PRINCE WILLIAM SOUND REGIONAL CITIZENS' ADVISORY COUNCIL MINUTES ANNUAL BOARD MEETING May 7 and 8, 2020 Valdez, Alaska

Members Present

Robert Archibald City of Homer Amanda Bauer City of Valdez Robert Beedle City of Cordova City of Whittier Mike Bender Rob Chadwell City of Seward Ben Cutrell Chugach Alaska Corporation Wayne Donaldson City of Kodiak Patience Andersen Faulkner Cordova District Fishermen United Mako Haggerty Kenai Peninsula Borough Alaska State Chamber of Commerce Luke Hasenbank Melvin Malchoff (5/7/2020 only) Port Graham Corporation Prince William Sound Aquaculture Corporation Thane Miller Dorothy Moore City of Valdez **Bob Shavelson** Oil Spill Regional Environmental Coalition Rebecca Skinner Kodiak Island Borough Tatitlek Corporation & Tatitlek Village IRA Council Roy Totemoff Michael Vigil Chenega Corp. & Chenega IRA Council Kirk Zinck City of Seldovia

Members Absent

Conrad Peterson Kodiak Village Mayors Association

Ex-Officio Members Present

Craig Ziolkowski
CDR Mike Franklin
Lee McKinley
Paul Degner
Jacquelyn Schade
Scott Pegau

Alaska Dept. of Environmental Conservation
U.S. Coast Guard MSU Valdez
Alaska Dept. of Fish & Game
Bureau of Land Management
Alaska Dept. of Natural Resources
Oil Spill Recovery Institute

Committee Members Present

Cathy Hart IE Committee Iane Eisemann IE Committee Linda Robinson IE Committee Ruthie Knight **IE Committee** Steve Lewis **POVTS Committee** Jim Herbert **OSPR** Committee George Skladal **TOEM Committee** Davin Holen SA Committee

Staff Members Present

Donna Schantz Walt Wrede Joe Lally **Brooke Taylor Gregory Dixon** Jennifer Fleming Betsi Oliver Linda Swiss Jeremy Robida Alan Sorum Austin Love Roy Robertson Amanda Johnson Nelli Vanderburg Hans Odegard Natalie Novik Leigh Lubin

Executive Director Director of Administration Director of Programs Director of Communications Financial Manager **Executive Assistant Outreach Coordinator** Project Manager Assistant Project Manager Assistant Administrative Assistant Administrative Assistant

Others Present

Brigham McCown Andres Morales Michelle Egan Mike Dav Angelina Fuschetto Monty Morgan Chris Merten Jeffrey Adamczyk Capt. Andrew Wakefield Anna Carey Melissa Woodgate Laura Achee Crystal Smith Tony Payne Bart Buesseler Eileen Oliver CDR Patrick Drayer Joe Levesque Kate Troll Roy Jones

Alyeska Pipeline Service Company Alyeska Pipeline Service Company Alveska Pipeline Service Company Alyeska Pipeline Service Company Crowley Alaska Tankers **Polar Tankers** Alaska Tanker Company **BP** Shipping Southwest Alaska Pilots Association (SWAPA) Alaska Dept. of Environmental Conservation Bureau of Land Management USCG - incoming Capt of the Port MSU Valdez Levesque Law Group, legal counsel

PWSRCAC legislative monitor, Alaska

PWSRCAC legislative monitor, Washington, D.C.

[Recorder's Note: This meeting of the Prince William Sound Regional Citizens' Advisory Council was conducted virtually, in its entirety, using Zoom technology because of the COVID-19 pandemic.]

Thursday, May 7, 2020

CALL TO ORDER, WELCOME, AND INTRODUCTIONS

The annual meeting of the Board of Directors of the Prince William Sound Regional Citizens' Advisory Council was held May 7 and 8, 2020, virtually via Zoom, from Valdez, Alaska. President Robert Archibald called the meeting to order at 8:31 a.m. on May 7, 2020.

A roll call was taken. The following 18 Directors were present at the time of the roll call, representing a quorum for the conduct of business: Archibald, Bauer, Beedle, Bender, Chadwell, Cutrell, Donaldson, Faulkner, Haggerty, Hasenbank, Malchoff, Miller, Moore, Shavelson, Skinner, Totemoff, Vigil, and Zinck.

Introductions and Directors' reports followed.

1-0 AGENDA

President Archibald presented the agenda (green-colored sheet) for approval with two additions:

- An address by Alyeska President Brigham McCown at 9:00 a.m. on May 7, and
- A discussion in executive session of the Council's pending contract negotiations with Alyeska.

