

Volume 1 Number 1

Spring 1991

# Council celebrates first birthday

## Members gather in Valdez at first annual meeting

The Regional Citizens' Advisory Council held its annual meeting in Valdez March 20-23. It has been a year full of challenges and accomplishments. RCAC incorporated December 29, 1989, signed its contract with Alyeska February 9, 1990, established a council and committees, completed projects and work products, set up an office, and hired staff.

The annual meeting agenda was full. New members were elected, committees reported, and policy decisions were made; but most importantly, residents of Prince William Sound and the Gulf of Alaska had an opportunity to meet with members and staff to ask questions and discuss their concerns. We want to hear from you, so if you couldn't be there, please write, call, or fax us.

### RCAC members

Alaska Chamber of Commerce, Stan Stephens  
Chugach Alaska Corporation, Keith Gordaoff  
City of Cordova, Scott Sterling  
City of Homer, Tony Joslyn  
City of Kodiak, Leslie Smith  
City of Seldovia, Tim Robertson  
City of Seward, Chris Gates  
City of Valdez, Bill Walker and Jason Wells  
City of Whittier, Lynda Hyce  
Cordova District Fishermen United, Marilyn Leland  
Kenai Peninsula Borough, Frank Mullen  
Kodiak Island Borough, Wayne Coleman  
Kodiak Village Mayors Association, Ray Jones  
National Wildlife Federation, Ann Rothe  
Prince William Sound Aquaculture Corporation, John McMullen

## What is the Regional Citizens' Advisory Council?

The Regional Citizens' Advisory Council (RCAC) was established in response to the Exxon Valdez oil spill to be a regional citizens' advisory and oversight organization. Alyeska Pipeline Service Company, the operator of the Trans Alaska Pipeline Terminal at Valdez, worked cooperatively with the citizens affected by the spill to form RCAC. Members include representatives of communities throughout the region as well as native villages and corporations, the commercial fishing industry, conservation organizations, the state chamber of commerce, and regional fishery associations.

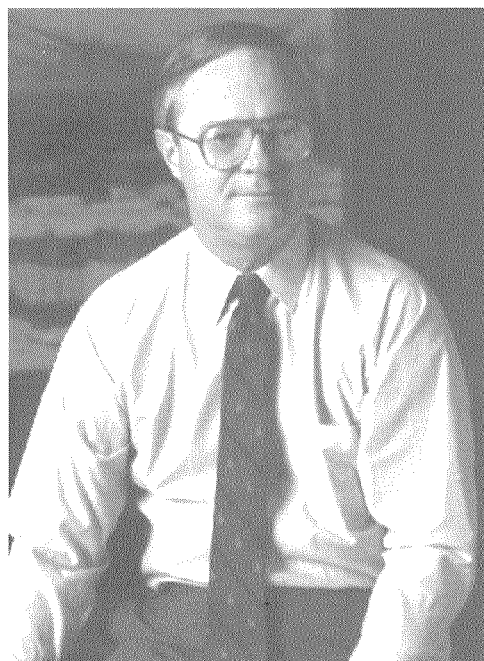
A major lesson learned from the Exxon Valdez spill is that oil transportation is a risky business, and the people who bear the burden of that risk must be involved at all levels of decision making. No substitute exists for local knowledge, experience, and commitment. Too often we have been adversaries working against one another rather than citizens cooperatively seeking progress and improvements. RCAC involves local citizens in spill prevention and fosters a long-term partnership between government, industry, and communities in the region.

After the spill the state required Alyeska to submit an aggressive new prevention and response (contingency) plan. The Alaska Oil Spill Commission had strongly recommended

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REGIONAL  
CITIZENS'  
ADVISORY  
COUNCIL

# I n t e r V i e w



Jim Hermiller, president and CEO,  
Alyeska Pipeline Service Co.

*Jim Hermiller came to Alaska in May 1989 from Cleveland-based BP Oil, a subsidiary of BP America Inc., as executive vice president and CEO. He was named president of Alyeska in October 1989.*

*What were the biggest challenges when you joined Alyeska?*  
I think there were three things that were difficulties at Alyeska. Rethinking contingency planning following the Exxon Valdez oil spill, that was a big issue, the corrosion along the pipeline, and the company's organization.

