oil facility operations in Cook Inlet."

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

RCAC

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 Tack 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

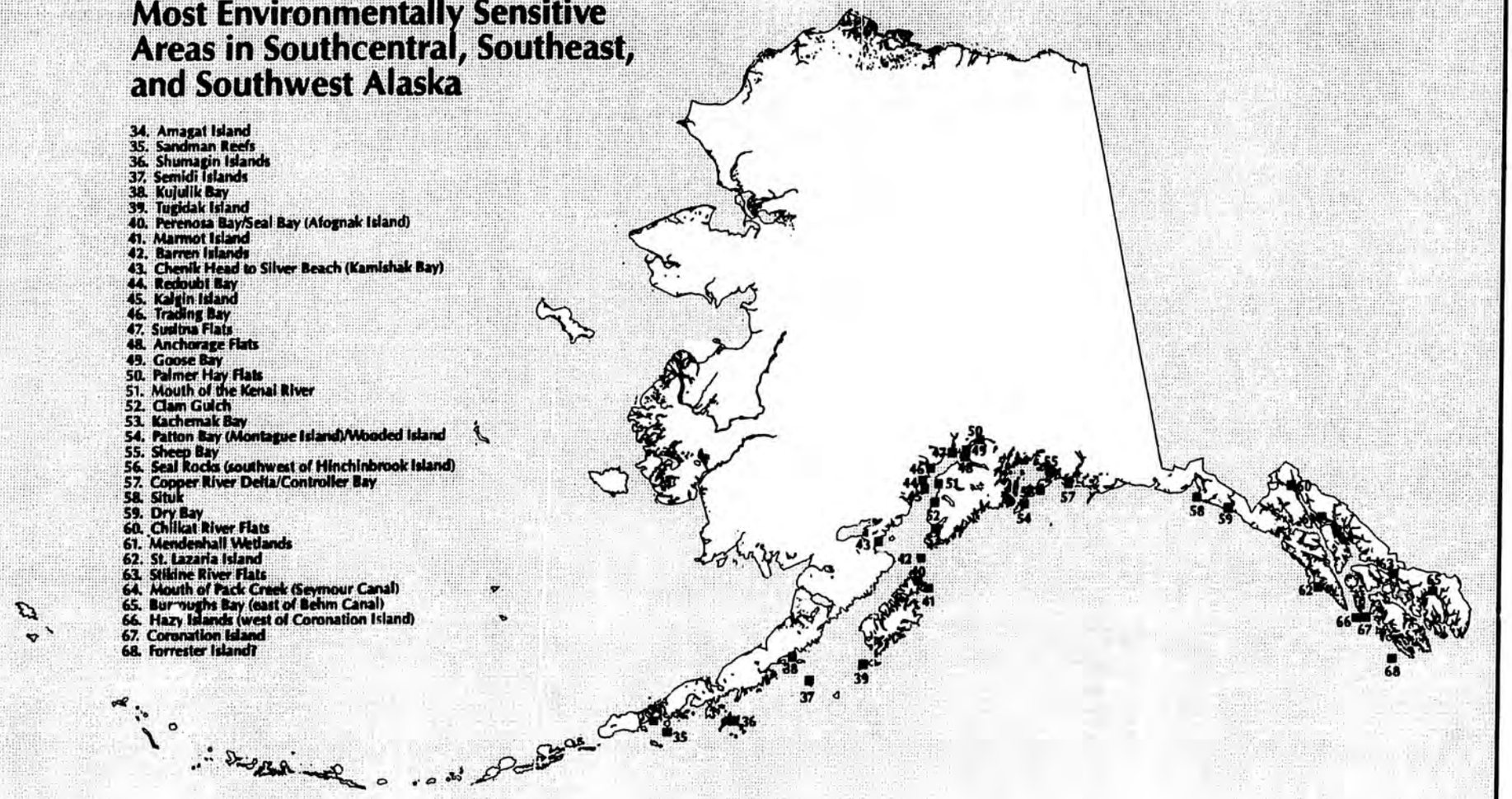
James E. Carter, Sr., Executive Director

August 22, 2000

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

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 (Afognak 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. Susitna 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?



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

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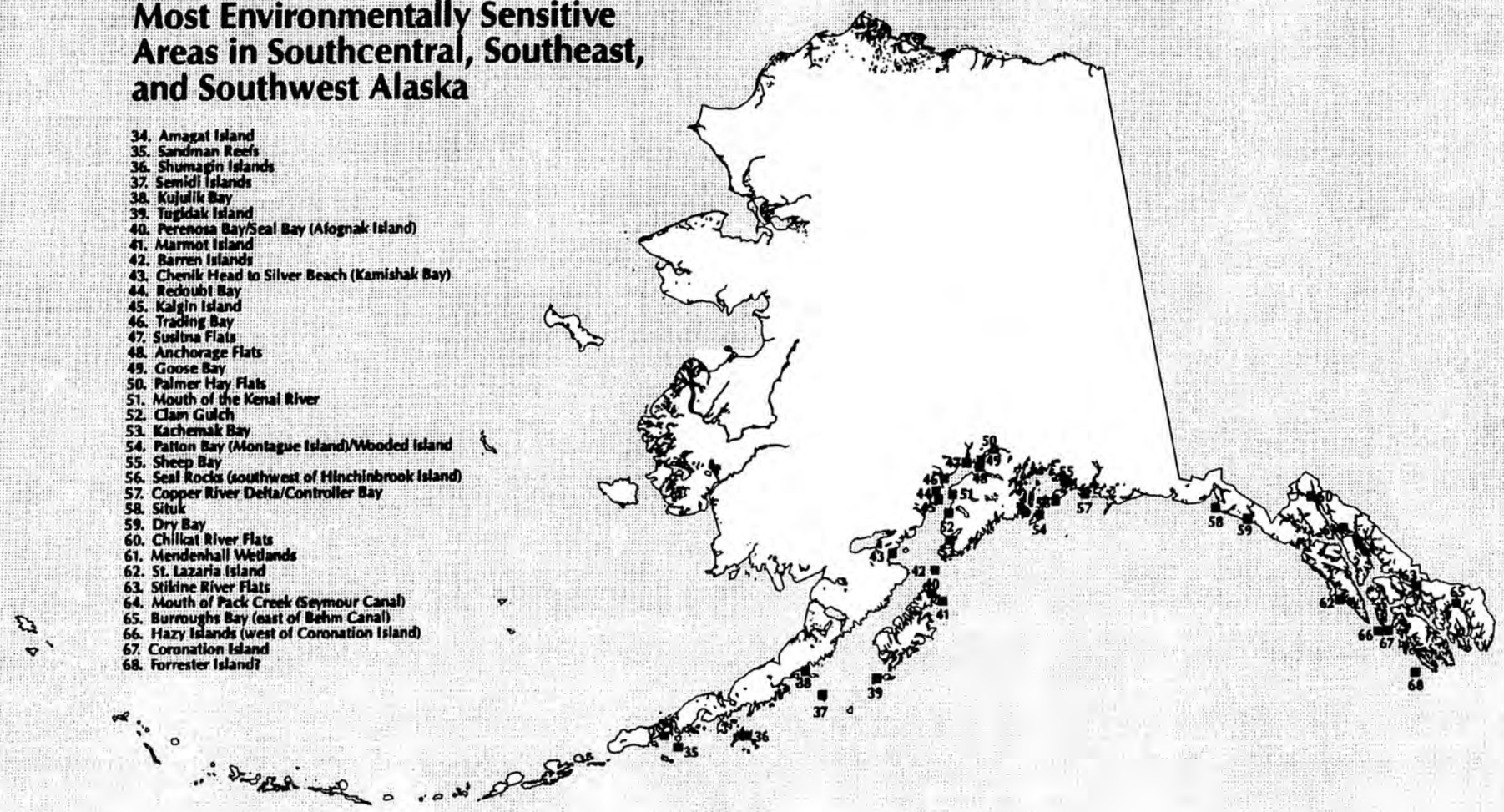

PORTS THAT HAVE HAD FISH RELATED SHIPPING IN THE PAST TEN YEARS

REGION	Location
SOUTH SEWARD PENNISULA	Port Clarence, Alaska
NORTON SOUND	Cape Denbigh, Alaska
	Unalakleet, Alaska
	Besboro Island (Surrounding Waters), Alaska *
	Egg Island (Surrounding Waters), Alaska *
	St. Michael, Alaska
	Stuart Island, (Surrounding Waters) Alaska *
	Black Point, Alaska
SCAMMON BAY	Scammon Bay, Alaska
SCAMMON BAY	Kokechik Bay, Alaska
SCAMMON BAY	Cape Romanzoff, Alaska
HOOPER BAY	Hooper Bay, Alaska
NUNIVAK ISLAND	Meykoryuk/Cape Etolin, Alaska
NUNIVAK ISLAND	Nunivak Island (Surrounding Waters), Alaska
NUNIVAK ISLAND	Nash Harbor, Alaska
NUNIVAK ISLAND	Cape Vancouver, Alaska
TOOKSOK	Nelson Island (Surrounding Waters), Alaska*
TOOKSOK	Cape Avinof, Alaska
KUSKOKWIM	Kuskokwim Bay, Alaska
KUSKIKWIM	Goodnews Bay, Alaska
	Bethel, Alaska
TOGIAK	Security Cove, Alaska
TOGIAK	Hagemeister Strait, Alaska
TOGIAK	Togiak Bay, Alaska
TOGIAK	Anchor Point(Near Togiak), Alaska
TOGIAK	Nunavachak Bay, Alaska
TOGIAK	Summit Island (Surrounding Waters), Alaska *
BRISTOL BAY	Kvichak Bay/Naknek, Alaska
BRISTOL BAY	Nushagak, Bay, Alaska
BRISTOL BAY	Egegik Bay, Alaska
BRISTOL BAY	Ugashik Bay, Alaska
	Port Moller, Alaska
BRISTOL BAY	Port Heiden, Alaska
FALSE PASS	Amak Island (Surrounding Waters), Alaska
FALSE PASS	Ikatan Bay, Alaska
FALSE PASS	Otter Cove(Near False Pass), Alaska
FALSE PASS	East Anchor Cove(Near False Pass), Alaska
WESTERN ALEUTIANS	Attu Island (Surrounding Waters), Alaska*
	Amchitka Island (Surrounding Waters), Alaska*
	Kiska Island (Surrounding Waters), Alaska*
	Tanaga Island (Surrounding Waters), Alaska*
	Adak Island (Surrounding Waters), Alaska
MID ALEUTIANS	Atka Island (Surrounding Waters), Alaska
DUTCH HARBOR	Dutch Harbor, Alaska
ALASKA PENNISULA	Cold Bay, Alaska
	Volcano Bay(Near Pavlof), Alaska
	Ivanof Bay, Alaska
	Pavlof Bay, Alaska
	Nagai Island (Surrounding Waters), Alaska *
	Alinchak Bay, Alaska
	King Cove, Alaska

	Sand Point, Alaska
	Squaw Harbor, Alaska
	Chignik, Alaska
AKUTAN	Akutan, Alaska
AKUTAN	Beaver Inlet, Alaska
AKUTAN	Lost Harbor, Alaska
PRIBILOFS	St. Paul Island (Surrounding Waters), Alaska
	St. George Island (Surrounding Waters), Alaska
DUTCH HARBOR	Makushin Bay, Alaska
MID BERING SEA	St. Mathews Island (Surrounding Waters), Alaska *
KODIAK	Old Harbor, Alaska
KODIAK	Kiliuda Bay, Alaska
KODIAK	Ugak Bay, Alaska
KODIAK	Larsen Bay, Alaska
KODIAK	Uganik Bay, Alaska
KODIAK	Sitkalidak Bay, Alaska
	Alitak Bay, Alaska
	Port Bailey, Alaska
	Kodiak, Alaska
COOK INLET	Iniskin Bay, Alaska
COOK INLET	Kamishak Bay, Alaska
	Homer, Alaska
	Seward, Alaska
PRINCE WILLIAM SOUND	Shelter Bay, Alaska
	Harris Bay, Alaska
	Sawmill Bay, Alaska
	Naked Island (Surrounding Waters), Alaska *
	Unakwik Inlet, Alaska
	Tatitlek, Alaska
	Port Gravina, Alaska
	Port Fidalgo, Alaska
	Thumb Bay, Alaska
	Port Wells, Alaska
	Montegue Island, Alaska *
	Two Moon Bay, Alaska
	Valdez, Alaska
	Unakwik Inlet
	Cordova, Alaska
GULF OF ALASKA	Yakutat Bay, Alaska
SOUTH EAST ALASKA	Hold Island, Alaska *
	Neets Bay, Alaska
	Waterfall, Alaska
	Port Estrella, Alaska
	Pelican, Alaska
	Hoonah, Alaska
	Sitka, Alaska
	Kake, Alaska
	Petersburg, Alaska
	Wrangell, Alaska
	Craig, Alaska
	Ketchikan, Alaska
	Metlakatla, Alaska
	Noyes Island, Alaska *

Ports that have had Timber/Other Cargo related shipping in the past 10 years

	Location
Ketchikan	**Southeast**
Metlakatla	**Southeast**
Coon Cove	"
Dora Bay	"
West Arm of Chomondeley Sound	"
Klawock	"
Kasaan Bay	"
Grace Harbor	"
Hoonah	"
Juneau	"
Hobart Bay	"
Kake	"
Sitka	"
Icy Bay	**South Central**
Afognak Island	**South West**
Port Graham	**Kenai Peninsula**
Shakan Bay	**Southeast**
Skagway	"
Haines	"
Wrangell	"
Skagway (concentrates)	"
Red Dog (concentrates)	**Bering Sea**
Hawk Inlet (concentrates)	**Southeast**
Calder (concentrates)	"
Seward	**Kenai Peninsula**
Homer	**Kenai Peninsula**

Alaska Marine Highway System
Vessel Information Table

Updated February 1997	Columbia	Matanuska	Malaspina	Taku	Aurora	Leconte	Tustumena	Bartlett	Kennicott
DATE COMPLETED	1974	1963	1963	1963	1977	1974	1964	1969	1998
LENGTH (feet)	418	408	408	352	235	235	296	193	382
BEAM (feet)	85	74	74	74	57	57	59	53	85
LOADED DRAFT	17'-6 3/4"	16'-11 5/8"	16'-11 3/8"	16' 11"	13'-10 7/8"	13'-10 7/8"	14'-4 1/2"	13'-3"	17'-6"
INT'L TONNAGE: Gross	13,009	9,214	9,121	7,302	3,124	3,124	4,529	2,045	12,904
Net	4,932	3,824	3,667	2,496	987	987	1,451	682	3,872
DOMESTIC Tonnage: Gross	3,946	3,029	2,928	2,624	1,280	1,328	4,593	933	Not
Net	2,683	1,235	1,253	1,494	453	566	1,377	384	Available
HORSEPOWER	12,350	7,400	8,000	8,122	4,300	4,300	5,100	3,468	13,380
SERVICE SPEED (knots)	17.3	16.5	16.5	16.5	14.5	14.5	13.3	12	16.75
FUEL CONSUMPTION (GPH)*	450	240	270	270	180	180	140	170	290
CREW CAPACITY	66	50	50	42	24	24	37	24	61
PASSENGER CAPACITY (U.S.C.G. authorized)	522 (winter) 971 (sum)	498 (winter) 745 (sum)	516 (winter) 701 (sum)	500	300	300	220	236	748 - SE 500-SW
PASSENGER CAPACITY* AMHS Booking Limits	500 (winter) 625 (sum)	500	500	450	250	250	210	190	748 - SE 500-SW
Staterooms - 4 berth	61	4	54	9	n/a	n/a	8	n/a	48
Staterooms - 3 berth	9	23	0	0	n/a	n/a	0	n/a	0
Staterooms - 2 berth	20	80	28	33	n/a	n/a	17	n/a	56
Staterooms - Handicap (4 b)	0	0	0	0	0	n/a	0	n/a	3
Staterooms - Handicap (2 b)	1	1	1	2	n/a	n/a	1	n/a	2
TOTAL STATEROOMS	91	108	83	44	0	0	26	0	109
TOTAL BERTHS	313	247	274	106	#VALUE!	#VALUE!	68	#VALUE!	320
VEHICLE Capacity* (linear ft	2,680	1,760	1,760	1,380	680	680	720	580	
(approx. number of vehicles)	134	88	88	69	34	34	36	29	120 - SE 103 - SW
RATE PER DAY For Spill Response	$65,000	$50,000	$25,000	$45,000	$25,000	$25,000	$25,000	$20,000	$65,000

* Gallons per hour fuel consumption figures are averages based on calendar year 1996 weekly engineering reports, and include fuel usage to generate heat and electricity.
* These capacity figures represent functional booking limits, not Coast Guard authorized capacity.

