

**Recommendations to
Alaska's Best Available Technology
Requirements for Prince William Sound
Crude Oil Tankers and Valdez Marine Terminal
Oil Spill Prevention and Response**

Recommendations:

Based on Prince William Sound Regional Citizens' Advisory Council (PWSRCAC's) review of Alaska's Best Available Technology (BAT) history and requirements, PWSRCAC offers the following recommendations for improving BAT requirements in Alaska in general, and specifically for Prince William Sound (PWS) Tankers and the Valdez Marine Terminal. These recommendations are made in conjunction with the white paper entitled *Alaska's Best Available Technology (BAT) Requirements for Prince William Sound Crude Oil Tankers and Valdez Marine Terminal Oil Spill Prevention and Response* dated August 21, 2014 which can be accessed at: <http://bit.ly/1vdj5zx>.

- (1) 8-Step BAT Review for all RPS Equipment.** All significant oil spill response equipment, including but not limited to skimmers, boom, response vessels required to meet the Response Planning Standard (RPS) owned by the C-Plan holder (or its Oil Spill Response Organization (OSRO)) should undergo an 8-step BAT review as part of the initial C-Plan application process and further reviews should be conducted at least once every five (5) years thereafter upon renewal. C-Plan applicants should be required to demonstrate that each individual piece of RPS equipment meets BAT and effectively contributes to meeting BAT for the response system as a whole.
- (2) RPS BAT Equipment Verification as Part of C-Plan Application.** C-Plan applicants should be required to verify, as part of each five-year C-Plan application or renewal, that all oil spill response equipment used to meet the RPS has been inspected and tested at least once during the planning cycle and is suitable continued service during the remaining C-Plan approval period. All equipment used to meet the RPS should be cleaned, repaired, and replaced, if necessary, on a schedule approved by ADEC as part of the plan approval. Within a specified time frame following inspection and testing, a C-Plan holder should be required to notify ADEC in writing that the routine maintenance and inspection was completed on RPS equipment according to the schedule. Any oil spill response equipment required to meet the RPS should be required to meet the BAT standard in effect when the C-Plan was approved, and during the entire C-Plan approval period.
- (3) RPS Equipment Age Consideration.** If any spill response equipment is over 20 years old, it should undergo additional scrutiny. This equipment should be inspected and *tested* by the planholder. ADEC should verify the equipment is still suitable for continued service. In no case should oil spill response equipment over 20 years of age be used to meet the RPS, unless the equipment has been inspected and tested and ADEC has verified that the equipment is suitable for continued service in a BAT compliant system, and there is no other commercially available equipment that would significantly improve BAT.
- (4) RPS Equipment Post-Spill.** Within a specified timeframe following completion of an oil spill response, a C-Plan holder should be required to thoroughly inspect and test each piece of RPS equipment to determine if it requires cleaning, repair, replacement or upgrade to ensure that RPS equipment contained in the approved C-Plan is suitable for continued service during the remainder of the C-plan approval period. The C-plan holder should be required to notify ADEC of this inspection and testing process, and ADEC should have the opportunity to participate. Within a specified time following this inspection and testing process, the C-Plan holder should be required to notify ADEC in

writing that the RPS equipment has been cleaned, repaired, replaced, and/or upgraded and the systems used to meet the RPS meet BAT.

If the equipment cannot be inspected within the specified time frame, the C-Plan holder should be required to contract other resources to meet the RPS until the equipment can be inspected. This will incentivize the C-Plan holder to complete the verification process on time.

- (5) Oil Spill Prevention During Conditions Exceeding RMROL.** Retract the 2004 ADEC regulation revisions to 18 AAC 75.445(f) and 18 AAC 75.445(h) that allow the use of non-mechanical response tools when environmental conditions preclude the use of mechanical response. Return the regulatory language to its original form, which required prevention measures to be instituted when the best available mechanical response technology cannot effectively operate. Temporary oil spill prevention measures acceptable to ADEC could include:
- reduced closure limits for vessel traffic;
 - increased vessel traffic limits through ice laden waters and higher navigational risk routes;
 - increased vessel speed restrictions;
 - increased over flights for vessel routing;
 - limits on vessel size, hull type, and propulsion system type in higher risk areas;
 - number and type of tug escorts;
 - daylight only transits;
 - additional watch standing measures;
 - temporary limitations on maximum storage tank volumes;
 - temporary limitations on pipeline throughput; and
 - other operational restrictions determined to be appropriate by ADEC.
- (6) Reallocation of BAT Response Equipment to Protected Bays During Periods Where RMROL is Exceeded in Unprotected Open Water** C-Plan applications should include a plan to reallocate BAT Response Equipment to recover oil and deploy sensitive area protection in protected bays when weather conditions exceed Realistic Maximum Response Operating Limits (RMROL) in unprotected open water areas. This way, available response equipment is used to optimize recovery and protection strategies in areas that do not exceed RMROL conditions, rather than being placed on stand-by awaiting improved open-water weather conditions.