Rebecca Skinner **moved to approve the agenda** (green-colored sheet) **as amended**. Dorothy Moore **seconded**, and the **agenda was approved**, **as amended**.

4-1 PWSRCAC ANNUAL DIRECTOR APPOINTMENTS

As outlined in the briefing sheet (Item 4-1) in the meeting notebook, the Board took up the annual seating of member representatives for those seats expiring at this meeting. President Archibald read the names of those Directors nominated for appointment to the Board.

Kirk Zinck moved to confirm the appointment of the selected representatives for each of the member entities listed for two-year terms expiring May 2022, as follows:

Alaska State Chamber of Commerce Luke Hasenbank Chenega IRA Council/Chenega Corporation Michael Vigil Chugach Alaska Corporation Ben Cutrell City of Cordova Robert Beedle City of Valdez Dorothy Moore City of Whittier Mike Bender Cordova District Fishermen United Patience Andersen Faulkner Kodiak Island Borough Rebecca Skinner Oil Spill Region Environmental Coalition **Bob Shavelson** Port Graham Corporation Melvin Malchoff

Mako Haggerty **seconded**, and the **motion passed** without objection.

1-1 MINUTES

Amanda Bauer **moved to approve** the minutes of the Regular Meeting of the Board of Directors of January 23-24, 2020. Kirk Zinck **seconded.**

Jim Herbert raised a correction and a clarification, as follows:

- <u>Correction on Page 3</u>: Under 1-2 Minutes, <u>delete</u> reference to <u>Michael</u> Malchoff, and <u>insert</u>, <u>Melvin</u> Malchoff; and
- <u>Clarification on Page 11</u>: Under SWAPA Opening Comments -- Capt. Wakefield was referring to ice conditions in Cook Inlet and not Prince William Sound when he spoke of significant ice conditions because of protracted cold temperatures.

The minutes were approved, with changes as noted.

PUBLIC COMMENTS

(None at this time.)

ADDRESS BY ALYESKA PRESIDENT BRIGHAM MCCOWN

Alyeska's Brigham McCown, who came into the position of President on January 6, 2020, after the retirement of Tom Barrett, introduced himself to the Council and gave a brief summary of his background, his vision and priorities for the company, the issues facing Alyeska at the present time because of the COVID-19 pandemic, as well as declining throughput in the pipeline and other issues that could be encountered in the near future.

Following his remarks, McCown fielded questions from the Board.

Robert Beedle asked about the effects of the reduction in throughput because of oversupply in the world market as a result of market pressures from the COVID-19 shutdowns worldwide. McCown explained that the less throughput in the pipeline, the more the oil cools off as it travels down the line; the more it cools, the slower it moves, and this creates problems, and it depends on the season. He stated that the oil has to be heated as it comes down the line when throughput is less than 700,000 barrels per day (bbl/day) and it has not been at that throughput for quite some time. Alyeska is confident that it can operate down to approximately 250,000 bbl/day in the summer and can manage down to about 400,000 bbl/day in the winter. He stated that companies are working hard to get the oil out of the system as the demand for oil has slowed, although the system is pretty full at the present time. He stated that Alyeska was working on a long-term strategy for the winter and that will be determined by how well and quickly the economy recovers after the COVID-19 shutdowns.

Rebecca Skinner thanked McCown for addressing the Council at this meeting and said she hoped he would be able to participate at future meetings and actually meet the Board members in person.

Jim Herbert thanked McCown for Alyeska's response to the April 12 sump spill and in particular McCown's interest in the protection of wildlife as part of the response. He said the fact that there was an inability to deal with the oiled birds highlighted a small piece of response that needed to be tweaked for future response.

INTERNAL OPENING COMMENTS - PWSRCAC TECHNICAL COMMITTEES

TERMINAL OPERATIONS AND ENVIRONMENTAL MONITORING COMMITTEE (TOEM)

Project Manager Austin Love reported for the TOEM Committee (in the absence of Chair Mikkel Foltmar) and reported on the following activities since the January Board meeting:

- Work to complete the Cathodic Protection Systems Review Project has been delayed because Alyeska had not been able to deliver data first requested on January 10, 2020, by the Council's contractor, National Pipeline Services. The delay in receiving the requested information began before the COVID-19 crisis started and the pandemic had only further delayed receiving the needed information. The committee and staff had been working with Alyeska regularly to try to get the cathodic protection system information needed to successfully complete this project.
- The committee selected a contractor to complete the Crude Oil Storage Tank 8 Internal Inspection Review Project. The contractor is Taku Engineering, LLC, based in Anchorage. Work was underway to get the project with Taku Engineering started as soon as possible.
- The committee reviewed four proposals received for the Council's Crude Oil Piping Inspections Review Project and narrowed the candidates down to two potential companies. The committee will have further discussions with both potential contractors to identify the best contractor to complete the project.