FILE: VSSLINFO.WK4

Printed 2/5/99

Alaska Chadux
CORPORATION

Associate Member Briefing Paper and SB 273 Issues

Purpose

The purpose of this briefing paper is to provide general information about the Alaska Chadux Corporation (Chadux) Associate Member classification and rate structure.

Background

Chadux has an Associate Member classification for operators who are required to have oil spill response services under contract as a component of their oil spill contingency plan requirements. Associate Members are typically operators who do not transport oil as their primary business.

Associate Members are assessed a one time initiation fee of $5,000 on a per company basis when joining Chadux. An annual fee is assessed to offset the costs of operating the corporation. The Board determines the annual fee and, if an Associate Member chooses, the annual fee can be paid in quarterly installments. The current Associate Member rate sheet is attached.

Chadux provides access to a variety of oil spill response equipment located at several response equipment depots throughout Prince William Sound, Southcentral and Western Alaska. In addition, Chadux maintains response service contracts for emergency response labor, wildlife and logistics support.

Associate Members can access Chadux response services 24 hours a day and can request those services be provided on a statewide basis.

SB 273 Issues

- The Board anticipates if an increase in the number of Associate Members does not require a substantial addition to capital and operating expenses, it is likely there will be a decrease in the current Associate Member fees.

- If new Associate Members request seasonal and trip rates, the Board will consider those rate options.

Summary

Chadux is a member-owned non profit corporation. Chadux has evolved over the past 7 years to provide oil spill response services statewide. During this time, membership has grown to include non-tank vessels. Chadux will continue to accommodate non-tank vessel operators that are required to have oil spill response plans with an Associate Membership category in the corporation.

Alaska Chadux Corporation stands ready to accept new Associate Members and to assist them with meeting their oil spill response compliance needs.

ALASKA CHADUX CORPORATION

ASSOCIATE MEMBER FEE SCHEDULE

Facility Fee Schedule for Associate Members

Application Fee $500.00 *Applied to initiation fee upon acceptance into the Alaska Chadux Corporation.*	**Initiation Fee** $5,000.00 *Due upon acceptance into the Alaska Chadux Corporation*
Annual Facility Capacity *Based on total capacity of storage*	**Annual Facility Fee Amount**
0-1,000 bbl	$500.00
1,001 - 5,000 bbl	$1,000.00
5,001 - 10,000 bbl	$4,000.00
10,001 - 25,000 bbl	$6,000.00
> 25,001-35,000 bbl	$8,000.00
Each addition 10,000 bbl > 50,000 bbl	$1,000.00

Barge/Vessel Fee Schedule for Associate Members

Application Fee $500.00 *Applied to initiation fee upon acceptance into the Alaska Chadux Corporation.*	**Initiation Fee** $5,000.00 *Due upon acceptance into the Alaska Chadux Corporation.*
Annual Barge/ Vessel Capacity *Based on total capacity of storage*	**Annual Barge/ Vessel Fee Amount**
0-1,000 gal	$500.00
1,001 -5,000 gal	$1,000.00
5,001 - 10,000 gal	$2,000.00
10,001 - 50,000 gal	$3,000.00
50,001 - 110,000 gal	$4,000.00
110,001 - 150,000 gal	$5,000.00
150,001-200,000 gal	$8,000.00
Each additional 100,000 gal > 200,000 gal	$1,000.00

This is the current rate structure for Associate Members in Alaska Chadux. The Board of Directors sets the rates annually. These rates are subject to change.

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION

Alaska Chadux
CORPORATION

Associate Member Briefing Paper and SB 273 Issues

Purpose

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Associate Members can access Chadux response services 24 hours a day and can request those services be provided on a statewide basis.

SB 273 Issues

➢ The Board anticipates if an increase in the number of Associate Members does not require a substantial addition to capital and operating expenses, it is likely there will be a decrease in the current Associate Member fees.

➢ If new Associate Members request seasonal and trip rates, the Board will consider those rate options.

Summary

Chadux is a member-owned non profit corporation. Chadux has evolved over the past 7 years to provide oil spill response services statewide. During this time, membership has grown to include non-tank vessels. Chadux will continue to accommodate non-tank vessel operators that are required to have oil spill response plans with an Associate Membership category in the corporation.

Alaska Chadux Corporation stands ready to accept new Associate Members and to assist them with meeting their oil spill response compliance needs.

Alaska Chadux
CORPORATION

Fee Examples

Based on Associate member Rates for 2000

This schedule is provided as an example of fees for four different vessel capacity scenarios.
Examples are based on the Chadux Associate Member rates for 2000.
Associate Member rates are assessed annually. Members may elect to pay the annual fee in quarterly installments.

Vessel Capacity In Gallons	RATE SCHEDULE Annual Fee for Vessel Capacity	INITIATION FEE One-Time Initiation Fee Per Company	Quarterly one vessel	YEAR 1 Assuming one vessel	YEAR 1 Assuming two vessels	YEAR 2 Assuming one vessel	YEAR 2 Assuming two vessels
10,001-50,000	$3,000	$5,000	$750 **	$8,000 *	$11,000 *	$3,000	$6,000
150,000-200,000	$8,000	$5,000	$2,000 **	$13,000 *	$21,000 *	$8,000	$16,000
600,000	$12,000	$5,000	$3000 **	$17,000 *	$29,000 *	$12,000	$24,000
1,000,000	$16,000	$5,000	$4000 **	$21,000 *	$37,000 *	$16,000	$32,000

ootnotes:

Includes one-time initiation fee of $5,000

* Annual dues may be paid quarterly. The initiation fee is a one-time cost and is not included in the quarterly payment option.

ALASKA CHADUX CORPORATION

ASSOCIATE MEMBER FEE SCHEDULE

Facility Fee Schedule for Associate Members

Application Fee $500.00 *Applied to initiation fee upon acceptance into the Alaska Chadux Corporation.*	**Initiation Fee** $5,000.00 *Due upon acceptance into the Alaska Chadux Corporation*
Annual Facility Capacity *Based on total capacity of storage*	**Annual Facility Fee Amount**
0-1,000 bbl	$500.00
1,001 - 5,000 bbl	$1,000.00
5,001 - 10,000 bbl	$4,000.00
10,001 - 25,000 bbl	$6,000.00
> 25,001-35,000 bbl	$8,000.00
Each addition 10,000 bbl > 50,000 bbl	$1,000.00

Barge/Vessel Fee Schedule for Associate Members

Application Fee $500.00 *Applied to initiation fee upon acceptance into the Alaska Chadux Corporation.*	**Initiation Fee** $5,000.00 *Due upon acceptance into the Alaska Chadux Corporation.*
Annual Barge/ Vessel Capacity *Based on total capacity of storage*	**Annual Barge/ Vessel Fee Amount**
0-1,000 gal	$500.00
1,001 -5,000 gal	$1,000.00
5,001 - 10,000 gal	$2,000.00
10,001 - 50,000 gal	$3,000.00
50,001 - 110,000 gal	$4,000.00
110,001 - 150,000 gal	$5,000.00
150,001-200,000 gal	$8,000.00
Each additional 100,000 gal > 200,000 gal	$1,000.00

This is the current rate structure for Associate Members in Alaska Chadux. The Board of Directors sets the rates annually. These rates are subject to change.

Alaska Chadux
C O R P O R A T I O N

Proposed Fee Examples

Based on 2000 Associate Member Rates

The proposed fee examples do not effect current Associate Member fee schedule.
This schedule is provided as an example of fees for four different vessel capacity scenarios.
These examples assume SB 273 becomes law, resulting in an increase in Associate Membership within two years.

Vessel Capacity in Gallons	RATE SCHEDULE Annual Fee for Vessel Capacity	INITIATION FEE One-Time Initiation Fee Per Company	Bi-weekly	Monthly	Quarterly	YEAR 1 Annual	YEAR 2 Annual
10,000-50,000	$3,000	$5,000	$300	$425	$750**	$8,000*	$3,000
150,000-200,000	$8,000	$5,000	$550	$1,050	$2,000**	$13,000*	$8,000
600,000	$12,000	$5,000	$800	$1,550	$3,000**	$17,000*	$12,000
1,000,000	$16,000	$5,000	$1,050	$2,050	$4,000**	$21,000*	$16,000

Footnote:

* Includes one-time initiation fee of $5,000

** Annual dues may be paid quarterly. The initiation fee is a one-time cost and is not included in the quarterly payment option.

April 14, 2000

Under Chadux's proposed fee structure

Fishing vessel – Kuroshima (5000 tons of fish) and 200,000 gallon fuel capacity

- **$550 / 5000 tons = 11 cents per ton**

Coal Ship – 60,000 tons of coal and 200,000 gallon fuel capacity

- **$550 / 60,000 tons = > 1 cent per ton**

Cruise Ship – 2000 passengers x 20 trips over 4 months = 40,000 passengers and 1,000,000 gallon fuel capacity

- **$6050 / 40,000 = 15 cents per passenger**

ALASKA CHADUX CORPORATION

ASSOCIATE MEMBERS

Alaska General Seafoods
Bering Sea Fisheries
Cominco Alaska, Inc.
Cook Inlet Processing
Glacier Fish Company
Highland Light Seafoods, LLC
Icicle Seafoods/Petersberg Fisheries
Kodiak Salmon Packers, Inc.
New West Fisheries, Inc.
Norquest Seafoods, Inc.
Olsen Enterprises, Inc.
Pederson Point
Premier Pacific Seafoods
The Aleut Corporation
Unisea/Dutch Harbor Seafoods
Wards Cove Packing Company
Yardarm Knot, Inc.
Yukon Fuel Company, Inc.

721 West 1st Avenue • Anchorage, Alaska 99501
(907) 278-3365 • Fax (907) 278-3330

FULL MEMBERS

CROWLEY MARINE SERVICES
Crowley Marine Service, Inc.
San Francisco, California

Delta Western
Seattle, Washington

Kodiak Oil Sales, Inc.
Kodiak, Alaska

Newport Petroleum
Signal Hill, California

North Pacific Fuel
Dutch Harbor, Alaska

Ocean Shipholdings, Inc.
Houston, Texas

Off Shore Systems, Inc.
Kirkland, Washington

Orca Oil Co., Inc.
Cordova, Alaska

Petro Marine Services
Anchorage, Alaska

Petro Star Valdez Refinery
Valdez, Alaska

Sea Coast Towing, Inc.
Seattle, Washington

Shoreside Petroleum, Inc.
Seward, Alaska

Signature Flight Support
Anchorage, Alaska

Valdez Petroleum Terminal, Inc.
Valdez, Alaska

Yutana Barge Lines
Anchorage, Alaska

ALASKA CHADUX CORPORATION

PRE-DECISIONAL MATERIAL
DRAFT

CISPRI's
Summary of Proposed Fees for Non-Tank Vessels

1. Persistent Oil
   A. Major Carriers – Many scheduled transits per year
      - $50,000 annual Membership fee
   B. Few scheduled/unscheduled transits per year
      - $500 - $1000 per 1000 barrels of fuel capacity per voyage

2. Non-Persistent Oil
   A. Major Carriers – Many scheduled transits per year
      - $25,000 - $50,000 annual Membership fee
   B. Few scheduled/unscheduled transits per year
      - $250 - $500 per 1000 barrels of fuel capacity per voyage

3. The final fees to be assessed to this class of vessel will ultimately be based on their overall risk for spillage of product and potential damage to the environment.

Nontank Vessel Inspection Authority

- The proposed legislation does not create or make any new activities subject to inspection but simply extends existing authority to nontank vessels and the railroad.

- The existing language was included in the oil spill legislation passed in 1990.

- The existing inspection language allows DEC to continue to focus its inspection activities on prevention and response capability.

- The existing inspection language is not in conflict with the recent U. S. Supreme Court's decision which allows states to verify and have continued oversight for oil spill contingency plans and proof of financial responsibility.

- The Department of Environmental Conservation and the United States Coast Guard operate under a formal Memorandum of Agreement that explicitly outlines their respective roles for vessel inspection activities to ensure coordination, eliminate duplication, prevent overlap and avoid any jurisdictional conflicts under state, federal or international laws or agreements.

- All DEC staff conducting vessel inspection activities have appropriate training or extensive prior experience conducting vessel inspection work for the United States Coast Guard.

Senate Bill 273

Response to "Areas of Concern with SB 273" Raised by Kent Dawson Company

Reference: Kent Dawson letter of April 12, 2000

Negotiated Regulations Process

1. What is the Negotiated Regulations process?

- An alternative method to develop regulations, but not a substitute for the Administrative Procedure Act requirements for adopting regulations into law.
- A negotiated regulation making (Neg-Reg) process allows direct participation of affected interests in the development of regulations.
- A committee of stakeholders, industry, agencies and other interested parties would be established to assist in development of regulations for the purpose of reaching a consensus agreement on the proposed regulations.
- The DEC Commissioner is not bound by the results of the negotiated rule making process. The rule making committee serves in an advisory role. DEC successfully used this basic process in the development of the Best Available Technology regulations in 1997. This type of process was also used in development of the North Slope spill response technical manual used by the major oil companies.

Costs

2. What new equipment will be required and who will be charged for it?

The amount of equipment required will be more thoroughly evaluated during the negotiated rule making process. Final costs will be computed once the regulations are drafted and take shape. The co-ops will need to evaluate the equipment necessary for the number of members that they serve and the type of fuel that they carry. Rates set by Alaska's nonprofit co-ops will be set by private sector market forces.

3. Will the current OPA 90 Certificate of Financial Responsibility (FR) be accepted to meet state requirements?

No, the certificate itself would not be accepted by the State but the same evidence of financial responsibility (insurance, self-insurance, P&I Club coverage) could be submitted to meet state requirements as long as the amount and type of coverage is adequate to meet state requirements.

4. How will foreign flag vessels of opportunity be able to comply with the nontank vessel requirements? How will trampers that call on Alaska with only two or three week notice join a co-op, file a Cplan and get state approval within this short time?

A "plan by rule" with a rapid approval and streamlined process is envisioned for all nontank vessels. This would include the possibility of using ship agents or spill co-ops as the go between for obtaining approvals in a short time frame. Prior to entering state waters they would need to demonstrate proof of financial responsibility and proof of membership in a co-op to meet the requirements of the response action plan. The prevention issues may be addressed by submittal of an affidavit proving that the "plan by rule" prevention measures are addressed.

5. Will mandatory training be required and will it be in addition to OPA 90 training?

The regulations process will determine what training will be required and how it will be met.

Practical Considerations

6. Will vessels be required to carry response equipment on board their vessel?

Non-crude tank barges carrying fuel as cargo typically do carry boom and skimmers on board; however, tank vessels do not currently carry any significant response equipment, such as boom or skimmers, due to space limitations. They depend on their response action contractor. It is expected that nontank vessels would have the same space limitations and would have a similar reliance with a spill co-op or response action contractor.

Current co-op response equipment is already prepositioned at various operating regions in the state to better respond to spills in the remote areas of the state. All co-op equipment is owned and operated by the co-ops.

DEC does not guarantee a specific level of spill response will be met by an operator or a co-op. Spill response requirements are continually evaluated during plan reviews and some operator plans may require more and a different type of equipment to meet their planning standard.

7. Will inconsistent response and reporting requirements under SB273 vs OPA 90 cause confusion and errors by ship personnel?

