

The Observer

A quarterly publication of the Regional Citizens' Advisory Council of Prince William Sound

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RCAC to co-sponsor tanker towing study

RCAC will work with industry and government agencies to sponsor an independent, jointly-funded study of towing disabled tankers. The study could cost as much as \$600,000 but how the funding would be contributed is not yet known.

The RCAC at its December meeting approved the cooperative effort in concept, but did not commit a specific amount of money to the project.

The Port Operations and Vessel Traffic Systems (POVTS) Committee has been working with the U.S. Coast Guard, Alyeska, Arco, the Prince William Sound Tankers Association and the Alaska Department of

Environmental Conservation on the concept of an independent study.

"I'm very pleased with the way this program is going," POVTS Chairman Stan Stephens said. "It couldn't happen without full cooperation from everybody."

The study will look at tankers transiting between Alyeska's Valdez terminal and Hinchinbrook Entrance with emphasis on Valdez Narrows, a particularly hazardous passage. Basically, Stephens said, the study will evaluate the capabilities of preventing an oil spill if a tanker loses power or steerage or both. It will address the strengths and weaknesses of tractor tugs and conventional tugs; attaching lines between escort vessels and a disabled tanker; response times and other issues associated with disabled tanker towing.

The study will also use computer modeling to test existing equipment and the feasibility of using a tractor that doesn't yet exist: one with both the power and maneuverability to control tankers out of Valdez.

Currently, tankers are accompanied by an unattached tug and an ERV (emergency response vessel) from the dock to Hinchinbrook Entrance. But escort vessels are slow and it means significantly longer travel time for the tankers. Industry wants to be cut free from the escort vessels at Bligh Reef, in order to pick up speed sooner.

Tractor tugs are more maneuverable than

conventional tugs, and can work at towing angles which are beyond the capability of conventional tugs. But tractor tugs powerful

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Stan Stephens

enough to control the TAPS fleet don't exist. They won't be built until there's a clear market for them. Hence, the computer modeling part of the study. Cost is also an issue, since a new more powerful tractor tug would be significantly more expensive to hire than conventional tugs.

Another issue is attaching lines. A tug attached to a tanker has much better control if the tanker becomes disabled, but it also is risky because tugs have been capsized when towed under by tankers in the past. Another danger is that if the tug loses power, it acts as a 300-ton sea anchor dragging the tanker's stern. The worst oil spill at Sullom Voe in the Shetland Islands was caused by loss of tug propulsion after the tug caught fire; it caused a tanker to slam into a dock.

RCAC: What it is

The Regional Citizens' Advisory Council (RCAC) of Prince William Sound (there is also an RCAC for Cook Inlet), is an independent, non-profit organization formed in the aftermath of the Exxon Valdez disaster to ensure the safe operation of the Trans-Alaska Pipeline Terminal and the crude oil tankers served by the terminal, so that the environmental impacts associated with the terminal and tanker fleet are minimized.

The RCAC has 16 members who represent municipalities, commercial fishing groups, Alaska Native interests, and environmental and business organizations.

RCAC is certified under the federal Oil Pollution Act of 1990 as the citizen advisory organization for Prince William Sound, and operates under a contract with Alyeska. The contract, which is in effect as long as oil flows through the pipeline, guarantees RCAC's independence, provides annual funding at \$2 million, and guarantees RCAC equal access to the terminal as that enjoyed by state and federal regulatory agencies.

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State spill & prevention regulations good

Regulations to implement HB 567, Alaska's post-Exxon Valdez oil spill law, are a lot better than anything else around, even though RCAC lobbied for even stronger regulations.

For crude oil facilities, the regulations take effect February 1. Commissioner John Sandor of the Alaska Department of Environmental Conservation, is correct when he says the regulations are the strongest in the nation.

"Are we better off now than on March 24, 1989? In all fairness, the answer is 'yes,' council member Ann Rothe said. "But if the question is whether we are where we want to

be, then the answer is 'no.'"

