

# Renewal of Valdez Marine Terminal Contingency Plan



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## VMT C-Plan Renewal

### *Topics covered:*

- What is a contingency plan?
- Who reviews?
- VMT C-Plan renewal:
  - Process
  - PWSRCAC concerns



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## VMT C-Plan Renewal

***What is a contingency plan?***

- Binding contract between regulators/operators
- Plan to protect resources and livelihoods
- Lists steps to be taken *before, during, and after* an emergency
- Detailed information on prevention and response activities
- Avoid complacency and prevent future spills

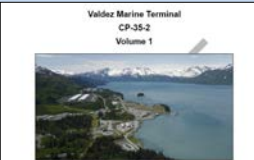

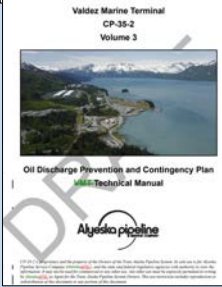


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## VMT C-Plan Review

***PWSRCAC review:***

- C-Plan review contractors
- PWSRCAC Staff
- OSPR, TOEM Committees
- C-Plan Project Team
- Secondary Containment Project Team

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VMT C-Plan Renewal		
<i>Agency review:</i>		
Approving agency	Approval	Authority
Alaska Dept. of Environmental Conservation (ADEC)	Every 5 years	18 AAC 75
U.S. Coast Guard (USCG)	Annual	33 CFR 154
U.S. Environmental Protection Agency (EPA)	Every 5 years	40 CFR 112
U.S. Dept. of Transportation, Pipeline and Hazardous Material Safety Administration (DOT/PHMSA)	Every 5 years	49 CFR 194
U.S. Dept. of Interior, Bureau of Land Management (BLM)	Annual	Agreement and Grant of Right-of-Way for Trans Alaska Pipeline System

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VMT C-Plan Renewal Process	
Date	Activity
<b>Oct 2023</b>	Renewal submitted, ADEC finds plan “sufficient for review”
<b>Nov 1 – Dec 15, 2023</b>	45-day public review
<b>Dec 15, 2023</b>	PWSRCAC comments submitted
<b>~Feb 2024</b>	<i>ADEC decision expected on issuing Requests for Additional Information (RFAs)</i>

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## VMT C-Plan Renewal Concerns

- *Secondary containment liner and prevention credit*
- *Tank maintenance and inspection intervals*
- *Exercises and drills*
- *Scenario 5*

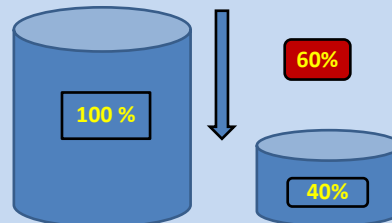
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## VMT C-Plan Renewal Concerns

### *Secondary containment liner prevention credit:*

**18 AAC 75.432 (d)(4):** a **sufficiently impermeable secondary containment area** with a dike capable of holding the contents of the largest tank, or all potentially affected tanks in the case of increased risk, and precipitation:

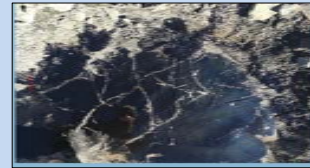
**60 percent**



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## VMT C-Plan Renewal Concerns

### *Secondary containment liner:*



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## VMT C-Plan Renewal Concerns

### *Tank maintenance and inspection intervals:*

- leak detection
- cathodic protection
- maintenance
- tank inspections



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## VMT C-Plan Renewal Concerns

### Exercises and drills:

Exercises of scenarios, or their equivalent will be conducted twice per year. These exercises can include and be concurrent with equipment deployment and/or IMT tabletop exercises. Besides the QI notification, at least one exercise/drill per year will be unannounced.

The entire VMT C-Plan is exercised triennially. Quarterly reports on the triennial exercise schedule will be compiled and provided as a courtesy to the ADEC. There is no regulatory requirement for these reports.

State and federal agencies can call unannounced drills at their discretion, consistent with the authority conveyed in the respective regulations.