No. Non tank vessels are already required by law to report oil spills to the State and the U.S. Coast Guard. It is likely that OPA reporting requirements will also meet state requirements. However, there may be some additional state requirements, depending on how the regulations will be written.

NO CHANGE

BENEFITS

8. Has DEC analyzed the 1995-99 spills database listing for vessels and the railroad not covered under OPA-90 regarding cost benefits for being regulated under SB 273?

Although DEC has not analyzed this listing for each vessel and railroad spill; however, its our experience that a more rapid response from a co-op could have been effected for some of the larger spills, such as from the Kuroshima at Dutch Harbor, if they had been covered by this bill. ~~These are further discussed in SB273 Information Fact Sheet Numbers 20, 24 and 31.~~

LEGAL

9. Has anyone reviewed the recent U.S. Supreme Court case striking down Washington's rules to determine its applicability to Alaska?

Yes. The Alaska Attorney General's Office has reviewed the U.S. Supreme Court's Intertanko decision concerning Washington State's oil pollution prevention rules and has determined that the ruling does not prevent Alaska from imposing these oil spill contingency plan and financial responsibility requirements.

10. How will liability issues be handled if SB 273 becomes law?

SB 273 does not alter the existing liability framework in state law. with respect to contingency plan holders, parties responsible for a discharge of oil, or oil spill response action contractors. The division of responsibility among contingency plan holders, parties responsible for a discharge of oil and response action contractors would be handled as is provided by existing provisions in Alaska Statute.

OTHER SPECIFIC QUESTIONS

11. Is it true that Cook Inlet Spill Response membership is over $100,000 to join and the same per year if they in fact allow non-tank vessel operators to join?

The current fee structure for regulated tank vessels is about $100,000 initial equipment fee and an annual $50,000 membership fee. This is in addition to a risk fee based on the amount of fuel transported. However, CISPRI is proposing a different fee structure specifically for non-tank vessels based on the type of oil carried, the amount of oil carried and the frequency of trips. The annual fees would be lower than for tank vessels. However, CISPRI is not the only co-op currently operating in Alaska

12. How will trampers that call on Alaska with only two or three week notice join a co-op, file a Cplan and get state approval within this short time?

These ships would be subject to the same requirements as any other non-tank vessel covered under this bill. Specific Cplan requirements would be worked out in the neg-reg process.

13. Do OSROs have a membership category for tramp vessels and what are the conditions of membership?

OSROs voluntarily register with the USCG and are certified for a specific type and level of response. They also are not required to have separate membership categories, even though some do. Each OSRO establishes their own membership and operating rules and policies.

14. Will non-tank vessels have to get annual quotes to prove that they cannot get an insurance company to accept direct action?

No. SB 273 specifically exempts providers of financial responsibility for non-tank vessels from the direct action and service of process in Alaska requirements. Non-tank vessels would not therefore be required to obtain annual quotes to demonstrate that coverage with direct action is unavailable to them.

15. Will vessel operators have to join two or more co-ops if they enter both Southeast and Western Alaska?

Perhaps. A vessel operating in more than one area not serviced by the same co-op may have to belong to different co-ops to ensure a response capability in all operating areas.

Kent Dawson Company
INCORPORATED

April 12, 2000

Honorable Representative Bill Hudson
Honorable Representative Beverly Masek
Co-Chairs, House Resources Committee
Alaska State Legislature
Juneau, Alaska 99811

Dear Representatives Hudson and Masek,

Attached please find a compilation of questions and industry concerns regarding SB 273. The affected industries hope to gain a better understanding of the financial obligations and possible economic impacts to the various industries through an analysis of these questions. I hope these questions are of use to you and your committee during today's hearing.

Sincerely,

V. Kent Dawson

P.O. Box 20790 • Juneau, Alaska 99802 • 423 Seward Street • Juneau, Alaska 99801
907-463-2533 • Fax: 907-463-3922 • kdawson@alaska.com

SB 273 -- Issues and Questions

Costs

- What new equipment will be required and who will be charged what because of that?
- Training: will ship personnel have (as under the federal Oil Pollution Act of 1990, OPA-90) mandatory annual training? Will it be in addition to OPA-90 training?
- Plan preparation: will each vessel have a separate Contingency Plan (C-Plan), or will the response contractor develop one plan applicable to all its members, as in the case of Washington State?
- Will our current federal OPA-90 Certificate of Responsibility (CFR) qualify under SB 273? Or will a separate state certificate required?
- Extra high costs of remote, rural locals with little vessel traffic.

Practical Considerations

- How do vessels of opportunity meet SB 273 shops personnel training requirements?
- How do vessels of opportunity receive and carry initial response equipment (boom material, etc.)?
- How is it returned? Are special calls of port required because of this?
- Will inconsistent response and reporting requirements under SB 273 (vs. OPA-90) cause confusion and errors by ship's personnel?
- Remote Alaska problems:
  - Equipment placement.
  - Where?
  - Under who's control?
  - It was suggested that equipment be located in Anchorage and a C-130 deploy it to remote areas. Can a C-130 land in Mekoryok, Hooper Bay, Goodnews Bay, etc. Will DEC guarantee that only this is required to meet spill response requirements in rural Alaska?
- Deployment of equipment.

Alaska is geographically unique in that it doesn't boarder any of the lower 48 states therefore we import/export only what Alaskans use/produce.

The other Pacific Coast States are able to spread the cost of oil regulations over import/exports for the entire United States. Given the above, won't the cost of implementing oil regulations put Alaskan resources at an economic disadvantage?

Isn't it true that Cook Inlet Spill Response membership is over $100,00 to join and then the same per year if they in fact allow non-tank vessels operators to join?

Understanding that all Oil Spill Response Organizations (OSRO) came about due to the Oil Pollution Act of 1990 and are geared towards the oil transportation industry, do they have a membership category for tramp vessels and what are the conditions of membership?

Subsequently, the Board of Directors of all the OSRO's are made up of all oil carriers. Won't this put the tramp, cruise industry at a disadvantage for membership fees?

Will vessel operators have to join two or more co-ops if they enter both Southeast and Western Alaska?

How will trampers that call on Alaska with only a two or three week notice join a co-op, file a C-plan, and get state approval within this short time?

Senate Bill 273

Response to "Areas of Concern with SB 273" Raised by North Star Maritime Agencies

Proof of Financial Responsibility

1. *Is direct action required for nontank vessels under SB 273?*

   No. SB 273 was amended to not require direct action for nontank vessels.

2. *Will proof of entry in a recognized P&I Club satisfy the proposed requirement for proof of financial responsibility under SB 273 for nontank vessels?*

   Yes.

3. *Does SB 273 need to be amended to allow proof of financial responsibility for nontank vessels to be demonstrated by self-insurance, proof of entry of the vessel in a protection and indemnity association or other insurance?*

   No.

C-Plan Requirements

4. *How will nontank vessels meet the response planning standard in remote sites like western Alaska?*

   Nontank vessels could meet this requirement using the response framework developed for existing regulated fuel barges and tank vessels in remote Alaska. Nontank vessels may also pursue alternatives to this response framework if they want to form their own spill co-operative or pursue other options.

5. *Do Regional Master Plans establish guidelines by which individual contingency plans will be reviewed?*

No. Using state or federal equipment has not been allowed because neither the state nor federal government has sufficient resources to satisfy the response equipment needs on an equal footing for all operators in the state. Under state and federal law the contingency plan holder bears the cost of preparedness and response equipment. In an actual spill any response assets, regardless of ownership, are used by the Unified Command.

11. Is a change needed in the bill to allow for identification of spill response resources?

No. Inventories of spill response equipment are currently available for each co-op.

Best Available Technology (BAT)

12. How will BAT for response equipment be applied to nontank vessels?

By definition, BAT for response equipment is met when the plan holder demonstrates that it has access to adequate equipment to meet its response planning standard. This can be done through membership in a spill co-op.

13. How will BAT for prevention measures be applied to non-tank vessels?

Prevention measures that meet BAT will be identified in the negotiated rule-making process. These might include but not be limited to such things as: prompt leak detection, rapid communications, stopping a discharge at its source, having a ready towline available, having portable pumps to manage flooding or fuel transfer pumps to remove oil from damaged tanks to other tanks.

14. What kind of response equipment would be required on board nontank vessels?

Tank vessels do not currently carry any significant response equipment, such as boom or skimmers, due to space limitations. They depend on their response action contractor. It is expected that nontank vessels would have the same space limitations and would have a similar reliance with a spill co-op or response action contractor.

15. How did DEC apply BAT to the Non-crude tank vessels under the Alternative Compliance Schedule (ACS)?

The ACS was developed only for the tank barges and did not apply to the noncrude tank vessels. By definition, BAT for response equipment is met if the plan holder can demonstrate that it has access to adequate equipment to meet its response planning standard. The ACS addressed the need to obtain additional response equipment and

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION

Senate Bill 273

Response to "Areas of Concern with SB 273" Raised by North Star Maritime Agencies

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   Nontank vessels could meet this requirement using the response framework developed for existing regulated fuel barges and tank vessels in remote Alaska. Nontank vessels may also pursue alternatives to this response framework if they want to form their own spill co-operative or pursue other options.

5. *Do Regional Master Plans establish guidelines by which individual contingency plans will be reviewed?*

No. Guidelines for reviewing individual contingency plans are established in regulation.

6. *Have Regional Plans for Northwest Arctic Borough, Bristol Bay and Western Alaska been completed?*

Yes. Technically these plans were completed and published in 1993 to meet the requirements of the federal Oil Pollution Act of 1990. Since 1993 the state and federal government have developed a Unified Plan that covers all of Alaska. Under this scheme both the state and federal plans are consolidated and regional plans are now called Subarea Plans and are being completed on an agreed upon schedule. The new Subarea Plans for these three areas will be completed this calendar year.

How can operators/owners develop C-Plans if the guidelines have not been developed

7. *How can operators/owners develop C-Plans if the guidelines have not been developed?*

Guidelines for review of nontank vessel plans are not included in regional master plans and will be developed consistent with the negotiated rule making process.

8. *Should SB 273 be changed to address various regions and shipping volumes?*

No. Under SB 273 it is intended that this be addressed in the negotiated rule making process so that all shippers may participate in developing solutions to address unique conditions or circumstances. Through the negotiated regulations process, paragraph 46.04.055(f) of the proposed bill provides for changing the standards under (b)(1), including the 15 percent containment standard.

Actual Response vs. C-Plan Requirements

9. *Should nontank vessels be able to include response equipment from an existing spill co-op in their C-Plan?*

Yes. By belonging to a spill co-op a nontank vessel is able to use the resources of the spill co-op to meet the response planning standard.

10. *Can contingency plan holders use state or federal equipment to meet their response planning standards?*

No. Using state or federal equipment has not been allowed because neither the state nor federal government has sufficient resources to satisfy the response equipment needs on an equal footing for all operators in the state. Under state and federal law the contingency plan holder bears the cost of preparedness and response equipment. In an actual spill any response assets, regardless of ownership, are used by the Unified Command.

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15. How did DEC apply BAT to the Non-crude tank vessels under the Alternative Compliance Schedule (ACS)?

The ACS was developed only for the tank barges and did not apply to the noncrude tank vessels. By definition, BAT for response equipment is met if the plan holder can demonstrate that it has access to adequate equipment to meet its response planning standard. The ACS addressed the need to obtain additional response equipment and

properly positioning that equipment to ensure that the response planning standard could be met in remote areas of the state.

C-Plan Preparation and Approval

16. How will the costs of carrying out drills required by regulations be considered?

All drills are currently coordinated to maximize the lessons learned and minimize costs. It is expected that drills testing the response capability would continue to be coordinated with the spill co-ops and that those costs would be reflected in the fees for its members.

17. How will foreign flag vessels of opportunity be able to comply with the nontank vessel requirements?

A "plan by rule" with a rapid approval and streamlined process is envisioned for all nontank vessels. This would include the possibility of using ship agents or spill co-ops as the go between for obtaining approvals in a short time frame. The "plan by rule" would act as a contingency plan and be approved consistent with promulgation of the regulations. Compliance with the response planning standard can be met through membership in a spill co-op that has that capability.

18. How is the "cost of doing business " being considered in the requirements for development and compliance with contingency plans?

Cost will be considered during the negotiated rule making process. Rates set by Alaska's nonprofit co-ops will be set by private sector market forces and how industry and the spill co-ops develop market driven options.

Largest Vessels
by Waters Traveled and Type
April 1999 - March 2000
From Marine Pilot Records - SWAPA

Waters	Type	Vessel	Gr. Ton	Fuel Type	Fuel Quantity
Cook Inlet	LNG	Arctic Sun	66,174		
Cook Inlet	Tanker	Vancouver Spirit	63,709		
Cook Inlet	Bulk Carrier	Giuseppe Bottigliere	39,385		
Cook Inlet	Container	Sealand Hawaii	21,688		
Cook Inlet	Liquid Gas	Hesiod	21,684		
Cook Inlet	Log	Craig the Pioneer	36,152		
Cook Inlet	Military	Maersk Constellation	22,626		
Cook Inlet	Passenger	Pacific Venus	26,518		
Icy Bay	Bulk Carrier	Scarlett Success	17,428		
Icy Bay	Log	Torm Pacific	18,108		
Icy Bay	Passenger	World Discoverer	3,724		
Kodiak	Bulk Carrier	Scarlett Success	17,428		
Kodiak	Log	New Laurel	19,069		
Kodiak	Military	USS Ford	3,583		
Kodiak	Passenger	World Discoverer	3,724		
Kodiak	Relief	Caribbean Mercy	2,125		
Kodiak	Research	Atlantis	3,304		
Kodiak	Tanker	Paul Buck	21,471		
Kodiak	Tramper	Mononok	4,392		
Prince William Sound	Cable Layer	Kigoria	3,641		
Prince William Sound	LNG	Polar Eagle	66,174		
Prince William Sound	Log	Savannnah	3,253		
Prince William Sound	Passenger	Sea Princess	77,499		
Prince William Sound	Tanker	Arco Independence	127,300		
Seward	Bulk Carrier	APJ Shalin	41,699		
Seward	Bulk / Coal	Mishima	36,417		
Seward	Cable Layer	Kigoria	3,641		
Seward	Coal	Golden Disa	39,714		
Seward	Passenger	Universe Explorer	22,162		
Seward	Relief	Caribbean Mercy	2,125		
Seward	Tramper	Mononok	4,392		
Seward	Yacht	Arctic Sunrise	599		
Women's Bay	Tanker	Paul Buck	21,471		

Prepared by Information Insights from SWAPA Reports August 19, 2000

Largest Vessels
by Waters Traveled and Type
April 1999 - March 2000
From Marine Pilot Records - ACP

Waters	Type	Vessel	Gr. Ton	Fuel Type	Fuel Quantity
Chatham Str., Frederick Sound, Stephens Pass, Gastineau Ch., Stephens Pass, Favorite Ch., Lynn Ca., Chilkoot In., Icy Strait, Glacier Bay, Decision Pass, Sumner Str., Stikine St., Clarence St., Tongass Nar, Revillagigedo Ch.	Passenger	Nieuw Amsterdam	33,930		
Auke Bay, Stephens Passage, Saginaw Channel, Lynn Canal, Chatham Strait, Hawk Inlet	DC	Angelina the Great	23,561		
Clarence Str., Snow Pass, Sumner Str., Decision Pass, Frederick So., Tracy Arm, Gastineau Ch., Icy Str., No. Inian Pass, Cross So., Yakutat Bay	DC	Nippon Maru	21,903		
Keku Str.	DC	Royal Forest	19,731		
George Inlet, Revillagigedo Channel, Nichols Passage	DC	M/V Marine Island	17,542		
Hobart Bay	DC	Oriental Harmony	17,429		
Bucareli Bay, Klawock Inlet	DC	Ocean Lydia	15884		
Cholmondeley So	DC	Virginia	15,786		
Port Chester	DC	Santa Christina	15,073		
West Arm, Sukkwan Str., Hetta Inlet, Cordova Bay, Dixon Entrance	DC	Austurias	14,965		
Sitka Sound	DC	Osa Vigilant	1,334		