One of RCAC's strongest pushes, as a participant in an ADEC working group that developed the regulations over a 16-month period, was an incentive for tanker owners and other facilities to adopt more prevention measures than the minimum required by law. The incentive was in the form of a "planning standard" requiring an oil shipper to either show it could clean up a certain percentage of its cargo, or if it couldn't meet the high standard, adopt prevention measures to lower the standard.

In the regulations issued for public review last August, the Alaska Department of Envi-

"Are we better off now than on March 24, 1989? In all fairness, the answer is 'yes.' But if the question is whether we are where we want to be, then the answer is 'no.'"

Ann Rothe

ronmental Conservation (ADEC) had set the planning standard at 100 percent; precisely what RCAC had advocated. But ADEC ultimately backed off, coming out with a standard of 60 percent, instead. Assuming the regulations withstand review by the Lt. Governor Jack Coghill and the Department of Law, oil tankers will be required to plan how they would respond to a spill of 60 percent of their cargo.

If certain prevention measures are taken, the planning standard could be reduced to as low as 30 percent. Such measures include double hulls or bottoms, escort vessels and hydrostatic loading.

Oil industry representatives had lobbied for a planning standard of 30 percent, arguing that it's not realistic to think that a tanker will spill more than that in the first 72 hours. RCAC representatives countered that HB 567 did not specify a time limit for the planning standard and that a realistic maximum discharge (RMOD) - the term used in the law - is 100 percent of a tanker's cargo. Therefore, RCAC argued, that's what contingency plans should plan for.

RCAC representatives were also disappointed that the public review provisions were weakened from the draft to the final regulations. While RCAC is still involved in the review process, oil spill contingency plans will not be reviewed by coastal districts under the Alaska Coastal Management Program (ACMP). The problem is that local coastal districts are, in most cases, in much better positions than an RCAC to represent very real local interests. The involvement of RCAC is not a substitute for coastal districts.

Citizen review or bureaucratic duplication?

The Department of Environmental Conservation may have deleted coastal district review from HB 567 regulations, but other state laws do provide for it. Under the Alaska Coastal Management Program (ACMP), resource development decisions must be reviewed by local coastal districts.

That's why the issue is still alive.

ADEC officials said coastal district review was deleted because the citizens' advisory councils can do the job, themselves. ADEC officials said coastal district review, in addition to review by a regional citizens' council, would be needlessly duplicative and time-consuming.

Resource development decisions in Alaska usually involve permits from several resource agencies. The Division of Governmental Coordination coordinates those multi-agency projects and ensures that state agency decisions are consistent with local coastal district plans, as required by federal law. The ACMP contains two strong provisions that ensure local people have a meaningful voice in development decisions: "due deference" and "elevation."

"Due deference" ensures that state agencies heed local concerns, by requiring that an agency justify any decision contrary to local policies. "Elevation" is an appeals process, which allows a local coastal district to challenge a decision up the management ladder. Regional citizens' councils have neither due deference nor elevation, making local/regional review weaker for oil spill contingency plans than for other resource development issues. RCAC wants local coastal districts to review oil spill contingency plans, or at the very least, a system which is the functional equivalent of the ACMP.

There has been a proposal to exempt oil spill contingency plans from ACMP review, but a decision has been deferred pending workshops and hearings in December and January.

Public hearings will be held January 8, in Fairbanks, January 9, in Anchorage, and January 13, in Juneau. Written comments will be taken until January 22. For more information, contact the Division of Government Coordination in Juneau (907 465-3562).

Liability of response contractors big in '92

The liability of people and organizations that respond to an oil spill is expected to generate intensive lobbying and debate in the 1992 Alaska Legislature. The issue - coined "HB 196" for last year's temporary legislation - has potentially huge implications for industry, small operators, government and communities affected by a spill.

The question is whether "response action contractors" should be immune from liability for simple negligence in the course of a spill response.

Scott Sterling, RCAC's Legislative Committee Chairman, said the issue is important on two levels.