SCIENTIFIC ADVISORY COMMITTEE (SAC)

Davin Holen reported on the SAC efforts since the last Board meeting (in the absence of Chair John Kennish).

General Updates:

• The committee met five times since the January meeting.

Significant Project Updates:

- The 2019 Long-Term Environmental Monitoring Project Report was accepted as final and the committee recommends Board acceptance of that report at this Board meeting.
- The committee reviewed the draft 2018-2019 Plankton Metagenetics report from Moss Landing Marine Laboratories. This report and associated work is being done in order to detect non-indigenous marine species in Port Valdez and Prince William Sound. The final Plankton Metagenetics report should be available for Board acceptance at the September 2020 Board meeting.
- In response to the April 12, 2020 oil spill at the Valdez Marine Terminal (VMT), the committee has advised on an environmental monitoring plan to understand the impacts of that spill on the nearby marine environment. That monitoring generally includes sampling blue mussels in the vicinity of the

- terminal and testing the mussels for oil contamination, as well as effects on genes associated with oil pollution.
- Holen and another committee member reviewed the preliminary findings of a study by the Alaska Department of Fish & Game's Division of Subsistence which looked at socioeconomic impacts on the subsistence way of life in communities in Prince William Sound and Lower Cook Inlet. This study will be reviewed by the full committee soon and should be ready for the Board's review at the September Board meeting.

OIL SPILL PREVENTION & RESPONSE COMMITTEE (OSPR)

Chair Jim Herbert reported on the activities of the OSPR Committee since the last Board meeting, as follows:

- OSPR and the C-Plan Project Team were updated on recent amendments to the VMT and Prince William Sound Tanker c-plans and the Hilcorp/BP transaction.
- The committee was updated on the Wildlife Protection Guidelines public review and activities of the Alaska Regional Response Team, Prince William Sound Area Committee, and Arctic and Western Alaska Area Committee.
- Committee members assisted in the proposal review and contractor selection for the Web-Based Regional Stakeholder Committee (RSC) Resources project, and members are assisting in the selection of a contractor for the History of Contingency Planning project.
- OSPR, along with the other technical committees, has been kept informed about ADEC's regulatory reform efforts.
- Staff observed many drills and exercises. Various exercise reports were reviewed and accepted by the OSPR Committee.
- The committee took over the lead on the Council's weather-based projects.
- Port Valdez weather buoys have been reporting and logging data since they
 were positioned in the spring and early fall 2019. New wind generators have
 been installed on each buoy and some other maintenance work has been
 done on the VMT buoy to correct some issues with the current and wave
 meters. The committee has been updated on the progress of an RFP that was
 issued to determine the cost if a contractor other than Prince William Sound
 Science Center took over buoy maintenance.
- Permitting research continues for the Cape Hinchinbrook weather station and Seal Rocks wind meter. Due to a number of reasons, including the current pandemic, the Seal Rocks wind meter project has been deferred.

Herbert added his thanks to staff for their excellent reports on the April 12 oil spill at the VMT. He directed the Board to pages 8-13 of Section 5 of the meeting notebook for additional details and project status reports.

He pointed out that there was currently no Board member on the selection committee for a contractor for the History of Contingency Planning project. Herbert encouraged any Board member to join the committee meeting on May 12, where the committee would review the four proposals received in response to the RFP.

PORT OPERATIONS AND VESSEL TRAFFIC SYSTEMS COMMITTEE (POVTS)

Chair Steve Lewis thanked the POVTS committee members and staff for their work and reported that the committee had been fairly active since the last Board meeting, primarily working to review the efforts of the shipping industry to move to lower emission fuel.