*You were an early supporter of RCAC.*  
Before the legislation [Oil Pollution Act of 1990], citizen involvement already was written in to the Alyeska plan. At that time we had a vision of this. We thought they would help to facilitate the contingency plan, review it, and then be on board to see how the plan was carried out. At that time it was called the Alyeska Citizens' Advisory Council. The legislation resulted in an expanded charter for the organization.

*RCAC has provided written comments on both the state and Alyeska's contingency plans. Has that proved helpful to Alyeska?*

RCAC's comments were particularly well focused, well defined. They were the best we received. We'll always have differences determining what's necessary. This will go on.

*What do you see as the main function of a group like RCAC?*  
It's an advisory group, and that's different than oversight. An advisory group doesn't take responsibility for actions that might occur. The character of RCAC changes with the membership; what each member entity's mission is, what its charter is.

There is a contract, yes, but it's a contract of trust. We want to trust RCAC to do what is best, objectively best. They have to weed out subjective agendas. Alyeska has to supply information and make good decisions based on the input supplied to us in return.

*Do you see RCAC providing a model for advisory groups to industry?*  
Clearly, what we have here is a major departure from what's been done elsewhere, at least for our kind of development. I'm sure others are watching us to see how things work out. I imagine they are interested in the structure.

*What has changed for Alyeska since the spill?*  
Well, we have a citizens' advisory group, for one thing, and more regulations. It's difficult to do anything without being second-guessed.

*Let's assume Day 1 Spill 2, how would things be different?*  
A lot of people ask that. It's hard to look back and judge in today's light. We have escort vessels. Not instant response, but we have rapid response. Another Exxon Valdez, and all bets are off. We go under a planning standard of 250,000 barrels in seventy-two hours, but in reality we know with another spill that size and all the variables—weather, season, position of the ship—there can never be guarantees.

People are going to be right there, almost immediately. We're spending \$50 million each year on this. The point to make clear is that the most likely spill had been thought to be 1,700 barrels, and that was very clear in the plan that was in place.

*What message would you leave our constituents with?*  
That this is a two-way street. We need to be effective in educating each other, understanding each other's viewpoint. No surprises. The relationship is young, and these changes occur incrementally. We just need to keep going.

*“We want to trust RCAC to do what is best, objectively best.”*

# E L D E R S P E A K

## CITIZEN OVERSIGHT

by Walt Parker

*Walter B. Parker chaired the Alaska Oil Tanker Standards Task Force (1975-77) was co-chair of the Joint Federal-State Land Use Planning Commission for Alaska (1976-79), commissioner of the state highway department, and chaired the Alaska Oil Spill Commission in 1989-90.*

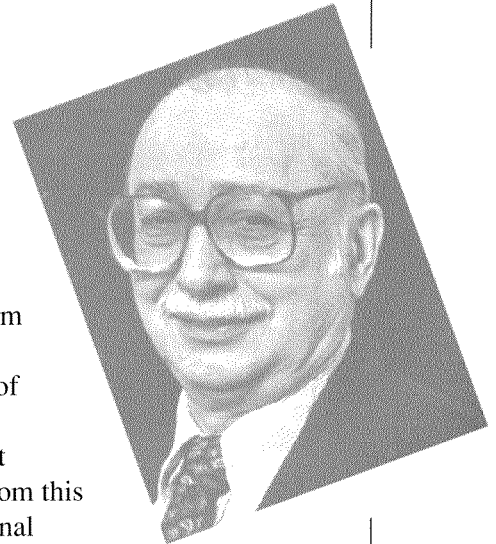
The Alaska Oil Spill Commission decided early in its deliberations to concentrate on prevention of future spills. It did not overlook its legislative mandate to recommend better response to future spills; but it was obvious in the wake of the wreck of the Exxon Valdez that prevention measures were the most cost effective and best protected the environment. In the end the most difficult question was: How can we guarantee that these new systems

do not degrade and become largely inoperative as they did between 1979 and 1989?