"OPA 90 says the spiller shall be held responsible for all damages. In theory, limited immunity for response action contractors should not affect the public's ability to recover damages, since it's the spiller who is responsible for that," Sterling said. "But what if the spiller is insolvent, or the damages from the spill exceed the spiller's ability to pay? In that case, the damages go uncompensated, or even worse, the resources are not restored. It leaves open the possibility of no accountability."

Proponents argue that limited immunity for simple negligence will remove a barrier to a healthy response action industry, promote better spill responses and put response action contractors within the financial reach of small operators.

Opponents counter that immunity from liability is unnecessary because few, if any, response action contractors have been sued in the context of responding to a spill. They argue that it could leave the public holding the bag for damages due to negligence and that immunity could result in sloppy responses, not better ones.

RCAC's position last year, ultimately adopted in the temporary law, was to tie limited immunity to compliance with the contingency plan. "That to us would constitute a good-faith effort," Sterling said. "But then you get into debates about what constitutes substantial compliance with the contingency plan."

To educate the public about the issue, RCAC plans to conduct public meetings

and publish a special newsletter on it this winter.

The whole issue emerged with the establishment of the Marine Spill Response Corporation (MSRC), a cooperative formed and funded by the country's major oil companies to respond to a catastrophic spill anywhere on the nation's coastline. Response action contractors fear that under the standard system of liability, they could be held liable for all consequential damages of a spill by virtue of participating in a response.

Under the one-year provision of HB 196, response action contractors are immune for simple negligence in the first 15 days of a response. Simple negligence is making a stupid mistake; one that a reasonable person in that situation would not have made. Gross negligence, on the other hand, is action so outrageous that it approaches recklessness.

RCAC favored immunity for simple negli-

gence, despite heavy criticism from environmental groups, because of the possible implications for regional response cooperatives, a promising approach to spill response that is now being studied.

The issue came to the legislature last year when Alyeska demanded a \$1 billion bond from Tesoro for response action contracting. There was no way Tesoro could afford the bond; nor could the company mount its own response to the satisfaction of state law. Without a contract with Alyeska, Tesoro would have been forced to cease operations.

The legislature passed HB 196 as a stop-gap measure to keep Tesoro in business, while it gathered more information about the issue. HB 196 provides a 15-day period of immunity from liability for simple negligence. Under the temporary law, a response action contractor is still liable for gross negligence,

See "liability" on page 7

Alyeska earns "bravo" for hatchery plan

A hatchery protection program developed by Alyeska for Prince William Sound is "impressive and comprehensive" according to a report by RCAC's Oil Spill Prevention and Response (OSPR) Committee.

"Alyeska is to be congratulated on the scope and scale of this program," OSPR member Tom Copeland said in his report to the council in December. "We commend them for the level of effort that went into this."

If approved by the Alaska Department of Environmental Conservation, the plan will become part of Alyeska's Prince William Sound Tanker Spill Prevention and Response Plan.

The committee report said Alyeska has made substantial efforts and progress in the last year to preposition buoys across the approaches to the hatcheries. Large quantities of boom and other equipment have been purchased and stored at the various sites, ready for rapid deployment.

However, the committee had some strong

suggestions for improvements and revisions to the document, officially titled the "draft Prince William Sound Hatchery Protection Program and Area Response Center Mobilization Plans."

While the plan does a good job for three hatcheries in Prince William Sound, two hatcheries outside the sound - at Kitoi Bay on Afognak Island, and at Tutka Bay in Kachemak Bay - are not included even though they are clearly at risk from a spill. Those two hatcheries should be covered in the plan, the committee said.

The final plan also should address site-specific training for local responders at the Community Response Centers, give more detailed information about training and drills for response personnel and include a complete inventory of what's in the plan, the committee said.

The OSPR report was adopted by the council and will be submitted to Alyeska.

Comings and Goings

RCAC welcomes three new board members. **Michelle O'Leary** replaces Marilyn Leland as representative of Cordova District Fishermen United.