*(Note: A red arrow points from the text above to a highlighted section in the background document image.)*

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## VMT C-Plan Renewal Concerns

### Scenario 5:

- Adequate response resources

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## VMT C-Plan Additional Concerns

- **Documents incorporated by reference**
- **Prevention training**
- **Facility oil piping**
- **Snow removal**




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## Next steps

### Public review process continues

- Requests for additional information
- Second public comment period?

Plan Review Major Milestones  
For New Plans, Plan Renewals, and Major Amendments

<p><b>Next steps if plan materials only:</b> 1a. Applicant notifies DEC of intent to submit application package at least 60 days prior to submission. 18 A.S.C. 75.455(1)</p> <p>1b. Pre-application consultation with DEC at least 30 days prior to submission. 18 A.S.C. 75.455(3)</p> <p>1. Application package submitted. 18 A.S.C. 75.455(2), 406</p> <p>2a. DEC determines if package is sufficient for review within 7 working days of submission. 18 A.S.C. 75.455(4)</p> <p>2b. Department notifies applicant of the decision in writing. 18 A.S.C. 75.455(4), 455(5)(2)</p> <p>2c. DEC notifies applicant if package is unusually large or complex. (Department public)</p> <p><b>When sufficient for review:</b> 3a. DEC sends letter to applicant including start of public notice (usually sent with sufficiency letter). 18 A.S.C. 75.455(5)(4)</p> <p>3b. If necessary, DEC requests an updated copy of the package. 18 A.S.C. 75.455(5)(2)</p> <p>3c. DEC posts the application package and notifies the letter that the package is available. 18 A.S.C. 75.455(5)(1)(3)</p>	<p>3d. DEC publishes public notice in the State of Alaska Online Public Notice System. 18 A.S.C. 75.455(5)(2)</p> <p>4b. DEC sends notification to letters of the public notice and availability of the package. 18 A.S.C. 75.455(5)(4) and (5)</p> <p>4c. Public notice periods are normally 30 days, up to 60 days for unusually large or complex packages. 18 A.S.C. 75.455(5)(7)</p> <p>4d. Stakeholder requests for a public hearing must be made at least 20 days before the end of the public comment period. 18 A.S.C. 75.455(5)</p> <p>5. Public comments and requests for additional information (RFMI) due by end of comment period. 18 A.S.C. 75.455(5)(2)(3)</p> <p>6a. If a RFMI is needed, DEC sends pending RFMI notice to applicant at end of comment period. 18 A.S.C. 75.455(5)(3)</p> <p>6b. DEC sends RFMI to applicant within 60 days of end of comment period (30 days if unusually large or complex). 18 A.S.C. 75.455(5)(3)</p> <p>6c. DEC sets an deadline for the applicant's response to the RFMI. 18 A.S.C. 75.455(5)(3)</p>	<p>4d. Applicant responds to the RFMI. 18 A.S.C. 75.455(5)(2)</p> <p>6c. If response is inadequate, DEC issues an additional RFMI. This may occur more than one time. 18 A.S.C. 75.455(5)(3)</p> <p>6d. DEC sends letters to provide notice of a maximum 30 day comment period for the additional information received from RFMI. 18 A.S.C. 75.455(5)</p> <p>7. DEC determines package is complete within 7 working days of end of public comment period. 18 A.S.C. 75.455(5)</p> <p>8a. DEC approves, approves with conditions, or disapproves a plan within 60 days of determining a package is complete. 18 A.S.C. 75.455(5)</p> <p>8b. Approved plans are issued an approval letter, certificate, and summary of basis for decision. That results valid for 3 years. 18 A.S.C. 75.455(5)</p> <p>8c. Approval letters is served to each person who submitted public comments. 18 A.S.C. 75.455(5)</p> <p>9a. The plan holder must submit their final plan to the department 30 days after approval (or 45 days if unusually large or complex). 18 A.S.C. 75.455(5)(2)</p> <p>9b. DEC posts the final version and notifies the letter that the approved plan is available. 18 A.S.C. 75.455(5)(1)(3)</p>
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**VMT C-Plan Renewal Action**

**Action Requested of the Board of Directors:**

**Delegate authority to the Executive Director to negotiate contract increase with selected contingency plan review contractors at a cost not to exceed \$90,000 for project 6510: State Contingency Plan Reviews for FY2024.**

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Citizens promoting environmentally safe operation of the Alyeska terminal...



Questions?

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