The commission sought to insert some mechanism into the system that would have as its principal goal the safety of the marine transportation system, an institution that would not be led away from this goal by other organizational concerns.

Eventually, the commissioners decided that the missing ingredient was a group of concerned local residents who would be given a statutory mandate to provide citizen oversight of both

*See Parker, page 8*



## Cook Inlet RCAC takes shape

*Thanks council and staff for organizational assistance*

by Frank Mullen, acting CIRCAC executive director and RCAC council member

The Cook Inlet Regional Citizens' Advisory Council (CIRCAC), called for in the Oil Pollution Act of 1990, has been taking shape over the winter. Many of you who were involved in or observed the formation of the Prince William Sound RCAC will recall the sometimes arduous process of organization and will know that our council is attempting to implement many of the same concepts and policies that the Prince William Sound RCAC struggled with a year ago.

CIRCAC has spent most of its time to date working on articles of incorporation, bylaws, establishing committees, goals, objectives, and infrastructure and negotiating a contract with Cook Inlet Spill Prevention and Response, Inc. (CISPRI). This process remains unfinished as of this writing. Our bylaws are very close to final form and may be adopted by the council in March.

The council has spent most of its time so far establishing an identity for this group of thirteen citizens and building a working relationship with CISPRI, the oil industry's organization in the Cook Inlet area. CISPRI is a newly formed consortium of oil producers that has organized to meet the many new requirements for spill prevention and response.

CIRCAC intends to organize under Section O of the Oil Pollution Act of 1990 as a voluntary council. We have received interim funding from CISPRI and have been working hard for two months on a long-term funding agreement.

As CIRCAC has grown, we have looked to RCAC for guidelines and guidance. Sheila Gottehrer, executive director, and her staff have helped us answer many questions as we struggle to life. Many thanks from our council to yours for your assistance!

## OBSERVER

EDITOR-IN-CHIEF  
Sheila K. Gottehrer

EDITOR  
Judith Brogan

DESIGN & TYPOGRAPHY  
Illusions Too

PHOTOGRAPHER  
Hal Gage

PRODUCTION  
Van Cleve Printing

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# Contingency Plan Steering Committee opens channels of communication

The development of the Prince William Sound Tanker Spill Prevention and Response Plan turned out to be an enormous task for both Alyeska, which prepared the plan for the state, and the state, which had to review and approve it. Following months of stalemate about how to handle the plan, Alyeska proposed that all outstanding issues be placed on the table and that a group of affected and interested parties sit down together to work things out.

In June 1990 such a group assembled and agreed to work through the difficulties of formulating and improving contingency plans for Prince William Sound. The original members added the Alaska Department of Environmental Conservation (ADEC), the Coast Guard, and the Regional Citizens' Advisory Council (RCAC) to their "working group."

By late summer 1990 the Prince William Sound Tanker Association (owners/operators/charterers in the TAPS trade) joined the working group. Each member's contingency plans would include, by contract, the Prince William Sound Tanker Spill Prevention and Response Plan.

The working group has grown into the "Steering Committee" with six technical working groups. The group's purpose has not changed—namely, to work cooperatively and honestly with all interested and concerned parties to research, discuss, and resolve technical issues of the Prince William Sound contingency plans.

The conduct of the Steering Committee (and its technical working groups: prevention and navigation; initial response equipment; oily waste disposal; dispersants, burning and bioremediation; nearshore response and shoreline cleanup; plan coordination) is governed by a ten-point protocol. Their essence is to open communications among participants, provide technically supportable conclusions and recommendations, and no surprises. These protocols paved the way toward settling previously unresolved issues.

The foundations for a productive Steering Committee parallel those of the Regional Citizens' Advisory Council: To encourage a partnership in the definition, research, solution, and implementation of difficult and important projects required for effective contingency planning. After nine months and the investment of thousands of hours, progress has been made.

Sitting down together at the table has established a process that makes that result much more likely.

NOTE: You can expect to see the Steering Committee's final reports late in 1991.