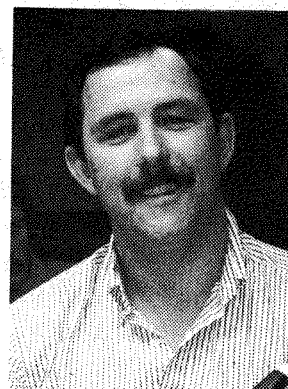
John Herschleb of Girdwood succeeds John McMullen for Prince William Sound Aquaculture Association. **Mike Gallagher** of Valdez was named by the City of Valdez to replace Jason Wells.



Michelle O'Leary

tion and Response Committee. Herschleb's main concern is protecting hatcheries.

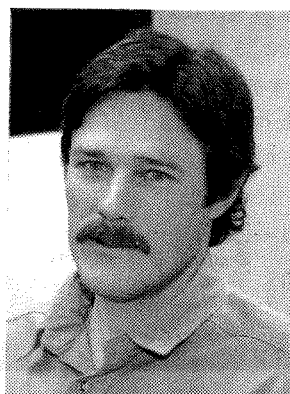
Gallagher, a 17-year resident of Valdez, is Business Representative of the International Laborers' Union of North America, Local 341.



Mike Gallagher

Gallagher worked previously as a construction worker at the Alyeska Marine Terminal. Just before the *Exxon Valdez* spill, he served on an ad hoc committee that looked at how oil companies could help the City of Valdez.

Lifelong Alaskan **Christine Klein** has joined RCAC as committee staff to the Scientific Advisory Committee. Klein has a BS in environmental engineering and an MA in environmental anthropology. She has



Dan Strickland

worked as a consulting environmental engineer for High Phukan Engineering and a

project coordinator for DEC. Klein has also done contract field and laboratory technical work for ARCO.

Dan Strickland is RCAC's ecological monitoring program coordinator, a new two-year position created to manage the ecological monitoring study. Strickland has a BS in biology from UAF. He spent three years with the Alaska Department of Fish and Game as a biologist in the marine mammal program and has fished commercially Prince William Sound, Bristol Bay and Cook Inlet for 15 years.

Committee applications accepted

Application for RCAC committee membership is being accepted until Feb. 15. For committee descriptions, write or call the RCAC office in Anchorage at 601 W. 5th Ave. Suite 500, Anchorage, AK 99501-2254. Phone: (907) 277-7222.

Current committee members who wish reappointment must submit applications.

Committee members are selected on the basis of ability to be objective and to consider all aspects of issues; commitment to full and active participation; ability to make decisions based on facts rather than personal bias; experience and interest appropriate to desired assignment; declaration of possible conflict of interest; ability to work well with co-workers and other organizations; knowledge and an interest in the region represented by RCAC.

RCAC pays committee members' travel, lodging and meals to attend meetings.

Applications must include a resume, three references and a cover letter indicating committee of choice, statement of interest, declaration of conflict of interest and hours per month available.

The RCAC committees are:

- Port Operations and Vessel Traffic Systems
- Oil Spill Prevention and Response
- Terminal Operations and Environmental Monitoring
- Scientific Advisory
- Education



John Herschleb

member of the PWSAC Board of Directors and hopes to work with the Oil Spill Preven-

tion involved in RCAC during its formative stages and she lobbied for passage of OPA 90 in Washington, D.C. She is serving as council secretary, following in the footsteps of her predecessor.

Herschleb fishes commercially in the Sound. He is a past

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National Wildlife Federation
Prince William Sound Aquaculture Assoc.

Stan Stephens
Keith Gordaoff
Scott Sterling
Tony Joslyn
Kristin Stahl-Johnson
Tim Robertson
Chris Gates
Bill Walker, Mike Gallagher
Lynda Hyce
Michelle O'Leary
Andy Mack
Wayne Coleman
Roy Jones
Ann Rothe
John Herschleb

RCAC to participate in federal negotiations on vessel response plans

RCAC has been appointed to a federal committee formed to help draft regulations for oil tanker preparedness and safety.