He reported on the following specific efforts of the POVTS Committee since the last Board meeting:

- The committee continues to monitor the weather-based projects led by the OSPR committee and matters pertaining to the Port Valdez weather buoys. Three POVTS members (Archibald, Heddell, and Lewis), participated in the Weather Buoy Maintenance RFP analysis.
- The committee received an unsolicited proposal from Safeguard Marine suggesting utilization of the AVTEC ship bridge simulator to model a drift simulation and tug save of a laden tanker at Hinchinbrook Entrance. The committee opted to enter discussion with Capt. Pierce to clarify the proposal's design and scope. This conversation will take place later in May and the committee may develop the study as a project proposal, either for FY2021 or for a future fiscal year.
- Project 8012 -- Tanker Towline Deployment Best Available Technology (BAT) Review. The committee accepted the final report from Glosten on the Tanker Towline Deployment BAT Review and it is on the agenda for acceptance by the Board at this meeting. Expenditure on this contract was \$46,869. Lewis said he found particularly interesting in this report the case studies on casualty incidents and problems involving towline connections and the loss of them. The critical elements were crew familiarity with the mechanism of transferring towlines and crew familiarity working their decks in advanced sea state conditions. He emphasized that these are two critical elements of saving a vessel in distress and that they cannot be simulated. He urged the Board to read the report carefully.
- Project 8040 Prince William Sound Vessel Traffic System (VTS) BAT Review. The VTS BAT Review project is nearly complete. The committee met with the contractor working on this project to provide further direction and scope. A draft final report has recently been received but the committee did not have time to evaluate it prior to this Board meeting. Expenditure on this contract was \$34,099.

Going back to remarks by Brigham McCown about in-state response capability during a spill, and noting that BP until this time had been the response management contractor for ATC, Lewis said he was curious as to which entity that has true instate capability for response will assume BP's role now that ATC had been bought by Overseas Shipholding Group (OSG).

INFORMATION AND EDUCATION COMMITTEE (IEC)

Chair Jane Eisemann reported that the committee had had two regular meetings and one project team meeting since the last Board meeting.

• <u>Project 3410: Fishing Vessel Program Community Outreach</u>. The Alyeska Ship Escort/Response Vessel System (SERVS) fishing vessel training for spring

- 2020 was postponed because of COVID-19, so there was no associated outreach. The committee has started looking ahead to next year, using creative problem-solving for how to host this program in Kodiak and Valdez. Additional details were in the status report portion of Section 5 in the meeting notebook. No action was requested of the Board at this meeting.
- <u>Project 3500: Community Outreach</u>. The committee is exploring ways to pivot to more online offerings while all in-person outreach events were cancelled this spring because of the COVID-19 pandemic.
- <u>Project 3530: Youth Involvement</u>. Each program that is a part of the Youth Involvement project has had a different outcome due to travel restrictions and school closures. For example, the Valdez 6th grader videos about the impacts of oil spills and oil transport were completed through distance learning. For the next RFP, the committee will encourage proposals to include virtual activities and/or anticipated backup plans since the current uncertain environment was likely to continue to affect schools, groups, and travel.
- <u>Project 3560: Exxon Valdez Project Jukebox</u>. IEC and staff are evaluating interviews to add to the University of Alaska Fairbanks Project Jukebox archive. Due to coronavirus-related delays, funding for this project will be carried into the next fiscal year.
- <u>Project 3610: Website and Web Presence BAT</u>. Staff has been working with a contractor to update the resource library on the <u>pwsrcac.org</u> website. New features will improve the search function and support a searchable database for the Council's Oil Spill Curriculum, among other improvements.
- Project 3620: Connecting With Our Communities. Input on a possible logo adjustment was gathered from Board members, committee chairs, and staff in March via Zoom sessions. Board members who would like an update or were unable to attend one of the sessions were encouraged to contact Brooke Taylor. In the interests of shortening this virtual May Board meeting, a request for Board action on potential logo adjustments was postponed to the September Board meeting.
- <u>Project 3903: Youth Internship</u>. The FY2020 intern elected to step away from the project. She was working on lesson plans that could be delivered virtually to families at home and preparing the Alaska Oil Spill Curriculum's lesson plans to be added to the searchable webtool, but the current crisis situation caused by COVID-19 changed her plans. Outreach Coordinator Betsi Oliver will continue work on the webtool as we get ready to search for a new intern for the next fiscal year.

(This concluded the technical committee reports.)

INTERNAL OPENING COMMENTS -- PWSRCAC BOARD SUBCOMMITTEES

LEGISLATIVE AFFAIRS COMMITTEE (LAC)

Chair Dorothy Moore thanked Kate Troll and Roy Jones, the Council's legislative monitors, for their valuable assistance and advice. She thanked the LAC members and all who assisted with legislative issues and the committee activities since the start of 2020. She reported that the committee had met eight times since the Board meeting in January, either as a project team or in a regular meeting.

