



"Citizens promoting environmentally safe operation of the Alyeska terminal and associated tankers."

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News Release

November 4, 2019

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Prince William Sound RCAC board issues position on safeguarding Alaska's oil spill prevention and response standards

Input from public critical to protect Alaska coastlines and communities

The Prince William Sound Regional Citizens' Advisory Council voted on October 29, 2019, to pass a resolution stating strong opposition to any legislative or regulatory changes that erode oil spill prevention and response standards, increase the risk of a catastrophic spill, or demonstrate a return of the complacency on the part of oil the industry and regulators that Congress determined to be a primary cause of the Exxon Valdez oil spill.

The resolution was prompted by a public scoping process recently opened by the Alaska Department of Environmental Conservation. The department is soliciting input from stakeholders, the public, and industry on areas where Alaska oil spill regulations (18 AAC 75, Article 4) and Alaska State Statute 46.04 (AS 46.04), Oil and Hazardous Substance Pollution Control, could be streamlined.

The council is concerned about the lack of specificity and transparency of the regulatory reform effort. The council recommends that the State of Alaska halt the current public scoping process until more information is provided to the public as to the driving factors that led to this regulatory and statutory reform initiative. It also strongly recommends that Alaskans interested in maintaining prevention and response standards designed to protect the state's environment, people and economy from catastrophic oil spills contact the Alaska Department of Environmental Conservation to register their views regarding any weakening of existing safeguards.

"Strong statutes and regulations are a big part of why Alaska has not had a major oil spill since the Exxon Valdez disaster," said Donna Schantz, executive director for the council. "The world-class oil spill prevention and response system for the Valdez Marine Terminal and associated oil tankers is a direct result of post-Exxon Valdez spill laws and regulations designed to protect Alaskans and our environment, as well as commercial and sport fishing, aquaculture,

recreation, tourism, subsistence and cultural interests. It is unreasonable for the Alaska Department of Environmental Conservation to claim now, after 30 profitable years of industry compliance, that the requirements are too onerous.”

AS 46.04, the basis for oil spill regulations, contains many key laws designed to prevent oil spills and ensure that there are enough trained responders and equipment in place should prevention measures fail. For instance, AS 46.04 includes Alaska’s Oil Spill Response Planning Standard (RPS). The RPS was created after the 1989 Exxon Valdez oil spill by a team of oil industry experts, attorneys, state employees, and spill response specialists as a direct result of the massive failure of the spill response system at that time.

The oil spill response framework - established in AS 46.04 and enhanced over time - is ultimately the product of years of hard work, critical thinking and creative problem-solving by a group of experienced professionals and passionate stakeholders who were impacted in some way by the Exxon Valdez oil spill. The RPS establishes a foundation that continues to distinguish Alaska, and particularly Prince William Sound, as having a world-class prevention, preparedness and response system.

Robert Archibald, board president for the council stated, “Protecting our communities and the environment is not burdensome, it is the cost of doing business in Alaska. Reducing any perceived burden to industry by rolling back or eliminating proven oil spill prevention and response requirements transfers the risk and burden of another oil spill to the communities, citizens and environment they were designed to protect. This initiative disregards the efforts of hundreds of Alaskans who worked tirelessly on improving regulatory requirements after the Exxon Valdez oil spill to ensure that our state would never again suffer a similar environmental disaster.”

Public input is needed to maintain the proven and effective prevention and response system in place in Alaska. After the public scoping, ADEC will review the input received and put forth any potential changes, followed by a formal public comment period for those proposed change. There is a 30-day minimum requirement for all state public comment periods.

During the current scoping period, the council encourages the public to provide input strongly opposing any legislative or regulatory changes that would erode oil spill prevention and response standards. Also, we encourage the public to insist on more than the required minimum 30-day public comment period for any proposed revisions put forth by ADEC. Adequate time must be provided to analyze proposed changes and gather input from all interested public stakeholders. This is essential to make sure proposed changes do not weaken important oil spill prevention and response measures that many people fought so hard to implement after the Exxon Valdez oil spill. Public input during the scoping process can be submitted through January 15, 2020: <http://alaskadec.commentinput.com/?id=fdLgJY2gM>

The council resolution 19-03, "Safeguarding Alaska's Oil Spill Prevention and Response Standards," can be viewed here: www.bit.ly/Resolution1903

To find out more about the history and legislative intent of Alaska's strong Response Planning Standards, read the council's August 2018 report "Alaska's Oil Spill Response Planning Standard - History and Legislative Intent": www.bit.ly/LegislativeIntent

For more information, visit www.pwsrcac.org.

The Prince William Sound Regional Citizens' Advisory Council, with offices in Anchorage and Valdez, is an independent non-profit corporation whose mission is to promote environmentally safe operation of the Valdez Marine Terminal and the oil tankers that use it. The council's work is guided by the Oil Pollution Act of 1990, and its contract with Alyeska Pipeline Service Company. The council's 18 member organizations are communities in the region affected by the 1989 Exxon Valdez oil spill, as well as aquaculture, commercial fishing, environmental, Native, recreation and tourism groups.