The committee was organized by the U.S. Coast Guard to participate in a process called regulatory negotiation or "reg neg." The reg neg process brings together representatives of industry and public interest groups to work on the development of federal regulations that directly affect them. Reg neg can be used by federal agencies to develop draft regulations if they feel they haven't received sufficient public comment to proceed. That's the situation the U.S. Coast Guard is facing, as it works on regulations pertaining to spill contingency plans and onboard equipment required for vessels carrying oil in U.S. waters, as required under the Oil Pollution Act of 1990.

The committee is meeting twice a month in Washington, D.C. from January to April.

Prior to the Coast Guard's decision to consider negotiated rulemaking, it conducted a workshop November 14 in Washington, D.C. on the issues to be addressed in the regulations. RCAC sent three representatives - council members Tim Robertson and Ann Rothe, and Executive Director Sheila Gottehrer. The workshop was held to identify areas of consensus; it was overwhelmingly dominated by industry. Of 195 participants, 15 represented public or state interests; the rest were from industry.

Despite the lack of public comment nationwide, RCAC had done its share. When the Advance Notice of Proposed Rulemaking (the first stage of drafting regulations) was announced in late August, RCAC waged an aggressive effort to study, review and comment on the issues the Coast Guard was proposing to address.

RCAC submitted 38 pages of detailed comments. RCAC also worked with the Cook Inlet RCAC and the Citizens' Oversight Council on Oil and Other Hazardous Substances to conduct three meetings in Alaska to gather public comment. The public comments were also submitted to the Coast Guard.

Among the issues raised by RCAC were:

- The need for establishment of a uniform planning standard in terms of capability to respond to a loss of cargo within a specified time frame;
- Establishment of a working group process to draft the regulations;
- Failure to address costs to the public when a spill occurs and response is poor;
- Accountability of response action contractors;
- The need for a standardized incident command system;
- The need for adequate levels of coast-wide spill response protection in Alaska; and
- Specifics about how local people and resources are to be used in the event of a spill.



RCAC Board Member Ann Rothe and Harry Bader, Chairman of the Citizens' Oversight Council on Oil and Other Hazardous Substances, lead discussion at a public meeting last October in Anchorage. The meeting was one of three held to gather public comment about requirements for vessels carrying oil in U.S. waters.

Coast Guard told to reconsider safety measures for single-hull tankers

Some of the measures being considered to reduce oil spills from single-hull tankers should be tossed out, according to comments from RCAC to the U.S. Guard.

"The RCAC does not support any of the structural measures being considered," and all but two are unproven and should not be allowed," the RCAC said in its letter of Dec. 16.

The letter was in response to a request for comments on measures under consideration to implement the Oil Pollution Act of 1990 (OPA 90). The set of regulations addressed in what is called the "Advance Notice of Proposed Rulemaking" covers a broad spectrum of issues related to single-hull tank vessels. One of the RCAC's suggestions to the Coast Guard is to break it up into more manageable units.

Starting in 1995, older tankers will be phased out, so that by the year 2015, all tankers will be double-hulled. OPA 90 allows single-hulled tankers to be modified through structural and operations changes to extend their lives.

Structural measures being considered to permit single hull tanker owners to delay

complying with the requirement for double hulls include double sides and double bottoms, protected segregated ballast, resilient membranes, mid-deck tanker, vacuum system and smaller tankers. The least objectionable are double sides and double bottoms, which protect respectively, for collision and grounding, but they fail to provide the overall protection inherent in double hulls.

The RCAC also recommended that new navigation technologies be required on tank vessels and that various vessel traffic systems be mandatory for vessels 300 tons and over. The RCAC said hydrostatic loading should not be considered a method for extending tanker life, because the additional stress created in tanks not fully pressed up increases the risk of a spill. And since hydrostatic loading means less cargo per trip, more tank vessel traffic is required to transport the oil. Increased traffic increases the risk of a spill.

The RCAC position, approved at the council's quarterly meeting in December, was researched and developed by the Port Operations and Vessel Traffic Systems Committee.