She reported that state legislative priorities this year are:

- Long-term fiscal sustainability for the Oil and Hazardous Substances Release Prevention and Response Fund (470 Fund).
- Adjustments to the financing structure to ensure the long-term sustainability of the Alaska Department of Environmental Conservation's (ADEC) Prevention Account and the Spill Prevention and Response (SPAR) Division.
- Support for the SPAR Division budget, including retention of seven positions proposed for elimination.
- Legislative awareness and engagement on ADEC's Oil Spill Contingency Plan regulation scoping and reform initiative.
- Legislative awareness and engagement on the Hilcorp/BP transaction.
- Support for Rep. Tarr's invasive species bill.

The federal legislative priorities are:

- Reauthorization of the financing rate for the Oil Spill Liability Trust Fund
 (OSLTF) and passage of Sen. Sullivan and Sen. Murkowski's Spill Response
 Prevention and Surety Act (SRPSA). The committee is working on some
 possible amendments to the bill and assisting with identifying Democrat cosponsors in both the House and the Senate.
- State and federal budgetary and regulatory rollbacks.
- Various U.S. Coast Guard (USCG) topics, including VHF and radar challenges in Prince William Sound that affect the safe transportation of oil.

Moore added that the committee had a very successful visit to Juneau in February. The committee members participating in that visit were Robert Archibald, Mako Haggerty, and Robert Beedle. They met with over 20 legislators, the Governor's chief of staff, Admiral Bell and his staff at USCG District 17, and SPAR Director Denise Koch. The committee also hosted a legislative reception. The Council's legislative priorities were well received and the committee made progress on several issues including the SPAR budget and the long-term sustainability of the Prevention Account.

The committee's trip to Washington, D.C., was postponed due to the coronavirus crisis. The committee is in the process of refining its D.C. briefing sheets and intend to submit them in the next few weeks.

FINANCE COMMITTEE

Treasurer Wayne Donaldson reported that the Finance Committee met twice since the January Board meeting and accomplished the following:

- The committee reviewed the December 31, 2019, and March 31, 2020 interim financial statements which included the FY2020 budget modifications;
- The committee reviewed the agreed-upon procedures report from BDO, the Council's auditor. This expanded look at FY2019 travel, lobbying, and non-Alyeska fund expenditures occurs to highlight areas previously audited by Alyeska. The agreed-upon procedures report is used to help substantiate the Financial Manager's and the Executive Director's report to the Board on Alyeska contract compliance. The Finance Committee reviewed the Alyeska

- contract compliance report and is recommending its approval by the Board at this meeting. The report is contained in the consent agenda at Item 3-2.
- The committee also reviewed PWSRCAC's report to the IRS for FY2019 (Form 990). Finance Manager Gregory Dixon reviewed the 44 pages of the Form 990 with the committee. The committee will recommend the Board authorize the Executive Director to sign it on behalf of the organization and file it with the IRS under Item 4-5 at this Board meeting.
- The committee reviewed the FY2021 budget and will recommend the Board accept the FY2021 budget at a Special Board Meeting on May 21, 2020. The committee also recommended that the proposed budget include a list of proposed FY2021 expenditures by broad category.
- Director of Administration Walt Wrede reviewed with the committee, policies that govern contracting and budgeting. The Finance Committee provided several suggestions for Walt Wrede and the Board Governance Committee to consider when revising these policies.
- Dixon updated the committee on the advertised, but as yet to be filled, bookkeeper position. As this position has not been filled, Dixon has committed to working full-time for the remainder of this year and that recruitment for the bookkeeper will remain open until filled.

BOARD GOVERNANCE COMMITTEE (BGC)

Chair Robert Beedle reported that the committee had met several times since the last Board meeting and had focused on its annual review of Board Policies and the organization's Bylaws. He anticipated that the committee would recommend several amendments to the Policies and possibly the Bylaws at the September Board meeting.

Since the January Board meeting, the committee had reviewed Series 100 (Board of Directors), Series 200 (Contracting), Series 300 (Fiscal Policies), and Series 400 (Lobbying) sections of the Board Policies. The committee plans to focus on Series 500 (Organizational Policies) next.

Beedle reported that the committee also reviewed and discussed potential changes to Section 3.4 of the Bylaws related to Board member terms, as well as Section 3.8 of the Bylaws relating to meetings by telephone.