*"The First Amendment made confidence in the common sense of our people and in the maturity of their judgment the great probate of our democracy."*

William O. Douglas

# RCAC-Alyeska contract defines good citizenship

Scott Sterling, RCAC council member, City of Cordova

The RCAC-Alyeska contract attracts wide attention because it creates an innovative relationship between community and industry. In effect for as long as oil flows through the Trans Alaska Pipeline System, the contract consists of more than legalities—it is a mutual commitment to good citizenship.

Under the contract Alyeska involves local citizens, through RCAC, in the process of forming oil spill contingency plans, monitoring of industry practices, and issuing advice on important issues. Of equal importance is Alyeska's promise to respect the absolute independence of RCAC while providing adequate funding for its work. Alyeska also must open its records, facilities, and personnel and respond promptly to RCAC's inquiries. Funding is guaranteed at \$2 million a year for the first three years of the contract.

RCAC is a nonprofit Alaska corporation operated by its sixteen members. Members comprise diverse interests—municipalities; the state chamber of commerce; and fishing, Native, and conservation groups with thousands of individual constituents throughout Prince William Sound and the Gulf of Alaska. Each member selects a representative to sit on the RCAC board of directors, called the council, which is responsible for the overall conduct of the organization.

RCAC's work is centered on broad-based committees with specific missions. Separate committees monitor oil spill prevention, response, and cleanup planning, Valdez terminal operations and environmental monitoring, Port Valdez operations and vessel traffic systems, and legislation. Another committee critically reviews scientific studies and research proposals. All committee members are unpaid volunteers. Keeping the organization moving is the job of a competitively selected executive director and staff.

The RCAC-Alyeska contract took effect in February 1990. Though some growing pains persist, since that time RCAC's committees have heavily influenced the Alyeska oil spill contingency plan, critically reviewed the TAPS trade tanker fleet and Coast Guard vessel tracking systems, commissioned scientific studies of pollution in Port Valdez, and testified at legislative oversight hearings on the TAPS trade. During the rest of 1991 the group will also focus on public education, long-term research projects, and improved oil spill drills and legislation.

RCAC's democratic structure emphasizes community concerns and citizen involvement. Gaining informed understanding of the complex legal, financial, and environmental issues confronting the TAPS trade is a daunting task. Making sound, objective judgments about those issues requires honest and occasionally spirited debate. We accept these facts. We also accept the fact that from time to time we will make mistakes. We are most mindful, however, of the fact that by honoring the RCAC-Alyeska contract, we honor the sobering lessons of the Exxon Valdez disaster and create a precedent for other good individual and corporate citizens to follow.

*“Gaining informed understanding of the complex legal, financial, and environmental issues confronting the TAPS trade is a daunting task. Making sound, objective judgments about those issues requires honest and occasionally spirited debate.”*



## Why a newsletter?

by Sheila Gottehrer, executive director

RCAC's objective in launching this newsletter matches that of our mission statement: To ensure the safe operation of the Trans Alaska Pipeline Terminal and the crude oil tankers served by the terminal so that environmental impacts associated with the terminal and tanker fleet are minimized. We want the Observer to inform, educate, and connect people both in and outside the region to sources of information. Our goal is to create a forum for pertinent information exchange and opinion on the issues.

We want to hear from you. This must be a two-way street to be most effective. We solicit

your feedback in the form of news items and letters to the editor. In other words we want this to be your newsletter. Let us know what you want and need in the way of information, and we'll try to supply it. We hope that our efforts will minimize ongoing pollution and prevent future catastrophic spills ... and if another spill occurs, response and cleanup equipment and procedures are the best they can be. Your help and support are valuable.

To these ends we dedicate all of our efforts, but especially through this newsletter, which we hope will be a conduit for information from and to our many constituencies. We must stay connected if we are to formulate informed opinions and improve our decision making on issues of importance to all of us who live in this region.

When you see the Observer in your pile of mail we want you to reach for it, knowing that what you will find inside is concise, well-written, objective, and factual—in short, that it's what you need.