Fish group reps review nearshore response plans

Representatives of fishing groups from Prince William Sound, Kodiak and Cook Inlet are meeting to develop consensus positions on the spill response plans being drafted by Alyeska owner companies.

The first meeting, coordinated by RCAC's Oil Spill Prevention and Response Committee, was held Dec. 11 in Anchorage. The group included representatives of Cordova District Fishermen United, United Fishermen of Alaska, Cook Inlet Regional Citizens' Advisory Council, Seldovia Oil Spill Team, Area K Seiners' Association and Prince William Sound Aquaculture Association.

The group is preparing comments to be submitted to the Response Plan Group, representatives of Alyeska owner companies who are preparing contingency plans for tanker spills.

Part of that subsequent response is termed "nearshore response," which applies to oil that has escaped the spill site and is approaching shore. Any nearshore response would use many local fishing vessels.



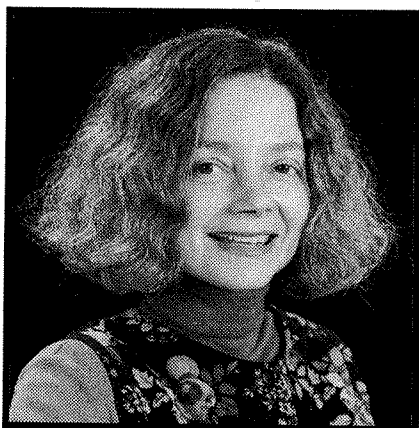
From left, Ken Castner, Dexter Ogle, John Herschleb and Roy Robertson were among the fishing group representatives meeting in Anchorage Dec. 11, to review nearshore response plans.

Issues identified at the first meeting included the need for training of fishermen both inside and outside Prince William Sound, regular drills to ensure preparedness,

effective use of local resources, formation of a nearshore barge fleet for temporarily storing recovered oil and good communications protocols.

Budget as blueprint helps council, committees focus

by Sheila K. Gottehrer, Executive Director



Sheila Gottehrer. Photo by Hal Gage

Some of our council and committee members are like kids in a toy shop. They want to work on every issue and project that catches their eye. If we had all the time,

resources and money in the world, that might be okay, but the fact is we don't. Barring a scientific breakthrough that allows us to clone our hardest-working folks, we're faced with making reasoned decisions about the projects we take on.

Without focus, our energies could become so diffuse that we lose effectiveness. RCAC needs to concentrate its energies and efforts, to make sure that whatever we do, we do well.

The council is taking an important step in that direction through the 1992 budget, which

has been fashioned as a blueprint for the year's work. The budget was built on our job responsibilities as laid out in our contract with Alyeska and reiterated by our federal certification under the Oil Pollution Act of 1990. Each of the projects approved by the council will help us meet our goals and priorities as defined by those responsibilities. Under Article II of the contract, RCAC is to provide to the public and Alyeska the following services:

a. Local and regional input, review and monitoring of Alyeska oil spill response and prevention plans and capabilities, environmental protection capabilities, and actual and potential environmental impacts of terminal and tanker operations;

b. Increase public awareness of Alyeska oil spill response and prevention capabilities, environmental protection capabilities, and actual and potential environmental impacts of terminal and tanker operations;

c. Input into monitoring and assessing the environmental, social and economic consequences of any oil-related accidents and actual or potential environmental impacts in

or near Prince William Sound;

d. Local and regional input into design of mitigation measures for potential consequences resulting from oil or environmental related accidents or impacts of terminal and tanker operations.

e. Recommendations on:

- development, review and implementation of Alyeska's oil spill prevention and response plans;

- input into selection of research and development projects;

- review other important issues related to marine oil spill prevention and response;

- review other concerns regarding actual or potential environmental impacts of terminal or tanker operations.

RCAC provides these services in exchange for a guarantee of independence and a permanent source of adequate funding. RCAC activities outside this scope must be paid for with other funds.