The next BGC meeting will be held in June.

(This concluded the Opening Comments of PWSRCAC's Board Subcommittees.)

Recess: 9:50 a.m. - 10:01 a.m.

EXTERNAL OPENING COMMENTS - EX OFFICIOS

ALASKA DEPT. OF ENVIRONMENTAL CONSERVATION (ADEC)

Craig Ziolkowski introduced the Central Region State On-Scene Coordinator Crystal Smith who reported that she had been busy with the challenging sump spill at the VMT and was learning from the innovative problem solving involved with the spill.

Ziolkowski reported the following activities since the January Board meeting:

- ADEC was actively recruiting for the On-Scene Coordinator position for the northern region.
- Staff was still analyzing the c-plan comments on the public scoping project (approximately 130 received) and will be briefing the Commissioner. He stated that the agency was still a long way from making any recommended changes.
- SPAR Budget. He spoke of appreciation for PWSRCAC's support of an increase in the refined fuel surcharge from \$0.095 to \$0.15.
- ADEC accepted with conditions Alyeska's request for a temporary waiver of Tank 8 inspection to 2023.
- Alyeska's response to the VMT Admin Sump oil spill went well.

Ziolkowski offered to answer questions.

Robert Beedle asked what mitigation measures had been applied to Tank 8 before the inspection waiver was granted by ADEC and whether ADEC was confident that the tank would be sound until its new inspection date in 2023. Ziolkowski reported that the perforations in the floor were repaired, the old cathodic protection (CP) system was turned back on, and ADEC is comfortable with the level of protection that that old CP system provides, as well as the patches that were completed to the CP system and the corrosion areas in the floor. Ziolkowski stated ADEC had determined that to replace the tank bottom would have required a lot of mobilization of staff to Valdez and in the midst of the COVID-19 pandemic that was not prudent. Ziolkowski said he was comfortable with the repairs that had been made and that the decision to push out the next inspection of Tank 8 to 2023 was a prudent step.

Amanda Bauer commented it was disappointing that the inspection and repair/replacement was not wrapped up on Tank 8 in 2019, as originally required, and questioned why the next inspection was extended to 2023, and not 2021 or 2022. Ziolkowski stated that ADEC only has oversight of the CP system itself and some of the inspection pieces are not in ADEC's purview. Dates for inspection are driven by American Petroleum Institute (API) requirements which ADEC has adopted. Ziolkowski did not know how this particular timeline deferment was determined. Bauer voiced concern that it appears Alyeska gets to set its own timelines and then ADEC agrees. She emphasized to Ziolkowski that, as a citizen of Valdez, these long periods between tank inspections are always a concern and now that there is a tank known to have issues which has been put back in service until 2023, it is more concerning. Ziolkowski emphasized that Alyeska had put forward repair proposals for tank bottom repairs, patched the cathodic protection, and had completed mitigation measures that ADEC is comfortable with. He offered to continue the conversation on Tank 8 later. Bauer added that PWSRCAC has concerns with the BP-Hilcorp transition, with tank issues being part of those concerns, and PWSRCAC would like to see this tank inspection completed.

Thane Miller pointed out that the inspection of Tank 8 revealed hundreds of defects, so much so that Alyeska decided the entire bottom needs to be replaced. He asked Ziolkowski to outline the mitigating strategies Alyeska put forth that ADEC ultimately accepted. Ziolkowski stated that Alyeska's request to ADEC was to

extend the CP system inspection requirement and that he could only speak to that. As far as tank review for the other regulatory bodies, he said he would have to defer to those other agencies, as he could not speak for them. Miller asked what data ADEC used, or has now, that went into the decision to extend the schedule for the CP system another three years. Ziolkowski reiterated that the decision was driven by the following:

- The current CP system was turned back on and restored as soon as the tank was placed back into service,
- A new CP system is to be installed in 2023;
- Tank 8's floor and the CP will be replaced in 2023; and
- An Alaska registered professional engineer will complete the API 653 inspection and engineering reports to support the return to service decision.

Crystal Smith added that ADEC staff, in order to write the waiver, looked at the API 653 inspection reports and the most recent CP inspection reports for the tank.

In response to a question from Miller about which agency has oversight of Tank 8, if not ADEC, Ziolkowski stated he would look into it at the JPO and report back.

Beedle questioned how the sump spill happened, with all the oversight and the safeguard protections in place at the VMT. Ziolkowski stated it was not appropriate for him to speculate as to the root cause in this forum, but Alyeska's Andres Morales may have information to impart as to the cause during Alyeska's activity report.