## Port Operations and Vessel Traffic Systems (POVTS) Committee

Capt. Stan Stanley, staff

POVTS (acronym pronounced "povits") continues to evolve but concentrates on providing technical advice to the council and information to the public on all relevant port and tanker operations in Prince William Sound. Tankers are the committee's key concerns, including their construction, repair, and operation; however, port operations and the Vessel Traffic System present distinctly separate considerations as well, as do weather and pilotage factors.

Currently, we are in the information-gathering stage, but the committee intends to become more pro-active in the future. POVTS has been operating for six months and is working on other projects.

Committee members reviewed proposed changes in the Vessel Traffic System and asked the Coast Guard for more information regarding its decision to utilize a dependent surveillance system in Prince William Sound. Members reviewed vessel escort procedures and sent letters to shipping agencies and pilots

seeking their views on the desirability of a tug attached during a portion of tanker transit. Committee members observed the operation of tractor and conventional tugs in Puget Sound and will report their findings to the full council.

Early in 1991 the committee commissioned Jim Dickson, Safety Officer at the Sullom Voe Harbor Authority, Shetland Isles, to report on oil spill prevention actions as appropriate for Alaska and Prince William Sound. The second draft of his report is being circulated for public review until 22 April 1991. POVTS commented to the Pilots Board on the draft pilotage study issued by the Alaska Office of Management and Budget. Members reviewed the Coast Guard's proposed double-hull regulations and its report on TAPS tanker fleet structural integrity and submitted position papers to the council. The group also obtained a copy of a National Research Council report on the effects of reduced manning aboard vessels and began consideration of this issue.



## Scientific Advisory Committee (SAC)

*Thea Lefkovitz, staff*

Much of RCAC's annual budget of \$2 million plus funds research and provides for monitoring of Alyeska's operations. The Scientific Advisory Committee expects to dedicate much of its time to reviewing requests for proposals (RFPs) advanced by the other committees and the council. The committee has considered several draft RFPs, ranging from biological baseline monitoring to modeling socioeconomic impacts of oil spills to testing the capabilities of cleanup equipment. The council makes final decisions about all RFPs.

SAC is well prepared to handle the flood of proposals RCAC expects in response to a variety of RFPs. Its seven members cover disciplines ranging from chemical engineering, air-quality chemistry, meteorology, seabird biology, mathematics, limnology, oceanography, and fisheries. Committee members are well versed in project planning and management and have prepared and evaluated many proposals. Their background and expertise allow them to judge not only for scientific merit, but also for feasibility and applicability to Alaska environments.

In addition to its responsibilities to advise the council and the technical committees, SAC recommends research priorities. Toward that end, committee members will prepare a forecast of critical research issues pertaining to safe oil transport by TAPS for the coming decade. As long as oil flows through the pipeline and tankers ply the waters of Prince William Sound, rigorous and ambitious research will be essential to protection of the coastal environment and the people whose livelihoods depend on its resources.

## Oil Spill Prevention and Response (OSPR) Committee

*Joe Banta, staff*

OSPR (acronym pronounced "osprey") focuses on prevention, safety, citizen involvement, use of local knowledge and resources, and building an information base about TAPS trade issues related to the prevention of and response to crude oil spills in Prince William Sound.

Committee members prepared extensive comments on appendices of the Alyeska Contingency Plan (A. Scenarios; D. Training; and E. Community and Fishing Vessel Involvement). The council has requested written response from Alyeska. OSPR also reviewed the Alaska Department of Environmental Conservation's draft Prevention and Contingency Plan and retained two experts to comment as well. OSPR recently drafted a resolution to the council,

which it approved, concerning the 72-hour transition and nearshore response issues. Additionally, RCAC representatives to the Alyeska Contingency Plan Steering Committee and its working groups have adopted the OSPR position in their deliberations.

Members of the committee recently authorized a literature search for an RFP on "Safe Spill"—a nontoxic, biodegradable crude oil substitute. The committee is moving ahead with commissioning "white papers" for briefings in several key areas and has identified potential experts for papers on small-boat technology, risk assessment, and bioremediation. Other subjects of interest to the committee include dispersants, fire control in Port Valdez, beach cleanup techniques, and oily waste disposal.

