

Briefing for PWSRCAC Board of Directors – September 2019

INFORMATION ITEM

Sponsor: Linda Swiss
Project number and name or topic: 651 Valdez Marine Terminal
Contingency Plan Review

1. **Description of agenda item:** This informational item is intended to brief the Board on the status of the renewal of Alyeska’s Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan (VMT C-Plan). The VMT C-Plan was approved on November 21, 2014 for a period of five years, and is set to expire in November 2019.

The renewal of the VMT C-Plan began in November 2018. PWSRCAC submitted comments and suggested Requests for Additional Information (RFAI) during the public review in January 2019. Subsequently over the past several months, the Alaska Department of Environmental Conservation (ADEC) issued two rounds of RFAs in March and June 2019. PWSRCAC reviewed Alyeska’s responses to the two rounds of RFAs, and submitted final comments on July 29, 2019.

The majority of PWSRCAC’s suggested RFAs issued in January 2019 remain outstanding. Some of the highlights of PWSRCAC’s final comments include:

- **Solomon Gulch Hatchery and Valdez Duck Flats Sensitive Area Protection Mobilization Decision Matrix (Matrix):** As PWSRCAC is currently involved in an administrative appeal on the 1997 Matrix vs. the 2017 Matrix, the Council objects to the inclusion of the 2017 Matrix in the VMT C-Plan. Former ADEC Commissioner Larry Hartig ordered the 1997 Matrix remain in effect until resolution of the administrative appeal, and the Council supports the correct version be included in the current plan, as well as in the renewal.
- **Secondary Containment:** PWSRCAC reiterates concerns on the integrity of the secondary containment liner in the East Tank Farm (ETF). Alyeska’s responses to ADEC’s RFAs includes examples of liner damage in the ETF, further supporting PWSRCAC’s concerns.
- **Response Training:** In 2004, ADEC issued an out of compliance notification to Alyeska regarding response training. In response to this notification, Alyeska improved the information contained in its response training program. Response training information is found in a separate document that is incorporated by reference. As this information is not contained in the C-Plan, Alyeska can amend its response training without regulatory approval.
- **Prevention Training:** The C-Plan lacks details to verify compliance with state regulations.
- **Scenario 4:** Changes to Scenario 4 have been the subject of the administrative appeal. These changes are pending the outcome of that process.
- **Scenario 5:** Scenario 5 is the State’s Response Planning Standard (RPS) oil spill scenario that establishes the personnel and equipment resources at the

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terminal. In this plan, Scenario 5 involves a spill of the largest tank at the terminal where 6.5 million gallons reaches the Port of Valdez. PWSRCAC remains concerned that the plan does not include sufficient trained and qualified personnel for the RPS spill. The Council is requesting information on the number of personnel with the proper training for this worst case spill.

- **Tugs:** Alyeska has proposed deleting docking tug information.

2. **Why is this item important to PWSRCAC:** The VMT C-Plan approval process includes important actions which could potentially impact every member organization. The VMT C-Plan establishes state and federal oil spill prevention and response requirements that Alyeska is required to comply with to prevent a spill from occurring, and would be obligated to do should an oil spill occur. This plan is renewed every five years. Reviewing contingency plans is a major task for PWSRCAC as outlined in both the PWSRCAC/Alyeska contract and OPA 90.

3. **Previous actions taken by the Board on this item:** None.

4. **Committee Recommendation:** The OSPR Committee has been briefed on the status of the VMT C-Plan renewal.

5. **Relationship to LRP and Budget:** This project is in the approved FY2020 budget and annual work plan.

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FY-2020 Budget

Original	\$88,750.00
Modifications	
Revised Budget	<u>\$88,750.00</u>

Actual and Commitments

Actual Year-to-Date	\$10,998.98
Commitments (Professional Services)	<u>\$46,108.75</u>
Actual + Commitments	<u>\$57,107.73</u>

Amount Remaining	<u>\$31,642.27</u>
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6. **Action Requested of the Board of Directors:** No action; information item only.

7. **Attachments:** None.