Prepared by Information Insights from ACP Reports August 22, 2000

Industry Working Group: Non-Persistent Oil Transportation Analysis (1996 - 1997)

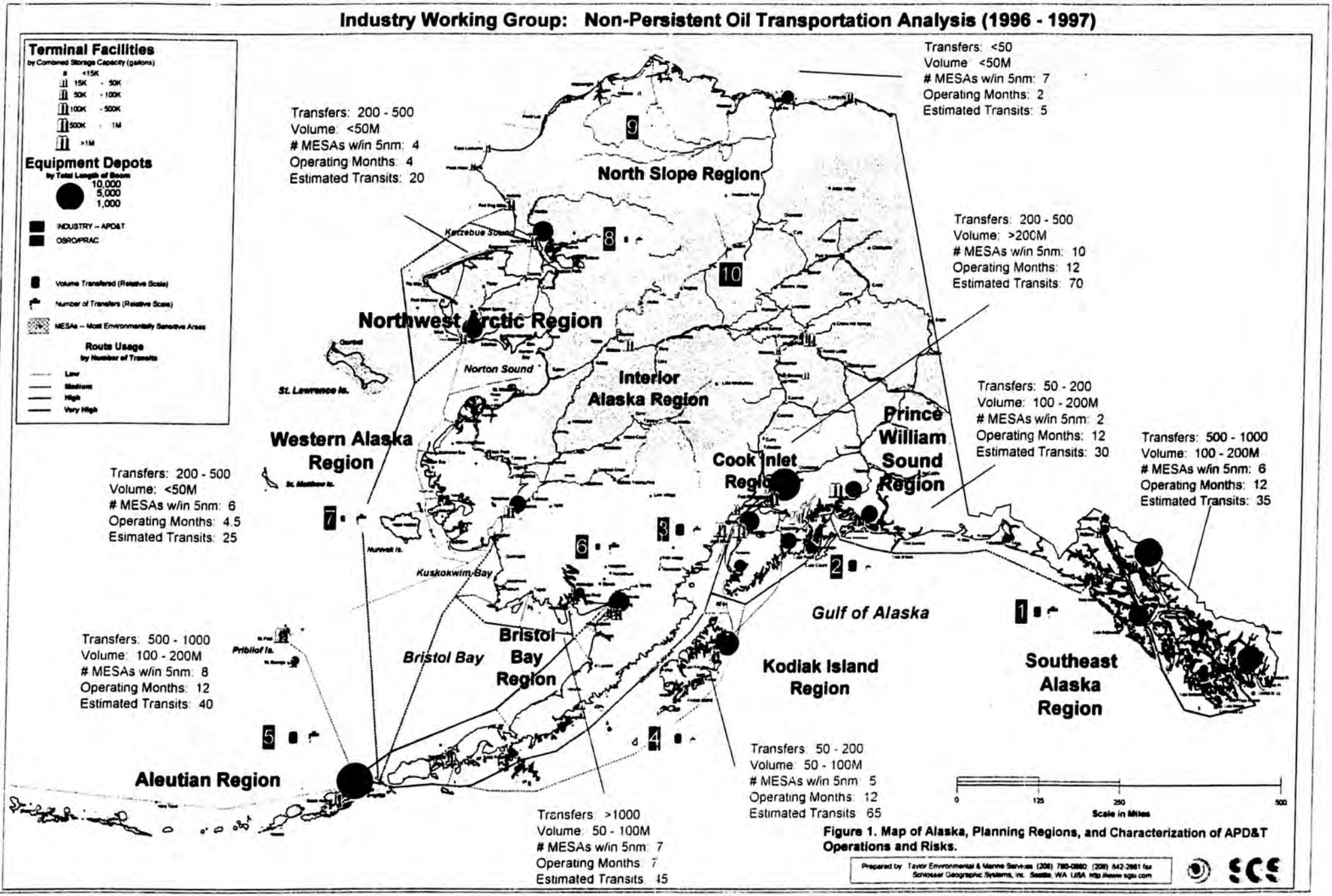

Figure 1. Map of Alaska, Planning Regions, and Characterization of APD&T Operations and Risks.

Prepared by Taylor Environmental & Marine Services (206) 780-0860 (206) 842-2661 fax
Schlosser Geographic Systems, Inc. Seattle, WA USA http://www.sgsi.com

TABLE 1
STATUS OF ESI MAPPING PROJECTS IN ALASKA

NOAA PARTNERS	PRODUCTS	PROJECT STATUS	COST*
Southeast Alaska Subarea			
Southeast Alaska Petroleum Resource Organization, Inc.; U.S. Department of the Interior, National Park Service; U.S. Department of the Interior, Fish and Wildlife Service; Alaska Department of Environmental Conservation; U.S. Forest Service; U.S. Coast Guard; Oil Spill Recovery Institute.	Update project: 198 (1:84,000-scale) maps of shoreline types and human use areas; 16 (1:250,000 or 1:280,000-scale) summary maps of sensitive biological and human use areas; GIS files.	Underway, expect completion in early 2001. Some products were completed in 1992 and 1995.	Approximately $184,000 (in addition to $150,000 for the 1992 and 1995 products) for the update project.
Prince William Sound Subarea			
Exxon Valdez Oil Spill Trustee Council; Oil Spill Recovery Institute; Prince William Sound Regional Citizens Advisory Council; U.S. Coast Guard; Alaska Department of Environmental Conservation.	Update project: 4 (1:250,000-scale) seasonal summary maps of shoreline and sensitive biological and human use areas; atlas of 42 (1:63,360-scale) maps of shoreline and sensitive biological and human use areas; GIS files.	Completed products being produced the summer of 2000.	Approximately $155,000 for the update project.
Cook Inlet Subarea			
Cook Inlet Spill Prevention and Response Inc.; Cook Inlet Regional Citizens Advisory Council; U.S. Coast Guard.	Update project: 4 (1:450,000-scale) seasonal summary maps of shoreline types and sensitive biological and human use areas; GIS files. [Older maps: 57 (1:63,360-scale) hard-copy maps from Cape Douglas to Chugach Islands completed in 1985.]	Completed in 1994.	Approximately $85,000 for the update project.
Kodiak Island Subarea			
Alaska Department of Environmental Conservation; Alaska Chadux Corporation; Cook Inlet Spill Prevention and Response, Inc.; Cook Inlet Regional Citizens Advisory Council; Prince William Sound Regional Citizens Advisory Council.	Update project: 4 (1:450,000-scale) seasonal summary maps of shoreline types and sensitive biological and human use areas; GIS files. [Older maps: 47 (1:63,360-scale) hard-copy maps of Shelikof Strait completed in 1986; and 47 (1:63,360-scale) hard-copy maps of shoreline types for Kodiak, Afognak, Trinity Islands completed in 1986.]	Completed in 1997.	Approximately $90,000 for the update project.

NOAA PARTNERS	PRODUCTS	PROJECT STATUS	COST*
Aleutian Islands Subarea			
Aleutians West Coastal Resource Service Area; Aleutians East Borough; Alaska Chadux Corporation; Oil Spill Recovery Institute; U.S. Coast Guard.	Update project: 15 (1:250,000-scale) summary maps of shoreline and sensitive biological an l human use areas for the eastern portion of the subarea; 7 (1:500,000-scale) summary maps of same for the western portion of the subarea; GIS files. Already completed: 1 (1:63,360-scale) map of the Pribilof Islands and GIS in 1998 funded by the U.S. Coast Guard. [Older maps: 61 (1:63,360-scale) hard-copy maps from Akutan and Unimak Pass to Cape Providence completed in 1986.]	Initiated in June 2000, estimated completion in spring 2001.	Approximately $120,000 (in addition to $30,000 for the Pribilofs) for the update project.
Bristol Bay Subarea			
Oil Spill Recovery Institute; TBD.	Update project: TBD. [Older maps: 108 (1:63,360-scale) hard-copy maps from Cape Vancouver to Unimak Island completed in 1982.]	Anticipate start-up in 2002 or 2003.	Approximately $150,000 total required ***[$90,000 more is needed]***.
Western Alaska Subarea			
Oil Spill Recovery Institute; TBD.	Update project: TBD. [Older maps: 65 (1:63,360-scale) hard-copy maps from Cape Vancouver to Cape Prince of Wales completed in 1983.]	Anticipate start-up in 2002 or 2003.	Approximately $150,000 total required ***[$90,000 more is needed]***.
Northwest Arctic Subarea			
Oil Spill Recovery Institute; TBD (potential partners are: Bering Straits Coastal Resources Service Area; U.S. Coast Guard; U.S. Department of the Interior, Fish and Wildlife Service; U.S. Department of the Interior, National Park Service; COMINCO; Alaska Chadux Corporation; Northwest Arctic Borough; Norton Sound Economic Development Corporation).	Update project: planning for 11 (1:280,000-scale) summary maps of shoreline and sensitive biological and human use areas; and GIS files. [Older maps: hard-copy maps included in Bristol Bay and Western, above.]	In planning, anticipated start-up in summer 2001.	Approximately $150,000 total required ***[$90,000 more is needed]***.

NOAA PARTNERS	PRODUCTS	PROJECT STATUS	COST*
North Slope Subarea			
Beaufort Sea Portion: Alaska Clean Seas; BP Exploration, Inc.; Alaska Department of Environmental Conservation; U.S. Department of the Interior, Minerals Management Service.	**Beaufort Sea Portion**: Update project: 4 (1:250,000-scale) summary maps of shoreline types and sensitive biological and human use areas for the eastern portion of the subarea; 17 (1:63,360-scale) maps of sensitive biological and human use areas for Trans-Alaska Pipeline System corridor from Prudhoe Bay to Atigun Pass; GIS files. Already completed: an atlas of 105 (1:26,000-scale) maps and GIS files of the Prudhoe Bay development area funded by BP Exploration, Inc.	**Beaufort Sea Portion**: Partially completed in September 1999. U.S. Department of the Interior, Minerals Management Service is conducting additional shoreline classification in 2000.	**Beaufort Sea Portion**: Approximately $83,000 (in addition to $160,000 for U.S. Department of the Interior, Minerals Management Service project).
Chukchi Sea Portion: Oil Spill Recovery Institute; TBD.	**Chukchi Sea Portion**: Update project: TBD. [Older maps: 84 (1:26,000-scale) hard-copy maps from Cape Thompson to Point Barrow completed in 1985.]	**Chukchi Sea Portion**: Start-up expected in 2003 or 2004.	**Chukchi Sea Portion**: Approximately $150,000 total required ***[$90,000 more is needed]***.
Interior Alaska Subarea			
None identified at this time.	None planned at this time.	Not applicable.	Not applicable.

*Cost figures do not include the substantial contribution in helicopter time by the U.S. Coast Guard that is used for shoreline data gathering at an estimated cost of $7,000 per 1:63,360-scale quadrangle map.

PORTS THAT HAVE HAD FISH RELATED SHIPPING IN THE PAST TEN YEARS

REGION	Location
SOUTH SEWARD PENNISULA	Port Clarence, Alaska
NORTON SOUND	Cape Denbigh, Alaska
	Unalakleet, Alaska
	Besboro Island (Surrounding Waters), Alaska *
	Egg Island (Surrounding Waters), Alaska *
	St. Michael, Alaska
	Stuart Island, (Surrounding Waters) Alaska *
	Black Point, Alaska
SCAMMON BAY	Scammon Bay, Alaska
SCAMMON BAY	Kokechik Bay, Alaska
SCAMMON BAY	Cape Romanzoff, Alaska
HOOPER BAY	Hooper Bay, Alaska
NUNIVAK ISLAND	Meykoryuk/Cape Etolin, Alaska
NUNIVAK ISLAND	Nunivak Island (Surrounding Waters), Alaska
NUNIVAK ISLAND	Nash Harbor, Alaska
NUNIVAK ISLAND	Cape Vancouver, Alaska
TOOKSOK	Nelson Island (Surrounding Waters), Alaska*
TOOKSOK	Cape Avinof, Alaska
KUSKOKWIM	Kuskokwim Bay, Alaska
KUSKIKWIM	Goodnews Bay, Alaska
	Bethel, Alaska
TOGIAK	Security Cove, Alaska
TOGIAK	Hagemeister Strait, Alaska
TOGIAK	Togiak Bay, Alaska
TOGIAK	Anchor Point(Near Togiak), Alaska
TOGIAK	Nunavachak Bay, Alaska
TOGIAK	Summit Island (Surrounding Waters), Alaska *
BRISTOL BAY	Kvichak Bay/Naknek, Alaska
BRISTOL BAY	Nushagak, Bay, Alaska
BRISTOL BAY	Egegik Bay, Alaska
BRISTOL BAY	Ugashik Bay, Alaska
	Port Moller, Alaska
BRISTOL BAY	Port Heiden, Alaska
FALSE PASS	Amak Island (Surrounding Waters), Alaska
FALSE PASS	Ikatan Bay, Alaska
FALSE PASS	Otter Cove(Near False Pass), Alaska
FALSE PASS	East Anchor Cove(Near False Pass), Alaska
WESTERN ALEUTIANS	Attu Island (Surrounding Waters), Alaska*
	Amchitka Island (Surrounding Waters), Alaska*
	Kiska Island (Surrounding Waters), Alaska*
	Tanaga Island (Surrounding Waters), Alaska*
	Adak Island (Surrounding Waters), Alaska
MID ALEUTIANS	Atka Island (Surrounding Waters), Alaska
DUTCH HARBOR	Dutch Harbor, Alaska
ALASKA PENNISULA	Cold Bay, Alaska
	Volcano Bay(Near Pavlof), Alaska
	Ivanof Bay, Alaska
	Pavlof Bay, Alaska
	Nagai Island (Surrounding Waters), Alaska *
	Alinchak Bay, Alaska
	King Cove, Alaska

	Sand Point, Alaska
	Squaw Harbor, Alaska
	Chignik, Alaska
AKUTAN	Akutan, Alaska
AKUTAN	Beaver Inlet, Alaska
AKUTAN	Lost Harbor, Alaska
PRIBILOFS	St. Paul Island (Surrounding Waters), Alaska
	St. George Island (Surrounding Waters), Alaska
DUTCH HARBOR	Makushin Bay, Alaska
MID BERING SEA	St. Mathews Island (Surrounding Waters), Alaska *
KODIAK	Old Harbor, Alaska
KODIAK	Kiliuda Bay, Alaska
KODIAK	Ugak Bay, Alaska
KODIAK	Larsen Bay, Alaska
KODIAK	Uganik Bay, Alaska
KODIAK	Sitkalidak Bay, Alaska
	Alitak Bay, Alaska
	Port Bailey, Alaska
	Kodiak, Alaska
COOK INLET	Iniskin Bay, Alaska
COOK INLET	Kamishak Bay, Alaska
	Homer, Alaska
	Seward, Alaska
PRINCE WILLIAM SOUND	Shelter Bay, Alaska
	Harris Bay, Alaska
	Sawmill Bay, Alaska
	Naked Island (Surrounding Waters), Alaska *
	Unakwik Inlet, Alaska
	Tatitlek, Alaska
	Port Gravina, Alaska
	Port Fidalgo, Alaska
	Thumb Bay, Alaska
	Port Wells, Alaska
	Montegue Island, Alaska *
	Two Moon Bay, Alaska
	Valdez, Alaska
	Unakwik Inlet
	Cordova, Alaska
GULF OF ALASKA	Yakutat Bay, Alaska
SOUTH EAST ALASKA	Bold Island, Alaska *
	Neets Bay, Alaska
	Waterfall, Alaska
	Port Estrella, Alaska
	Pelican, Alaska
	Hoonah, Alaska
	Sitka, Alaska
	Kake, Alaska
	Petersburg, Alaska
	Wrangell, Alaska
	Craig, Alaska
	Ketchikan, Alaska
	Metlakatla, Alaska
	Noyes Island, Alaska *

Ports that have had Timber/Other Cargo related shipping in the past 10 years

	Location
Ketchikan	**Southeast**
Metlakatla	**Southeast**
Coon Cove	"
Dora Bay	"
West Arm of Chomondeley Sound	"
Klawock	"
Kasaan Bay	"
Grace Harbor	"
Hoonah	"
Juneau	"
Hobart Bay	"
Kake	"
Sitka	"
Icy Bay	**South Central**
Afognak Island	**South West**
Port Graham	**Kenai Peninsula**
Shakan Bay	**Southeast**
Skagway	"
Haines	"
Wrangell	"
Skagway (concentrates)	"
Red Dog (concentrates)	**Bering Sea**
Hawk Inlet (concentrates)	**Southeast**
Calder (concentrates)	"
Seward	**Kenai Peninsula**
Homer	**Kenai Peninsula**

Integrated Vessel Response Plan Format Guidelines for Tank Vessels[1]
Updated 3/5/2000[2]

PLEASE NOTE: This Integrated Format is provided as a voluntary option. Use of this guidance matrix does not relieve a plan holder from ensuring that all agency requirements are complied with in developing an oil spill contingency plan. It is important that plan holders provide clear and accurate cross-references which demonstrate compliance with all applicable contingency planning regulations.