Archibald thanked Ziolkowski and Smith and noted that PWSRCAC continues to be concerned about SPAR's staffing numbers and its budget.

U.S. FOREST SERVICE (USFS)

(No report.)

BUREAU OF LAND MANAGEMENT (BLM)

Paul Degner reported on general BLM updates, and Eileen Oliver reported on the status of Alyeska's Alaska Native hire program that was requested by the Council at its January Board meeting.

Degner reported that the agency was currently working under COVID-19 operations in accordance with the Center for Disease Control (CDC) Guidance etc., with limited field travel and working remotely.

With regard to the sump spill at the VMT, Degner stated that Rhonda Williams and Greg Bjorgo had been attending remotely all of the incident management call-ins with Department of the Interior (DOI) coordinators. Degner stated that BLM will continue to monitor the recovery and will request a copy of the incident report when it is available.

Degner stated that BLM was continuing to review and process the Hilcorp application for the grant transfer from BP.

In follow-up to a request from Jim Herbert at the January meeting for a status report on Alyeska's Alaska Native hire program, Degner introduced Eileen Oliver who reported that the current overall Alaska Native hire goal was 20%. In addition to hiring Alaska Native people, contractors can earn developmental credits for providing training and scholarships to help Alaska Natives get hired on the Trans Alaska Pipeline System (TAPS) and progress in their careers. Alyeska is the primary contractor and currently they have 10 subcontractors who meet the requirement for reporting their Alaska Native hire on TAPS. For the first quarter of 2020 (January 1 -March 31, 2020) Alveska achieved 21.8% Alaska Native hire. The designated and reporting contractors achieved 21.4%, and the combined overall percentage Alaska Native hire for the first quarter was 21.6%. Oliver reported that Alyeska has met the overall employment goal each year by the fourth quarter since 2004, and their contractors have met the overall employment goal by the fourth quarter each year since 2012. She receives quarterly reports from Alyeska and their contractors. She also meets with them periodically and reviews their plans on how they are going to reach their Alaska Native hire goal.

Following their reports, Thane Miller asked about Tank 8 receiving approval to go back into service, what role BLM had in that decision, and what oversight role BLM has at the VMT. Degner stated that BLM does not have any regulatory oversight at the VMT and it is not on federal land, explaining that the VMT is under the American Petroleum Institute (API) inspection criteria. If BLM has concerns with those inspection criteria it would work with the appropriate regulatory authority. Degner emphasized that BLM had no part in the Tank 8 waiver approval or the process.

Oliver followed up her initial report answering questions from the Board.

- The number of Alaska Native hires specific to the VMT and involved in the loading and transportation of oil cannot be extrapolated. She does not have that information and was not sure if she would be at liberty to divulge it since the information would be provided by Alyeska.
- Edison Chouest Offshore (ECO) is not currently meeting its Alaska Native hire goal, adding that they have a long training program and personnel are sent to other vessels outside of Alaska before coming into Alaska operations.
- The number of Alaska Native hires and the developmental credit is broken out in the quarterly reports. They are monitored closely by Alyeska and the Alaska Native Advisory Board to make sure they are not trying to meet their goal with the developmental credit. They are required to recruit and hire Alaska Native people.
- Alyeska combines its subcontractors' percentages together to come up with the quarterly percentage Alaska Native hire. Each contractor reports its own percentage but there is a subsequent spreadsheet that shows the achievement of the overall goal. Some contractors will always exceed their 20% goal which will bring up those who are not meeting their goal and this is discussed with Alyeska. If a subcontractor is not meeting its goal, Alyeska

will ask the contractor to develop an improvement plan to meet their Alaska Native hire goal for four consecutive quarters and they are held to that plan.

In response to a question from Amanda Bauer as to staffing levels at the JPO and the future of the office, Degner stated that he could not speak for other agencies, but in terms of the BLM staffing levels appear to have stabilized, he was not anticipating any more changes, and there was no indication of change in the JPO status from the BLM side.

Bauer also asked if any of the memoranda of understanding (MOUs) and/or agreement (MOAs) with the other agencies taking more responsibility for oversight, that were spoken about at previous PWSRCAC meetings, were in place. Degner stated there were no new agreements that he was aware of and the existing ones were still in place.