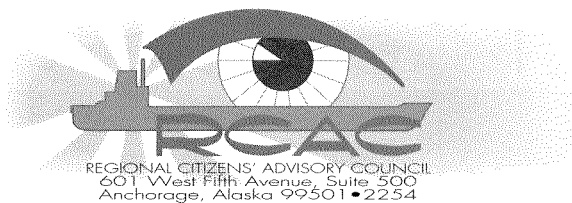
## Terminal Operations and Environmental Monitoring (TOEM) Committee

*Joe Bridgman, staff*

TOEM's (acronym pronounced "tow 'em") primary purpose is to identify pollution, to monitor environmental impacts of terminal and tanker operations in Prince William Sound, and to communicate committee findings to the public. TOEM has solicited a critical analysis of the design and modeling of Alyeska's air monitoring program in Valdez, which measures ambient levels of hydrocarbons and human exposure to them. The committee retains a consultant to inventory actual and potential sources of environmental pollution stemming from terminal and tanker operations and to install relevant data into a computerized matrix for easy access.

With the help of the Scientific Advisory Committee, TOEM will draft a request for proposals for a report on the likely fate and effects of hydrocarbons emitted into the air during tanker loading at the Alyeska terminal. A comprehensive environmental monitoring program comprises significant scientific effort requiring extensive field work over several years. Most current committee work is in preparation for this task.

Currently the committee is planning a series of public meetings in Prince William Sound communities to hear the public's environmental concerns about oil industry activities. We expect these meetings to take place in late fall, so watch for notice in your local newspaper or call our Valdez or Anchorage office for details.



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## Mission Statement

"To ensure the safe operation of the Trans Alaska Pipeline Terminal and the crude oil tankers served by the terminal so that environmental impacts associated with the terminal and tanker fleet are minimized."

## Council

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increased citizen involvement. RCAC emerged from this process, incorporating as a nonprofit to insure independence. The resulting contract with Alyeska requires that the company provides an annual budget of \$2 million for "as long as oil flows through the line" and ready access to all its facilities. The federal Oil Pollution Act of 1990 reinforced this action and specified details.

A sixteen-member board and staff accomplishes its goals primarily through three working committees:

- Port Operations and Vessel Traffic Systems

- Oil Spill Prevention and Response

- Terminal Operations and Environmental Monitoring

The Scientific Advisory Committee, comprised of scientists and technical experts, reviews research proposals and advises the working committees and the council on technical issues.

RCAC's contract with Alyeska specifies that RCAC committees will perform independent research and monitoring of oil spill prevention and response efforts, tanker safety, and environmental effects of terminal operations. RCAC uses this information to develop recommendations for environmental safeguards to Alyeska and government regulatory agencies.

## Parker

*continued from page 1*

the regulators and the regulated—government and industry. The thought was that "those who have the most to lose will pay the most attention."

Congress already had received proposals from Prince William Sound and Cook Inlet oversight groups. The commission backed those efforts but also recommended creation of the state Citizens' Oversight Council on Oil and Other Hazardous Substances as the rest of the state had been overlooked. Regional and local councils were already mandated by the legislature. The relationship between federal and state sponsored councils should be both independent and supportive since they have common goals but may have different ideas on how to achieve those goals.

Now, as a result of congressional and state action, we in Alaska have an impressive array of oversight councils. We should remain vigilant against becoming part of the problem, however, especially after our vision and memory fade over time. The transportation of large amounts of crude oil through Alaska waters will probably continue for the next fifty years, at least. Over time, it will be easiest to go along with those who want to do the minimum in maintaining safety standards. The Alaska Oil Spill Commission considered citizens' councils the chief weapon against government apathy and bottom-line industry standards.

As we approach the second anniversary of the Exxon Valdez spill, we can expect to hear from those who want to forget about what happened and return to the old ways. We must stand firm. Citizen councils' clearly provide knowledgeable continuity to spill protection for Alaska. Those with the most to lose do pay closest attention.