US COAST GUARD 33 CFR Part 155	MARPOL 73/78 ANNEX I Regulation 26	ALASKA 18 AAC 75	WASHINGTON 317-10 WAC	OREGON OAR 340-47	CALIFORNIA CCR Title 14,1,4,3,3 § 816- 816.03 Tank Vessels § 826-827.01 Nontank Vessels
I. Record of Changes 1035 (a)(3)		425 (e)(2) date of plan	050 (3) Log sheet, record of changes	150 (2) Plan amendments	816.02 (a) (3) (D) & (E) Log sheet 826.02 (a) (3) (D) & (E) Log sheet
II. Table of Contents 1035 (a)(4)	No specific requirement	425 (d)(3) plan contents	050 (3) Table of contents	150 (3) Table of contents	816.02 (a) (2) (A) Table of Contents 826.02 (a) (2) (A) Table of Contents
III. General Information and Introduction 1035 (a)	Section 1 Introduction		050 (1) (a) Name, address, phone number for submitting party	150 (1) (a) Name, address, phone number for submitting party	816.02 (a), 827.02(a) Intro material 816.03 (c) (2), 827.03(a)(2) CI 816.02 (a) (2) (D) & (E) Log Sheet 826.02 (a) (2) (D) & (E) Log Sheet
A. Statement of Purpose/Scope		425 (a) be in a useable format 425 (c) promulgation letter 425 (d) plan contents 425 (e) (3) (A) operational overview	050 (1) Submittal Agreement requirements 050 (4) Purpose & Scope	150 (1) Submittal agreement 150 (4) Purpose and Scope	815.03, 825.03 Purpose and Scope
B. List of vessels covered by name; reference VRA for additional vessel information 1035 (a)(1)		425 (c)(1) covered vessels as in promulgation letter	050 (1) (d) Vessel name, etc.	150 (1) (d) (B)&(C) Vessel information	816.02 (a) (1), 827.02 (a) (1) Vessel Information
C. List COTP zones/geographic areas covered; reference GRA for details 1035 (a) (3)		425 (e) (3) (A)(iii) normal vessel routes in state waters	050 (4) (a) & (b) Geographic area and vessel operations covered by plan 050 (29) Spill risk variables within geographic area 050 (30) environmental variables within geographic area	150 (1) (d) (B) Oregon ports of call, types of operations 150 (4) (a) & (b) Region covered by plan 150 (23) (b) Sensitive areas 150 (28) Risk Variables 150 (29) Environmental variables	816.02 (d) (1) (A), 827.02 (g) (1) (A) Normal routes of travel
D. Certification letter 1035 (c)(2) & 1065 (b)		425 (c)(3) promulgation letter	050 (1) (b) & (c) Letter of acceptance & authority	150 (1) Submittal agreement	816.03 (d)(6), 826.03(e)(1) Plan approval 816.04 (b), 826.0? (b) Implementation 816.01 (b) (2) Operation w/o a plan 816.02 (a) (1) (E), 827.02(a) (1) (E) Certification statement

[1] See CFR 1040 for USCG regulations covering tank barges; all numbering should correspond. State regulations cited cover both tankers and tank barges in all states, plus cargo and passenger vessels in Oregon and Washington.
[2] This format guideline will be updated as needed to reflect any regulatory changes adopted by the participating agencies: the Alaska Department of Environmental Conservation, the Washington Department of Ecology, the Oregon Department of Environmental Quality, the California Office of Spill Prevention and Response, and the US Coast Guard.

US COAST GUARD 33 CFR Part 155	MARPOL 73/78 ANNEX 1 Regulation 26	ALASKA 18 AAC 75	WASHINGTON 317-10 WAC	OREGON OAR 340-47	CALIFORNIA CCR Title 14,1,4,3,3 S. 815- 816.03 Tank Vessels S. 826-827.01 Nontank Vels
IV. Notification procedures and List of Contacts	Section 2 Mandatory Provisions				
A. Notification Checklist (in priority order to be set by owner/operator) 1638 (b)(1) 1. Shipboard notification checklist 1638 (b)(2)(i), 1638 (b)(3), 1638 (b)(5), 1638(c)(2), 1638 (b)(6) 2. Shore-based notification checklist 1638 (b)(2)(ii) & (3), 1638 (b)(3), 1638 (b)(1)	2.2 Notification Procedures 2.4 Persons to be Contacted 2.6 National and Local Coordination	300 (a) Discharge notification 425 (e) (1) (A) Emergency Action checklist 425 (e) (1) (B) (i) Persons responsible for notification 425 (e)(1)(B) (ii) Notification of government agencies 425 (e) (1) (E) (ii) Notification of response action contractor 425 (e) (3) (C) Command system	050 (11) (a) & (b) Call-out list and responsible person 050 (17) (a) List of government authorities responsible for related emergency procedures	150 (11) (a) & (b) Notification call out list 150 (17) (a) Government agencies with related emergency authorities	816.02 (h) (1)-(4), 827.02 (h) (1)-(4) Notification procedures, list of contacts, information checklist 816.02 (h)(2), 827.02(h)(2) Immediate notification of OSRO, OI, state OES, and NRC
B. Owner/operator contact information 1638 (b)(2) & 1638 (a)(1)		425 (e) (1) (B) (i) Title and number of person responsible for notification See IV. A	050 (1) (a) & (d) Name, address, and phone of submitting party plus vessel specific information	150 (1) (a) & (b) Owner/operator information 150 (1) (d) (B) & (C) Vessel information	816.02 (a) (1) (B) - (C) 827.02 (a) (1) (B) - (C) Owner / Operator contact information
C. Methods of communication 1638 (b)(4) 1. Primary 2. Secondary		425 (e) (1) (D) Communications used in a response	050 (14) Communications system 050 (15) (b) Central Communications post	150 (14) Communications 150 (15) (b) Central Communications post	816.02 (h), 827.02(d) Notification procedures
D. Information to provide 1638 (b)(3)	2.3 Coastal State Report 2.6 National and Local Coordination	307 (c) Discharge Report Contents	Covered elsewhere	015 (1) (d) Immediate notification	816.02 (h) (4), 827.02 (d) (4) Notification checklist
E. List of additional contacts 1638 (c)		See notification checklist in IV. A	See notification checklist in IV. A	See notification checklist in IV. A	816.02 (h) (1)&(2), 827.02(d) (1)&(2)
1. Insurer 1638 (c)(3)		See notification checklist in IV. A	See notification checklist in IV. A	See notification checklist in IV. A	816.02 (h) (1), 827.02 (d) (1)
2. Legal agent 1638 (c)(4)		See notification checklist in IV. A	See notification checklist in IV. A	See notification checklist in IV. A	816.02 (h) (1), 827.02 (d) (1)
3. Oil spill removal organization (MSRO, NSRO, WCD) 1638 (c)(5), 1638 (b)(5)		425(e) (1)(E)(ii), 445 (f) Notification of Response Action Contractors	050 (8) (a) & (b) Response contractor identification 050 (12) Response personnel 050 (13) Response equipment 050 (21)(d) & (22)(d) Location & access to non-mechanical recovery equipment 050 (31) Logistical resources in area	150 (8) Response Contractors 150 (12) Response personnel 150 (13) Equipment 150 (14) Communications 150 (21) (d) Dispersant supplies 150 (22) (d) In situ burn supplies 150 (30) Logistical resources	816.02 (h) (2) (A), 827.02(d)(1)(A) Immediate OSRO notification 816.02 (c) (3) (B), 827.02(a)(1)(G) Identification of OSROs

4. Salvage, firefighting, and lightering 1026 (a)(5), 1026 (c)(6), 1026 (i)(9)		027 (a), 037 (a), 425 (e)(1)(F)(viii), 445 (d)(6) Lightering	050 (17) (a) (i) firefighting	150 (17) (e) (A) firefighting	818.02 (e) (5) (B) 10&11, 818.02(m) 827.02(h)(3)(B)10&11, 827.02(n) Appropriate equipment
5. Spill management team 1026 (e)(7)	3.4 Public Affairs	See notification checklist in IV. A, plus 425 (e) (3) (C) Command system	See notification checklist in IV. A, 050 (7) Spill response organization 050 (12) Response personnel	See notification checklist in IV. A 150 (7) Spill Response system 150 (12) Response personnel	818.02 (f) (1), 827.02(j)(1)
6. Persons to call for stability and stress assessment 1026 (b)(6), 1026 (e)(11)	2.4 Persons to be Contacted	See notification checklist in IV. A	See notification checklist in IV. A	See notification checklist in IV. A	818.02 (e) (5) (B) II, 818.02(m) 827.02 (h) (3) (B) II, 827.02(n) Identification of salvage company

US COAST GUARD 33 CFR Part 155	MARPOL 73/78 ANNEX I Regulation 26	ALASKA 18 AAC 75	WASHINGTON 317-10 WAC	OREGON OAR 340-47	CALIFORNIA CCR Title 14,1,4,3,3 S. 815- 818.03 Tank Vessels S. 825-827.01 Nontank Vels
V. Shipboard spill mitigation procedures					
A. Operational spill procedures 1035 (e)(1)	2.5 Steps to Control Discharge	425 (e) (1) (E), 445 (c) Deployment strategies 425 (e) (1) (F), 445 (d) Response Strategies	050 (7) Spill response organization 050 (10) Spill detection 050 (16) Flowchart, decision tree, checklists 050 (17) (b) Plan holder's role 050 (18) Vessel personnel's initial response 050 (19) Spill containment and removal 050 (20) Initial deployment	150 (7) Spill Response System 150 (10) Spill detection 150 (16) Response flow chart 150 (17) (b) Plan holder's role 150 (18) Damage control 150 (19) Deployment & Removal 150 (20) Response time/Initial Deployment	818.02 (c), 827.02(c) Prevention measures 818.02 (g), 827.02(j) Response procedures 818.02 (e), 827.02(h) On Water Containment and Recovery
B. Casualty procedures 1035 (c)(2)	2.5 Steps to Control Discharge	Covered in IV. A	Covered in A. above	Covered in A. above	Covered in A. above
C. Discharge removal equipment deployment for deck spills 1035 (e)(3)	2.5 Steps to Control Discharge	425 (e) (1) (E), 445 (c) Deployment 425 (e) (1) (F), 445 (d) Response Strategies	050 (16) Flow Chart 050 (18) Vessel personnel's initial response 050 (19) Spill containment and removal	150 (7) Spill Response System 150 (16) Response flow chart 150 (18) Damage control 150 (19) Containment	818.02 (c), 827.02(c) Prevention Measures 818.02 (g), 827.02(j) Response Procedures 827.2(c)(3) On-Deck Spill Kit
D. Internal transfer procedures 1035 (e)(4)	2.5 Steps to Control Discharge	425 (e)(1)(F)(viii), Transfer of oil Also see IV. A	Covered in A. above	Covered in A. above	818.02 (c), 827.02(c) Prevention Measures
E. Ship-to-ship transfer procedures 1035 (e)(5)	2.5 Steps to Control Discharge	425 (e)(1)(F)(viii), 445 (d)(6) Transfer of oil	Covered in A. above	Covered in A. above	818.02 (c), 827.02(c) Prevention Measures 827.02 (a)(1)(H) Transfer Procedures
F. Location of vessel plans 1035 (e)(11), 1035 (j)(4)-(5)	2.5 Steps to Control Discharge	465 (a) (2) Proof of approved plan	075 (1) Copy of plan at central location 075 (2) Field Document	210 (1) (2) Plan access and field document	818.04 (e)(2) (A), 826.04(e) Plan availability
	Section 3 Non-Mandatory Provisions				
G. Emergency towing 1035 (e)(6)		027 (f), 037 (f) Tow Line	Covered in A above	Covered in A. above	818.02 (e) (5) (B) II, 818.02(m) 827.02 (h) (3) (B) II, 827.02(n) Identification of salvage company

US COAST GUARD 33 CFR Part 155	MARPOL 73/78 ANNEX I Regulation 26	ALASKA 18 AAC 75	WASHINGTON 317-10 WAC	OREGON OAR 340-47	CALIFORNIA CCR Title 14 I.4.3.3 A. 815- 818.01 Tank Vessels B. 825-827.01 Nontank Vels
H. Location of shipboard spill mitigation equipment and procedures for use 1035 (c)(7)	3.3 Response Equipment	425 (e)(1)(H) Vessel diagrams 425 (e)(3)(F) Response equipment 445 (g) Response equipment	Covered in 050 (13), but does not satisfy all parts of 050 (13)	150 (18) Damage control	818.02 (g), 827.02(j) Response procedures
I. Record keeping and reporting procedures, if any, for crew 1035 (c)(8)	3.5 Record-keeping	007 (h) Record keeping requirements	050 (10) Spill detection & documentation	150 (10) Spill detection and documentation	Not specifically covered
V. J. Crew initiation of response 1035 (c)(9)		425 (e) (1) (E) Deployment strategies 425 (e) (1) (F) (v) Exclude oil from sensitive areas 425 (e) (3) (J) Discharge tracking	050 (7) Spill response organization 050 (11) (c) Incident categorization 050 (16) Flowchart, decision tree, checklists 050 (17) (b) Plan holder's role in initial response 050 (18) Vessel personnel's initial response 050 (20) Initial deployment	150 (7) Spill Response system 150 (11) (c) Incident category 150 (16) Response flow chart 150 (17) (b) Plan holder's role 150 (18) Damage control 150 (19) Containment 150 (20) Response time	818.02 (g) (4)&(5), 827.02(j) Response procedures
K. Stress & Stability Considerations 1035 (c)(10)		027 (a), 037 (a), 425 (e) (1) (F) (viii) Lightering	050 (18) (a) & (b) Methods to achieve stability	Covered in V. A. above	818.02 (g) (5), 818.02 (m) 827.02 (j), 827.02 (n)
VI. Shore-based response activities		425 (e) (3) (C) Command	050 (7) Spill response organization 050 (8) Primary response contractor 050 (15) Command site selection 050 (16) Flowchart 050 (17) (b) Plan holder's role 050 (19) Containment and removal 050 (24) Interim waste storage	150 (7) Spill Response system 150 (8) Contractors 150 (15) Response operation sites 150 (16) Response flow chart 150 (17) (b) Plan holder's role 150 (19) Containment 150 (24) Interim waste storage	
A. Qualifications and authority 1035 (d)(1)		007 (b), (d) Compliance with other agency laws 425 (e) (3) (C) Command	050 (7) Spill response organization 050 (12) (a) Position descriptions	150 (7) Spill Response system 150 (12) (a) Job descriptions	818.02(a)(2), 827.02(a)(2) Qualified individual 818.02(h)(2), 827.02(d)(2) Notification procedures
B. Transfer response direction from ship to shore 1035 (d)(2)		425 (e) (3) (C) Command 425 (e) (1) (E) Deployment	050 (7) Transfer of authority 050 (15) Central Command post 050 (16) Flowchart & checklists	150 (7) Spill Response system 150 (16) Response flow chart 150 (15) Response operations	818.02 (g) (3), 827.02(j)(3) Flowchart
C. Coordination with FOSC 1035 (d)(3)	2.6 National and Local Coordination	425 (e) (3) (C) Command	050 (7) Response Organization 050 (9) Relation to local, state, federal emergency plans	150 (7) Spill Response system 150 (9) Relationship to other plans	818.02 (g) (1)&(6), 827.02 (j) (1)&(4)
D. Organizational structure 1035 (d)(4) (can be fulfilled by citing NIIMARCS)		425 (e) (3) (C) Command	050 (7) Response organization 050 (9) Relation to local, state, federal emergency plans 050 (12) Response personnel	150 (7) Spill Response system 150 (9) Relationship to other plans 150 (12) Response personnel	818.02 (g) (1), 827.02(j)(1)