Those responsibilities cover a lot of ground on their own and we'll have more than enough work to do if we stick to them.

The Oil Reform Alliance: History, accomplishments and goals

by Riki Ott

The weekend of June 21, 1989, was the culmination of over five years of efforts by Cordova District Fishermen United to achieve citizen oversight of Alyeska and the oil industry. Pulling board members off *Exxon Valdez* oil spill projects, president Jerry McCune announced plans for all board members save one to go to Anchorage for the first of a series of meetings with Alyeska representatives to form a citizens' advisory council. The end result of the Anchorage meetings was the Regional Citizens' Advisory Council - citizen oversight of Alyeska.

Meanwhile, the one board member in Cordova was to coordinate a workshop of commercial fishing groups, environmental organizations and concerned citizens - all invited to discuss oil spill legislation and the possibility of forming a public interest group to focus solely on oil issues. The end result of the Cordova workshop was the Oil Reform Alliance - citizen oversight of the oil industry.

The Oil Reform Alliance enters its third year as a private non-profit grassroots coalition of 20 commercial fishing and environmental

organizations with individual members statewide from Petersburg to Barrow.

The mission of the Oil Reform Alliance is to reform oil industry practices that adversely affect communities on social, economic and environmental levels.

To accomplish its goal, the ORA maintains a presence in Juneau during the legislative session. The Juneau person works to counter balance oil industry requests by educating legislators and staff on public interest perspectives and requests. The alliance operates a teleconference network during the session to increase public awareness and to coordinate grassroots efforts of member organizations and individuals.

Effective coordination of ORA team players has led to many improvements in oil industry operations, including, notably, greatly strengthened oil spill prevention and response standards, and to increased public awareness of issues that need to be addressed, such as oil tanker ballast water waste disposal practices.

Goals for the 1992 session include focus-

ing public attention on the need for increased protections for private and government whistle-blowers on oil-related environmental and worker health/safety issues, the need for citizens to have the ability to sue industry directly over violations of environmental laws, increased measures to prevent oil spills, and expanding the network, to name a few.

Persons interested in more information about the ORA are encouraged to call the ORA office in Juneau during session (907 586-2088) or me the rest of the year (907 424-3915).

Riki Ott is President of the Oil Reform Alliance.

Forum

The Observer offers this opportunity for others to comment on issues related to the environment and marine oil transportation. The views expressed are their own and do not necessarily reflect the opinion of RCAC. We welcome rebuttals and will attempt to publish them in future issues of The Observer.

Alyeska: Steps in communication

Alyeska Pipeline Service Company appreciates the opportunity to have a column in *The Observer*. We plan to focus in future articles on concerns regarding Alyeska activities. On occasion, we may have an Alyeska spokesperson address specific issues in some detail. We will also seek to provide information that may be of general interest to the citizens represented by the Regional Citizens' Advisory Council of Prince William Sound.

Alyeska has recently taken a number of steps to facilitate communications with the RCAC. Gary Bader, Citizen Group Liaison Manager, is now a member of the Corporate Affairs Department where government relations and public policy issues of concern to the RCAC are addressed. This change will help ensure that the policy positions of the RCAC are channeled to appropriate corporate management in a timely manner.

Additionally, we have assigned corporate managers to the RCAC committees and subcommittees to assist in meeting informational requests. The committee representa-

tives are Nick Mitchell (Oil Spill Prevention and Response); Gene Dickason (Scientific Advisory); Rick Collins for terminal operations and Gene Dickason for environmental monitoring (Terminal Operations and Environmental Monitoring); Tim Plummer (Port Operations and Vessel Traffic Systems) and Beverly Michaels (Education).

Finally, Alyeska's Executive Management Committee now meets regularly with the RCAC Board of Directors to provide RCAC the opportunity to voice the concerns of the people of the region directly to the top management at the company. We had our first meeting this past summer, and the next is tentatively scheduled for mid-January.

We recognize the difficulties of an industry/community dialogue but look forward to continuing improvements in our mutual efforts to communicate and address the concerns of the broad spectrum of people in the communities across Prince William Sound.