E. Responsibilities of SMT positions 1606 (a)(5) (can be fulfilled by citing NIMS/ICS)		425 (e) (3) (C) Command	050 (12) (a) Position descriptions	150 (12) (a) Job descriptions	818.02 (g) (1), 827.02(j)(1) Response procedures

US COAST GUARD 33 CFR Part 155	MARPOL 73/78 ANNEX I Regulation 26	ALASKA 18 AAC 75	WASHINGTON 317-10 WAC	OREGON OAR 340-47	CALIFORNIA CCR Title 14 1 A.3.3 §. 816- 818.03 Tank Vessels & 826-827.01 Nontank Vels
VII. Training and Exercise procedures 1638 (f)-(g)	3.7 Plan Testing	425 (e) (3) (I) Response Training 445 (j) Training 485 Discharge exercises 027 (b), 037 (b) Vessel person responsible for training 007 (d) & (h) Prevention training	050 (12) (d) Response team training 050 (25) Health & Safety procedures 050 (27) Drills, exercises, and call out procedures 070 (1) & (2) Drill requirements	150 (12) Response personnel 150 (25) Health & Safety 150 (27) Drills & Exercises 200 Drills & Inspections	818.02 (k) Training 818.02 (l), 827.02(m) Drills and Exercises 820.01 Drills & Exercises – Evaluation & Credit
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US COAST GUARD 33 CFR Part 155	MARPOL 73/78 ANNEX 1 Regulation 26	ALASKA 18 AAC 75	WASHINGTON 317-10 WAC	OREGON OAR 340-47	CALIFORNIA CCR Title 14,1/4,3,3 §. 816- 816.03 Tank Vessels §. 826-827.51 Nontank Vels
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Cross-Reference Guidelines 1030 (g)		425 (d) (4)			816.02 (d) (1), 826.02(c) Cross reference list

RETURN TO JUDY

U.S. Department of Transportation
United States Coast Guard

Commanding Officer
United States Coast Guard
Marine Safety Office

510 L Street, Suite 100
Anchorage, AK, 99501-1946
Staff Symbol: OPS
Phone: (907)271-6724
FAX: (907)271-6751

16600
7-Jun-00

From: Commanding Officer, Marine Safety Office, Anchorage
To: Distribution

Subj: ALTERNATIVE COMPLIANCE AUDIT PLAN FOR THE APD&T

Ref: (a) APD&T Agreement for Final Compliance, dated July 14, 1999 (Enclosed)

1. Purpose. To provide guidance to audit the Alaska Petroleum Distributors and Transporters (APD&T) Alternative Compliance Agreement.

2. Authority. At the signing of OPA-90 all tank barges/vessels were required to submit response plans, have an OSRO on contract, and have equipment available to meet the worst case discharge from each vessel. The Captain of the Port, Western Alaska has the authority to ensure tank vessels operating in Western Alaska meet the planning standards set forth in 33 CFR 155. For the APD&T Group, these planning standards were met when the U. S. Coast Guard and the State of Alaska Department of Environmental Conservation (ADEC) approved reference (a) on July 13, 1999.

3. Background. APD&T represents the major oil barge operators in Alaska that transport non-persistent fuel oils to locations throughout Alaska. The group consists of Crowley Marine Services, Inc., Newport Petroleum, Inc., Sea Coast Towing, Inc., Western Pioneer, Inc., and Yutana Barge Lines, Inc. In order to get their vessel response plans approved, the companies operating in Alaska requested an alternative agreement instead of meeting certain portions of the OPA-90 response requirements. They proposed to place limited pollution gear on board each barge, position pollution response equipment depots (hubs) in regions throughout Alaska, and perform response drills to ensure they could respond effectively. In addition, the APD&T formed their own OSRO to cover Western Alaska – the Alaska Chadux Corp. They submitted their alternative proposal to G-MOR and ADEC with a promise to fulfill their proposal over the coming years until all of their operating areas in Alaska were protected. In April 2000, MSO Anchorage offered to manage the alternative compliance agreement because 80% of the volume of the refined oils that APD&T transports through Alaska comes to Western Alaska. G-MOR and D17 (m) concurred and designated MSO Anchorage as manager of the agreement.

4. Procedures and Assignments.

   a. Each Team and MSD will annually inspect the oil spill response equipment positioned in hubs located in their respective areas of responsibility (AOR). One month prior to the implementation date of the region, notification will be given to the APD&T informing them that Coast Guard inspectors will inspect the hub for the proper equipment. A sample

letter to APD&T is located in the Chief, Port Operations Officer's Public Folder. The spill response equipment required at each hub is listed on pages 15-19 of reference (a), including the wildlife hazing and beach cleaning kits listed in Attachment 2. The regions for Western Alaska and the schedule for implementation are tabulated below.

Region	Area	Hub Location	Implementation Date	Team/MSD
1	Southeast Alaska		In compliance	
2	Prince William Sound		In compliance	
3	Cook Inlet	Kenai	July 2000	MSD Kenai/ SCINT
4	Kodiak	City of Kodiak	July 2000	MSD Kodiak
5	Aleutians	Dutch Harbor	July 2001	MSD Unalaska
6	Bristol Bay	Naknek/ Dillingham	July 2001	BBWAK
7	Western Alaska	Bethel	July 2002	BBWAK
8	NW Arctic	Nome	July 2002	NANS
9	North Slope	Prudhoe Bay	July 2003	NANS

b. Each team and MSD will inspect the spill response equipment carried on board the barges operated by the APD&T. The inspection will be conducted during the annual inspection schedule of the barges, which may include inspections conducted by other MSOs. An inspection note for each barge will be entered in MSIS stating that this barge must have on board the listed spill response equipment if it is to operate in Western Alaska. The note will state '*As part of the APD&T Alternative Compliance Agreement, ensure barge has necessary additional oil spill response equipment IAW VRP carried onboard. Contact Chief, Port Operations, MSO Anchorage at (907) 271-6700 for further information.*' The required spill response equipment on board APD&T members' petroleum barges is located in Attachment 3 of reference (a). Each barge is required to carry:

i. harbor boom equal to three times the length of the barge,

ii. a skimmer capable of recovering the Maximum Most Probable Discharge,

iii. self-contained portable lightering pumps for moving product from damaged tanks,

iv. a boat, other than the tug, used for boom deployment,

v. an emergency tow line,

vi. Each tug towing APD&T barges must have twin screws and a retrieval hook.

c. Each Team and MSD will participate in response drills as part of the alternative compliance agreement. Once a region is implemented, drills will be scheduled in accordance with the NPREP program.

d. Each Team and MSD will incorporate the inspection of the hubs, tugs, barges and NPREP drills into their respective timelines.

e. Upon completion of a barge inspection, a note will be entered into the MSIS inspection case stating that a '*satisfactory inspection of the APD&T spill response equipment was completed*'.

f. Upon completion of a hub inspection and/or NPREP drill, the inspector will check the APD&T Matrix located in the Chief, Port Operations Officer's Public Folder.

5. The Chief, Port Operations Officer of MSO Anchorage manages this Audit Plan.

W. J. HUTMACHER

Distribution: BBWAK, NANS, SCINT, MSD Kenai, MSD Kodiak, MSD Unalaska

Encl: (1) APDT&T's Agreement for Final Compliance, dated July 14, 1999

Copy: G-MOR, CCGD17 (m), ADEC

AGREEMENT FOR FINAL COMPLIANCE

PRESENTED BY

Alaska Petroleum Distributors and Transporters

Industry Preparedness and Planning Work Group

PREPARED BY
Elliott Taylor

Polaris Applied Sciences, Inc.

EXECUTIVE SUMMARY

Oil spill prevention programs, contingency planning and preparedness have undergone significant enhancements and changes during the past 5-8 years. The Alaska Petroleum Distributors and Transporters (APD&T) have worked with the regulatory community at State and Federal levels to implement prevention measures and achieve a level of preparedness agreeable to all parties. This agreement represents a mutually satisfactory measure of preparedness that is achievable, realistic, economically justifiable, and that can be applied consistently to all regulated barge operators involved in non-persistent oil operations in Alaska.

The fundamental tenets of this agreement, to be met by each non-persistent oil transporter company in Alaska, are:

- add an environmental management process, such as ISO 9002, the American Waterways Operators (AWO) Responsible Carrier Program or an equivalent, to the spill prevention measures already implemented as part of the USCG-approved Alternative Compliance Proposal (1993 and 1995),
- maintain the on-board spill response equipment for response to an average and maximum most-probable discharge from the barge,
- increase shoreside capacity through an in-region response capability formulated for key logistical hubs in select regions,
- increase spill response and lightering capabilities by augmenting resources available to each region within 24 hours, and
- develop a program to train and exercise response personnel and equipment in each planning region of the Western Alaska Captain of the Port (COTP) Zone.

The response strategies presented in this agreement were developed through the joint partnership and efforts of Industry, US Coast Guard, and the Alaska Department of Environmental Conservation. A series of joint workshops in 1997 and 1998 served to define the relative risk of a spill from APD&T member's operations on a regional basis throughout the State of Alaska and the planning strategies appropriate for those risks. This agreement formalizes the outcome of these discussions and presents the tasks to be implemented within 5 years of acceptance of the agreement.

International Standards organization

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1. PREAMBLE

The Alaska Petroleum Distributors and Transporters Group (APD&T) represents the major oil barge operators in Alaska that transport non-persistent fuel oil to locations throughout Alaska. At the time of this agreement, the APD&T consists of the following companies:

Crowley Marine Services, Inc.
Newport Petroleum, Inc.
SeaCoast Towing, Inc.
Western Pioneer, Inc. (Delta Western)
Yutana Barge Lines, Inc.

The APD&T has developed this Agreement for Final Compliance for Tank Barge Transport of Non-Persistent Oil in Alaska (Agreement) as an alternative compliance to the planning standards set forth in 33 CFR §155. The APD&T Members requested the Agreement in an effort to reach a mutually satisfactory alternative compliance solution to the planning standards enacted as part of the Oil Pollution Act of 1990. The APD&T also is working with the Alaska Department of Environmental Conservation (ADEC) during this process with the goal of defining a consistently applied and accepted planning standard. The Agreement builds upon the terms and conditions set forth in the OPA 90 Alternative Compliance Proposal for Non Persistent Tank Barges in Alaska, which remain in full effect.

2. BACKGROUND

The APD&T has been in negotiation with the U.S. Coast Guard (USCG) and ADEC since regulations were set forth for spill response preparedness in 1990 and 1991. The key steps taken to date in negotiation with the USCG and ADEC are:

1993 - developed and gained approval from the USCG of an Alternative Compliance Proposal, as allowed in 33 CFR §155.1065 (f).

1995 - obtained re-approval of APD&T Alternative Compliance from the USCG.

1995 - developed the Most Environmentally Sensitive Areas (MESAs) Program in concert with ADEC and other trustee agencies in Alaska.

1997 - worked with ADEC and USCG as part of the Industry/Agency Partnering Agreement through a series of Response Planning Work Group workshops to define risks, planning standards and priorities, and planning requirements.

1998 - drafted Response Planning Strategies for the spill contingency planning regions in Alaska.

2.1 OPA 90 ALTERNATIVE COMPLIANCE

Recognizing the unique difficulties that face the oil spill response planning for oil transportation industry in Alaska, the APD&T members (Crowley Marine Services, Inc., FortyNinerTransportation, Inc., and Western Pioneer/Delta Western -1991) presented an Alternative Compliance Proposal to the USCG for operations in Alaska (APD&T, 1991) (Attachment 1). A number of spill prevention and preparedness measures were adopted

by the APD&T members as conditions of the USCG-approved "OPA'90 Alternative Compliance Program for Non Persistent Tank Barges in Alaskan Waters". The benchmarks set with the USCG were also accepted by ADEC for compliance with Alaska planning standards. To meet the intent of the OPA 90 Vessel Response Plan requirements, the ADP&T group proposed three areas which would reduce the potential for spills in the marine environment and increase response capability: (1) reducing the risk of a worst case spill, (2) increasing the immediate onboard response capability, and (3) developing increased shore-based response capability. Specific planning measures adopted to fulfill an alternate compliance to the standards set forth in 33 CFR §155 include:

- Reduction of the Risk for a Worst Case Spill
  - Use of twin screw tugs to tow member barges
  - Emergency tow lines on all barges
  - Retrieval hooks on all coastwise tugs and training for lost barge recovery
  - Stricter tow wire maintenance and replacement standards
- Increased Immediate Onboard Response Capability
  - All barges carry sufficient equipment to meet, to maximum extent practicable, the response-planning standard for the Maximum Most Probable discharge.
  - As a minimum, boom approximately three times the length of the barge, sufficient to allow for skimming operations.
  - Skimmers capable of recovering the Maximum Most Probable Discharge.
  - Self-contained, portable lightering pumps for moving product from damaged tanks.
  - Training of all tow vessel crews to deploy all onboard response equipment.
- Increased Shore-based Response Capability
  - The 1991 APD&T members agreed to participate in the Southeast Alaska Petroleum Resource Organization, Inc. (SEAPRO), the regional industry response organization coordinating response resources in Southeast Alaska.
  - Members agreed to increase their shore based capabilities outside of SE Alaska through several avenues, including pre-staging of equipment in Anchorage, Kenai, Kodiak, Dutch Harbor, Valdez and Cordova. As a result of this initiative, the APD&T formed the Alaska Chadux Corporation (Chadux) as an oil spill removal organization (OSRO), referred to as a primary response action contractor (PRAC) in Alaska.

The Alternative Compliance was re-approved by the USCG in 1995. At the time of re-approval, the USCG required the APD&T members to continue to increase their response capabilities. The increased response capabilities for the APD&T led to annual increases in the expenditures and operating costs of Chadux through the addition of equipment, facilities, training, and personnel. A substantial effort also was put into the development of an enhanced wildlife response capability. The wildlife program includes

otter pens, hazing kits, bird capture and rehabilitation equipment and trailer, a team of trained wildlife specialists, and a comprehensive Wildlife Manual for spill response.

2.2 JOINT INDUSTRY/AGENCY WORK GROUP

The negotiated Alternative Compliance has been in review by the USCG as it has been accepted as a temporary compliance measure by the USCG. With the objective of defining a final alternative compliance, the APD&T met with regulators from the USCG and ADEC at three Response Planning Workshops during 1997. The workshops led to several tasks and reports that were used as progressive steps toward the definition of an acceptable level of response preparedness.

Industry and regulators formulated a Partnering Agreement (April 4, 1997) to resolve issues in spill response planning criteria for the APD&T members. The first meeting (May 19-20, 1997-Anchorage) focused on current regulatory requirements, meeting standards, and review/acceptance criteria for spill response planning purposes. The Work Group developed a Partnering Agreement Timeline and a series of tasks for both Industry and agencies that would lead to a agreement for final compliance. The Partnering Agreement Timeline identified two key parts for Work Group activities:

- Part 1- Reaching Consensus on Regional Risks
- Part 2- Reaching Consensus on Regional Response Strategies

The second workshop (October 28-30, 1997-Anchorage) centered on the recognition of risk, level of perceived risk by region, and spill response preparedness and requirements for each region. The APD&T report "Barge Transport of Non-Persistent Oil in Alaska" (TEAMS and APD&T, 1997) provided summary criteria for ranking the ADEC planning regions according to perceived risk for spills. Information from this report is presented in the following section.

Following the October 1997 meeting, the APD&T was tasked to develop a agreement for response planning levels in each of the priority regions. Given the existing level of spill response preparedness and available contracted capabilities, the Work Group recognized the following status:

	REGION	STATUS
1	Southeast Alaska	meets requirements
2	Prince William Sound	meets requirements
3	Cook Inlet	augment existing capability
4	Kodiak Island	augment existing capability
5	Aleutian	augment existing capability
6	Bristol Bay	develop new capabilities
7	Western Alaska	develop new capabilities
8	Northwest Arctic	develop new capabilities
9	North Slope	develop new capabilities

The APD&T draft report entitled "Industry Spill Preparedness Proposal for Alaska" provided a focus for discussion of spill response planning and response strategies at a March 23-24, 1998 Workshop in Anchorage. The proposal was reviewed, discussed, and modified by the Work Group leading to this Agreement for Final Compliance.

3. REGIONAL RISK CHARACTERIZATION

The report "Barge Transport of Non-Persistent Oil in Alaska" (TEAMS and APD&T, 1997) was a key input to the Joint Industry/Agency RPS Work Group for recognizing 1997 response capabilities and requirements in context of the APD&T operations throughout Alaska. The study reviewed current practices and operations of the APD&T in context of the ADLittle report (1991) that was used as a basis for the approved OPA 90 Alternative Compliance criteria applied by the USCG. The most significant differences between the TEAMS/APD&T study and the ADLittle report are: (1) the former study addresses only barge operations whereas the latter included both tank vessels and barges, (2) the former study pertains only to non-persistent oil whereas the latter report dealt with all non-crude oil (i.e., diesel through residual and bunkers), and (3) the statistics for the former report are from only four barge operators.

Results for the TEAMS/APD&T study are presented in Figures 1 through 3 and in Tables 1 and 2. Data representative of the Industry Group's operations during the 1996-1997 year are used here to contrast and compare with applicable information from the ADLittle (1991) report. The definitions and assumptions used in the report must be considered for proper context of the results summarized here.

3.1 OIL VOLUMES AND TRANSFERS

The volumes of oil transferred and the total number of transfers are summarized by region in Table 1. This study and the ADLittle report show that Cook Inlet handles the greatest volume of fuel followed by the Aleutians, Southeast Alaska, and Prince William Sound. Over 75% of the volume of fuel transferred in Alaska is transferred in these four regions (Fig. 2a). The volume transferred to Kodiak is slightly less than Southeast Alaska. Bristol Bay and Western Alaska combined receive as much fuel as Kodiak. Only very small volumes of fuel are transferred to NW Alaska or to the North Slope.

The number of transfers do not necessarily follow the total oil volumes (Table 1 and Fig. 2b). A few large barges may make limited deliveries to key locations for large transferred volumes but few total transfers. Such is the case with Prince William Sound and Cook Inlet. Many small transfers to the seasonal fishing fleets in Bristol Bay, however, account for a large number of transfers (nearly 30% of the total) but only a limited volume. The ADLittle report does not address the number of transfers.

The number of transits for each region is consistent with trends in volumes transferred; however, Kodiak could be considered as having numerous transits due to the routing from Cook Inlet to the Aleutians or other destinations in western Alaska. Vessel routes that are clearly the most heavily used are between Cook Inlet and the Aleutians, Cook Inlet and Prince William Sound, and in Southeast Alaska (see map). Major secondary routes are from Dutch Harbor to Bristol Bay and to the Northwest Arctic, between Prince William Sound and Southeast Alaska, and within Southeast

Alaska. This routing and the relative density of barge traffic is comparable to the findings noted in the ADLittle report with the exception of the significant volume of bunker noted in the 1991 report that was transported from Cook Inlet to the Far East through the Kodiak Island and Aleutian regions. APD&T only transport non-persistent petroleum products.

3.2 *PHYSICAL AND ENVIRONMENTAL CONSIDERATIONS*

Physical considerations in fuel transport operations include weather, currents, wave conditions, navigational hazards, and ice. These factors may contribute to a discharge or threat of discharge. For the TEAMS/APD&T study, the key operational consideration addressed is related to ice. Routes into and north of Bristol Bay are seasonal, based on ice conditions. Ice also is a factor in operations within Cook Inlet. Ice information is presented in the accompanying map (Figure 1) and in Table 1 as months of operation. For the sake of consistency, the months of operations are stated as the months in which ice cover for a planning region is <50%. This generalization does not apply from year to year nor within a given planning region; however, it serves to illustrate the very limited and seasonal nature of operations in Western Alaska, Northwest Alaska, and the North Slope.

Environmental factors are paramount in spill prevention and contingency planning. Although vast areas of Alaska are considered sensitive, Federal and State agencies have attempted to identify those areas of greatest consideration for planning purposes. As noted in the ADLittle report, shoreline areas are the focus of environmental considerations given that the greatest impacts from a spill are in this setting. A total of 68 MESAs have been identified throughout Alaska (Figure 1). The Industry Group, in turn, has identified those MESAs that are within 5 nautical miles (nm) of normal operations and which may be threatened by a discharge from a barge (Table 1). Of the 68 MESAs in Alaska, 55 are located within this distance. Cook Inlet has the highest number of MESAs within the 5nm criteria, followed by the Aleutians, Bristol Bay, and North Slope.

3.3 *SPILL HISTORY*

The TEAMS/APD&T study reviewed all non-persistent oil spills that originated from barges, as noted in the ADLittle report, and from the Industry Group barge operations as identified in each company's vessel response (contingency) plan. The ADLittle data from 1978 through 1989 shows a total of 15 spills in Alaska, all of which exceeded 1000 gallons. Since 1989, five spills have occurred from APD&T barges of which three were more than 1000 gallons. These five discharges happened within different regions. Most of the non-persistent oil spills from barges have occurred in Southeast Alaska although the largest volume of fuel lost was in the Aleutian Region (Fig. 3). Groundings account for most of the incidents.

3.4 *SPILL RESPONSE EQUIPMENT*

The APD&T members have greatly increased their available response resources since 1990. The most notable aspects of this capability are the formation and concentration of resources, expertise, and planning placed in two classified OSROs and registered PRACs: Chadux and SEAPRO. Chadux provides spill response services throughout Alaska based on a central cache of air freight-ready resources in Anchorage and additional depots in Prince William Sound, Cook Inlet, Kodiak, and the Aleutians.

SEAPRO provides coverage in Southeast Alaska on the basis of nine zones throughout that region. The SEAPRO capability also may be augmented by the Chadux fly away equipment from Anchorage.

Equipment depots are identified on the accompanying map (Fig. 1). Depot symbols (circles) are scaled (diameter) to the total length of boom available at each depot. Each circle also shows the relative contribution of member-owned resources and OSRO/PRAC resources to the total available at each depot in 1997. Figure 4 illustrates the differences between response capabilities noted in the ADLittle (reported for APD&T member facilities) relative to those now available. Equipment listed for member companies in the ADLittle report totaled 11,000 feet of boom and 16 skimmers. Those numbers contrast significantly from the member-owned equipment now located at facilities throughout Alaska. Presently this equipment level, exclusive of the on-board equipment, is 54,000 feet of boom and 50 skimmers for an effective daily recovery rate (EDRC) of nearly 26,000 bbls/day. In addition, the APD&T has contracted equipment in Alaska that provides another 60,000 feet of boom, 34 more skimmers, an EDRC of 49,000 bbl/day, storage bladders, hundreds of trained spill response workers, dedicated response vessels and identified sources for vessels of opportunity, wildlife response facilities and resources, and developed a comprehensive response operations and logistics plan.

3.5 RISK CHARACTERIZATION

The Joint Industry/Agency Work Group prepared a relative ranking of regional risk or exposure to an oil spill utilizing the criteria presented in the TEAMS/APD&T report and summarized in Table 1. The relative risk characterization should not be considered a formal risk analysis. The characterization is simply intended to provide a focus for response planning priorities and overall planning considerations. The relative risk characterized for each region was derived from using a sum of weighted factors as follows:

Factor	Weight
number of transfers	1
number of transits	2
operating period	1
number of MESAs	1.5

The relative spill exposure for each region was used to focus the effort and, to some extent, the level of response planning required for those regions that were not in full compliance with Federal planning standards. The Industry/Agency Partnering Agreement proceeded, at this point, from Part 1- Regional Risk Characterization to Part 2- Regional Response Strategies. The outcome of the negotiation during Part 2 has led to this Industry Agreement, as presented in the following.

Table 1. Summary of APD&T operational characterization for Alaska planning regions.

Region	Gallons Transferred				Transfers					Transits**	Months of Operation	# MESAs (5nm)	Terminals (ADEC)	Regional Risk
	<50M	50-100M	100-200M	>200M	<50	50-199	200-499	500-1000	>1000					
SE			■					■		35	12	6	15	44.5
PWS			■			■				30	12	2	8	33.1
Cook Inlet				■			■			70	12	10	16	61
Kodiak		■				■				65	12	5	3	45.1
Aleutians			■					■		40	12	8	13	48.9
Bristol Bay		■							■	45	7	7	5	44.1
Western	■						■			25	4.5	6	2	28.4
NW Arctic	■						■			20	3	4	8	22.8
North Slope	■				■					5	1	7	8	17.2

**Transit data is best estimate from voyage data, subject to verification.

Notes:

Number of MESAs in each region is compiled from those identified as being within 5 nm of normal vessel routes.

Months of Operation is estimated as the number of months that ice in region is <50% as reported in AK Marine Ice Atlas (AEIOC/UA, 1983)

Number of Transits is poorly constrained from available information and is subject to verification.

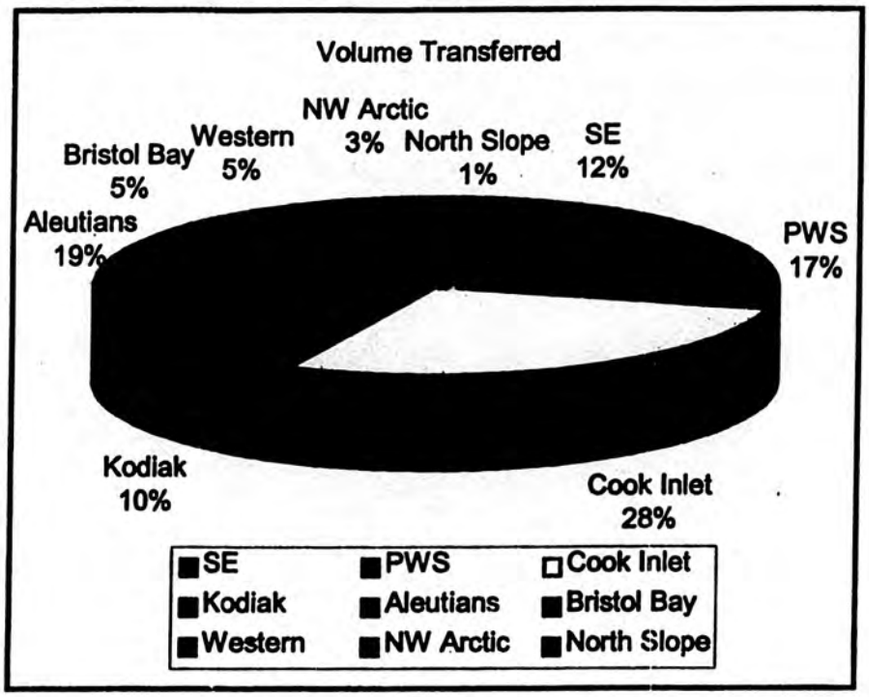
See text for Risk Characterization estimates

M=million

Figure 1. Map of Alaska, Planning Regions, and Characterization of APD&T Operations and Risks.

Insert color map

Figure 2. Characterization of fuel volumes and transfers for APD&T operations (CMS, DW, KMS, PM). (a) top graph represents the percentage of fuel volume transferred in Alaska by region. (b) bottom graph represents the percentage of the transfers in Alaska by region.



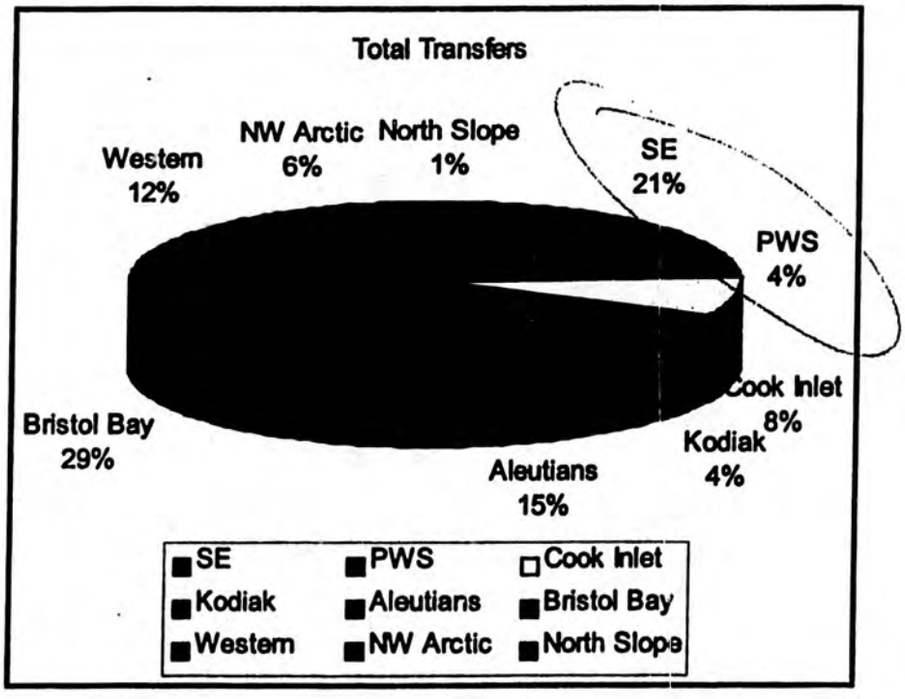
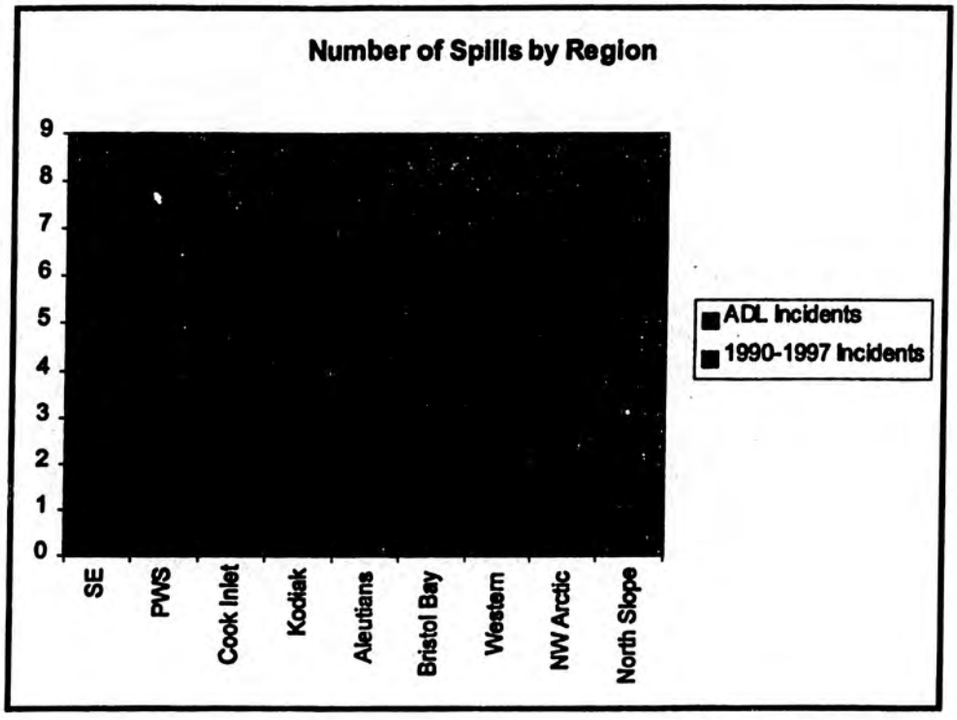


Figure 3. Comparison of significant spill incidents between the ADLittle Report (1991) and the 1990-1997 record for the APD&T Members.