Liability expected to be lively issue

Continued from page 3

but not for simple negligence, so long as the contractor acts in compliance with the applicable contingency plan.

The idea was that the legislature would receive a report next year from the Citizens Oversight Council on Oil and Other Hazardous Substances with the information needed to make a public policy decision about the immunity question. The legislature funded the study, but it was vetoed by the governor. The money could have been reinstated during the interim by the Legislative Council, but politics about other issues have gotten in the way.

The research is being done however, with various pieces of it picked up by Prince William Sound RCAC, Cook Inlet RCAC, the National Wildlife Federation, the Departments of Environmental Conservation and Law, Tesoro and Alyeska. The Citizens' Oversight Council is managing the work and doing portions of it, as well. Council Executive Director Michele Brown said she hopes the report will be completed the end of January.



Friendly visit

Tom Mullen (center), Chairman of the Prince William Sound Plan Holders Committee, and Alan Duggins (right), Nearshore Project Manager for the PWS Plan Holders, share a light moment with the RCAC Board at the council's quarterly meeting in December. RCAC President Christopher Gates is at left. Mullen and Duggins gave the council a progress report on development of a coordinated nearshore response plan by Alyeska owner companies.

Education Committee to focus on outreach

A community-based Education Committee will be appointed to increase communication between RCAC and the communities it represents and educate the public about issues related to the environmental impacts of marine oil transportation.

The mission and scope of work of the new committee were approved by the council at its December meeting in Anchorage. They were developed by an ad hoc committee, chaired by council member Andy Mack.

"The Education Committee will go a long way toward helping RCAC achieve its goals and meet its responsibilities," Mack said. "We need to assure both Alyeska and the general public that our work reflects the interests and concerns of our communities. We can do that by making more effort to meet

with groups and relay people's concerns back to RCAC."

One of RCAC's responsibilities under its contract with Alyeska is to increase public awareness of Alyeska's oil spill response and prevention capabilities, and its environmental protection capabilities, as well as actual and potential environmental impacts of terminal and tanker operations.

Members of the Education Committee will work with staff, the council and Alyeska to provide those services.

Mack said the Selection Committee will be looking for residents of the region who are familiar with basic oil transportation and pollution issues, have experience in communications, community outreach or writing and are willing to work.

Chevron involves RCAC in drill preparations

A major spill drill to be conducted by Chevron Shipping Co. in March will offer a good test for RCAC and government agencies, as well, because Chevron is involving them in all aspects of the exercise.

Alex Walker, Chevron's San Francisco-based environmental coordinator, was in Anchorage in early December for an intensive planning session with RCAC, the U.S. Coast Guard, the Alaska Department of Environmental Conservation and the Alaska Department of Fish and Game.

Besides planning, other representatives from each group or agency will participate in the drill itself and serve on an evaluation team.

"The evaluation team will allow us to measure the effectiveness of the exercise and capture the lessons we learn," Walker said.

The on-water drill will be conducted the first week of March.

Alyeska airs concerns about RCAC

RCAC devotes too much of its efforts to advising government agencies and not enough on education and providing the local and regional input that Alyeska expects, according to Alyeska's liaison to the RCAC.

Gary Bader, Manager Citizen Group Liaison, told the council that Alyeska sees RCAC's main job as providing local and regional input to Alyeska and educating the public – not just about RCAC and environmental issues – but about Alyeska's capabilities, as well.

"There is a clear perception at Alyeska that you spend more time advising government and becoming technical experts, instead of providing input and advising Alyeska," Bader said.

RCAC has specific responsibilities under its contract with Alyeska. They include local and regional input on a variety of terminal, tanker and environmental issues, and public education. The contract specifically says that RCAC is to educate the public about Alyeska's oil spill prevention and response capabilities, and environmental protection capabilities.

Bader indicated that some of Alyeska's concerns would likely be addressed by the work of RCAC's Education Committee. (See story, this page).

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