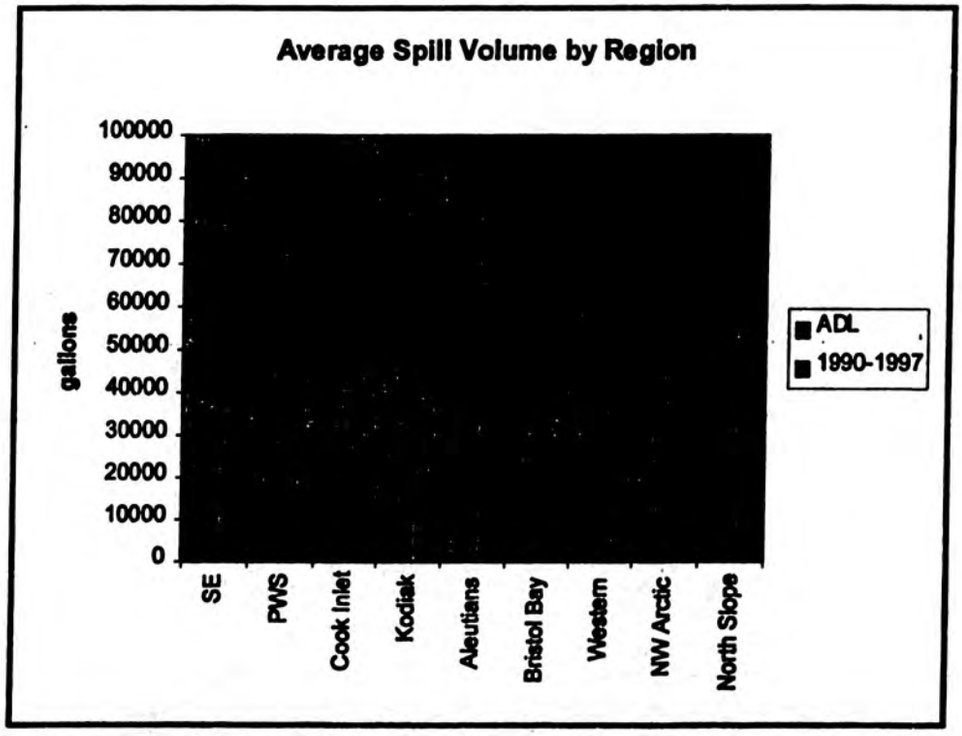
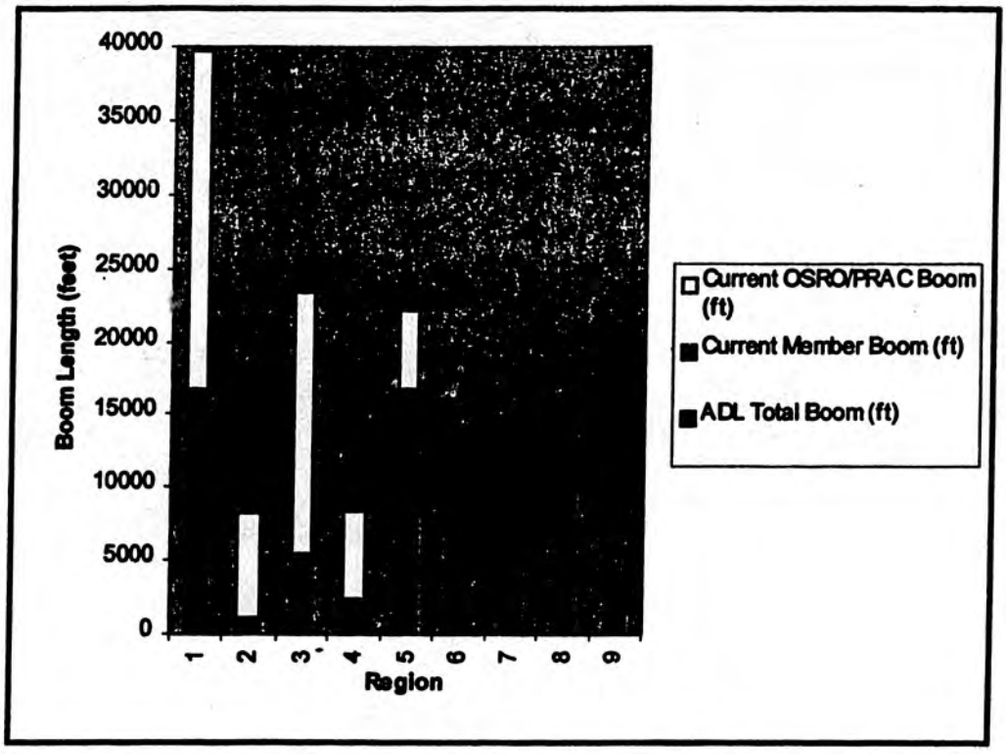
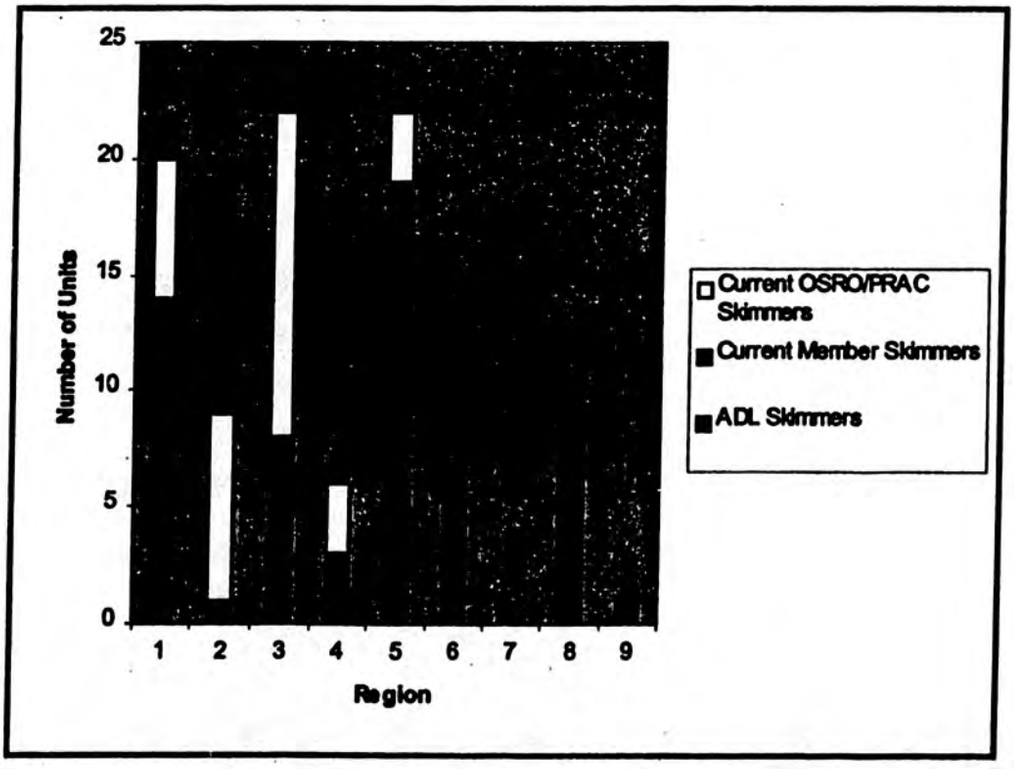


Figure 4. Comparison of the APD&T Members' spill response resources pre- and post 1991.





4. AGREEMENT DEFINITIONS AND ASSUMPTIONS

4.1 DEFINITIONS

Beach cleanup kit- Kit of beach cleaning tools as detailed in Attachment 2.

Cargo Capacity- Volume of cargo that immerses the barge to its authorized load draft.

Harbor boom- Generally implies boom with ≤20 inches in overall height. In some cases, river boom may be accounted within this category.

Infrastructure Development Program- Joint effort between APD&T members, Chadux, State and local officials to develop local infrastructure to support air delivery scenarios. This program would establish the framework for logistical hubs.

Level 1- The planned spill response capability that resides in-region and is capable of being on-scene within 24 hours of activation or as soon as possible thereafter given incident-specific conditions, provided it is safe to do so.

Level 2- The planned spill response capability that resides in or outside of a region and is capable of being delivered to a logistical hub within 24 hours of activation.

Level 3- The planned spill response capability that resides in or outside of a region and is capable of being delivered to a logistical hub within 72 hours of activation.

Lightering system- A complete package of fendering equipment, transfer hoses and connection equipment, portable high capacity pumps, trained personnel, and ancillary equipment that will enable lightering or transferring half of the barge's cargo capacity within twenty four (24) hours of continuous operation [Note: this is in *excess* of the requirements stipulated in 33 CFR §155.1050(l)].

Logistical hub- A strategic location for logistical coordination and staging of spill response equipment within a region. Hubs are located based on available infrastructure, high vessel traffic, location to MESAs, and capability to support air delivery of equipment or cascading of out-of-region resources. One hub is identified for each region in this agreement.

Region- Planning regions as defined in 18 AAC 75.495, Regional Master Discharge Prevention and Contingency Plan Boundaries.

Staging Area- Sites ancillary to logistical hubs that are used to position equipment and resources near actual deployment locations.

Sorbent sweep- A continuous sorbent material that is attached to a rope or line and deployable on the water surface.

Support vessel- Any vessel, which has been identified as being potentially available, capable of providing a work platform for personnel and equipment, generally implied as being ≥ 32 feet in overall length.

Trained responders- Personnel with a minimum of 24-hour Level HAZWOPER and spill response training.

Wildlife kit- Wildlife hazing kit as detailed in Attachment 2.

Work boat- Any vessel that provides a safe means to deploy and maneuver equipment on water. Generally implied as being <24 feet in overall length.

4.2 AGREEMENT ASSUMPTIONS

Assumptions made in this Agreement are:

1. This Agreement is intended to be a point for negotiation between the APD&T Member companies, the USCG, and ADEC.
2. Agreed upon strategies and planning levels will constitute compliance with current Federal and State laws and planning requirements.
3. Planning strategies are based in inland/nearshore environments. Because of the type of product and the environment in which these vessels operate, no significant ocean-capable resources or open water skimming capability are required for the APD&T members' plans.
4. Actions required to meet the accepted Agreement will be phased from the date of acceptance.
5. Air mobilization is planned only for locations in which sufficient logistical support is capable of handling a significant influx of response personnel (>50 people).
6. Out-of-Region or out-of-State equipment is capable of being air transported into Alaska and can be considered to supplement Level 2 capability and meet or supplement Level 3 capability.
7. Response priorities for use of spill response resources, other than on-board equipment, are in order of priority:
    i. protection of sensitive environments,
    ii. wildlife response
    iii. shoreline cleanup, and
    iv. recovery of spilled oil.

5. PREVENTION MEASURES

The APD&T members propose to continue in adherence with the prevention measures adopted as part of the OPA 90 Alternative Compliance. These measures are:

- Use of twin screw tugs to tow member barges
- Emergency tow lines on all barges
- Retrieval hooks on all coastwise tugs and training for lost barge recovery
- Stricter tow wire maintenance and replacement standards

As part of this agreement, the APD&T members will be certified in the American Waterways Operators Responsible Carrier Program, ISO 9002, or an equivalent program audited by a third party within two (2) years of the execution date of this agreement. These programs establish operational, personnel, management, and technological standards adopted by vessel operators to prevent accidental discharges.

6. RESPONSE STRATEGY

The response strategy proposed by the APD&T will build upon the existing, immediately available onboard response capability of each barge and upon the contracted resources. The agreement strategy will concentrate spill response resources in equipment depots located at logistical hubs in each region of the Western Alaska COTP. These logistical hubs will be supported by the significant caches of equipment and manpower available from a centralized in-State location and from out-of-State. An essential element in this strategy is the ability to mobilize quickly to staging areas throughout Alaska. Numerous staging areas capable of receiving air cargo aircraft have already been identified as part of the MESA planning process. The following provides details of the planning levels and logistical infrastructure development considerations for each region and the State of Alaska.

6.1 RESPONSE LEVELS

6.1.1 On Board Resources

Each APD&T member company barge in Alaska carries containment and protection boom, a skimmer, separate pumps for lightering and skimming operations, sorbents, and a skiff (Attachment 3). These resources provide for a first strike response and exceed the USCG planning standards for an average most-probable discharge (AMPD) and, to the maximum extent practicable, the Maximum Most Probable Discharge (MMPD) [33 CFR §155]. Per terms of the OPA 90 Alternative Compliance, the MMPD and first strike capability comprises the following:

- transfer hoses and portable pumps sufficient to off-load the largest cargo tank in 24 hours of continuous operation,
- boom in a quantity equal to approximately three times the vessel length (compared to twice the vessel length as specified for the AMPD in 33 CFR §155),
- oil recovery devices with an effective daily recovery capacity (EDRC) equal to 50% of the MMPD (the lesser of 1250 barrels per day or 5% of the cargo capacity), and
- available on board capacity for temporary storage.

6.1.2 Level 1- In Region Resources (24 Hours)

In region resources will be available either through Chadux, owned by the APD&T member, or secured through other contractual arrangements. This in-region equipment will be located at a region's logistical hub, regardless of ownership, mobilized as soon as possible after called upon, and will supplement the on-board equipment to assist with a first strike capability.

6.1.3 Level 2- Cascaded Resources (24 Hours)

Level 2 resources will be the equipment and personnel planned for delivery to a spill response logistical hub within 24 hours of activation. These resources may be cascaded in from Anchorage or other locations in Alaska. As with Level 1 resources, Level 2 resources will be available either through Chadux, owned by the APD&T member, or secured through contractual arrangement.

6.1.4 Level 3- Cascaded Response (72 hours)

Level 3 resources will be the equipment and personnel planned for delivery to a spill response logistical hub within 72 hours of activation and deployed as soon as possible. These resources may be cascaded in from Anchorage, other locations in Alaska, or from outside of Alaska. As with Level 1 and 2 resources, Level 3 resources will be available either through Chadux, owned by the APD&T member, or secured through contractual arrangement.

6.2 *REGIONAL PLANNING STANDARDS*

The proposed response strategy will be implemented through development of three key aspects for spill preparedness: in-region and cascadable resources to meet regional planning standards, the Infrastructure Development Program, and training and exercise programs to utilize, test, and refine the capabilities of these response strategies. Sections 6.2.1 through 6.2.8 present the response planning levels agreed upon in principle with the USCG and ADEC through the Work Group.

As part of this agreement, each APD&T member company will ensure that the resources listed in Sections 6.2.1 through 6.2.8 will be available through contract or other approved means for the member's oil operations in that region.

6.2.1 Cook Inlet

Region 3	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	5,000	-	5,000
Support vessel(s) ≥ 24ft	2	-	2
Workboats = 14ft-18ft	2	3	5
Trained responders	8	12	20
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
Hazing kit	1	-	1
Lightering system		1	1
Hub Location:	Kenai		

Level 3- An additional 5,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

6.2.2 Kodiak

Region 4	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	6,000	-	6,000
Support vessel(s) ≥ 24ft	2	-	2
Workboats = 14ft-18ft	2	3	5
Trained responders	8	12	20
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
Hazing kit	1	-	1
Lightering system		1	1
Hub Location:	Kodiak		

Level 3- An additional 4,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

6.2.3 Aleutians

Region 5	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	5,500	-	5,500
Support vessel(s) ≥ 24ft	2	-	2
Workboats = 14ft-18ft	2	3	5
Trained responders	8	12	20
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
Hazing kit	1	-	1
Lightering system		1	1
Hub Location:	Dutch Harbor		

Level 3- An additional 4,500 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.