ALASKA DEPT. OF NATURAL RESOURCES (ADNR)

Jacquelyn Schade of the Division of Oil and Gas spoke on behalf of ADNR, and stated that the agency was in a similar position to BLM in that personnel were not allowed to travel at the present time and there was no information on when that might change, but she was still planning to do field work this summer. She stated that ADNR had moved its office into the Atwood Building in Anchorage and staff had been busy with the physical move. Personnel were also working from home, off and on, to follow COVID-19 guidelines.

Thane Miller asked what responsibilities ADNR has at the VMT and reiterated his previous question as to which agency has oversight responsibility for the VMT and authority over tanks at the tank farm, specifically. Schade stated that ADNR's responsibility is the pipeline corridor and to ensure that Alyeska complies with the State lease, and it has authority to look at the integrity of the pipeline even if it is not on State land. ADNR's regulatory authority ends at the pipeline pig receiver at the terminal. Schade pointed out that ADNR does not have regulatory authority over Tank 8, specifically, but is very interested in what is going on with that tank, as are the other agencies.

ALASKA DEPT. OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT (ADHSEM)

(No report.)

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

(No report.)

U.S. DEPT. OF THE INTERIOR (DOI)

(No report.)

UNITED STATES COAST GUARD (USCG)

CDR Mike Franklin reported that the USCG and specifically MSU Valdez were dealing with all the COVID-19 mandates. He noted that MSU Valdez had had a long list of items and activities planned but much had been postponed or cancelled. He reported specifically, as follows:

- The addition of personnel to MSU Valdez to assist in the Valdez Narrows during the summer was on hold.
- The Spring fishing vessel exams in Cordova were given a 90-day deferral from the expiration of their decals, with the possibility of extending that further. He asked that the fishing crews remain vigilant and check their equipment and keep things safe.
- Industry Day has been postponed.
- The spring ammunition load was completed with 214 containers off loaded to shore and trucked to the military bases, and 176 containers reloaded and brought out of the Port Valdez safely.
- USCG personnel were heavily involved with the VMT sump spill and Franklin noted the challenging response it posed. USCG will continue to be involved with the response and the investigation.
- The Area Committee meeting was held via telephone.
- The Prep exercise was cancelled due to COVID-19.
- Vessel Traffic System (VTS) Updates: A repair project is planned to replace the power plants at Naked Island. This is a huge project which is scheduled to be completed around mid-July.
- Radar Repairs: The VTS has changed maintenance contractors to Silver Mountain Corporation. The contractor will conduct preventative maintenance, surveys, and repairs, etc. Franklin anticipated the repairs would be done and there would be radar coverage in Prince William Sound by mid-September.
- On staffing issues, CDR Franklin reported that the MSU Valdez's Executive
 Officer retired at the end of December. LCDR Sarah Ellis Sandborn stepped
 into the position from the Prevention Department. The Prevention
 Department head position will be filled later this summer during the regular
 MSU Valdez personnel rotation. LT Quinteros will transfer out this
 spring/summer from the VTS, as well as some petty officers and corpsmen.

CDR Franklin announced that he had received orders for a transfer to Sector Detroit and that he was happy to be going home for a while but sad to leave Alaska. He introduced CDR Patrick Drayer who will be his replacement. CDR Drayer introduced himself to the Council, saying this will be his third tour in various Alaska locations.

Thane Miller expressed appreciation to CDR Franklin for his service in Alaska. He said he had been looking forward to his first attendance at Industry Day and asked what USCG is doing to obtain input from industry (in light of cancellation of the Industry Day event) and how to get the ear of USCG to express concerns. As to disseminating information, Franklin stated that USCG will work toward putting something out in a virtual format and was trying to be flexible in doing exams, etc. As to industry providing direct input to MSU Valdez, Franklin stated that email was the best method and he would provide that email contact information before the end of this meeting.

In response to an inquiry from Thane Miller about local training of VTS personnel, CDR Franklin stated that all newly appointed VTS watch standards and supervisors go through a two-week training course on the East Coast. The local training is all performance qualification based. Personnel work their way up, under the guidance of their mentor or supervisor, then they go before a Board and take an exam where

they are questioned on their knowledge, and if they pass, they are qualified to work on the watch floor in the VTS.

Miller asked whether VTS personnel would ever be able to accept an offer from a fishing vessel owner/operator to do a ride-along. Franklin said that USCG personnel do ride on tankers from time to time, but he appreciated that the perspective is different on a fishing vessel or a small passenger vessel and that he would have to submit the question to USCG's legal department.

Miller stated he would like to see USCG have a commercial VHF radio to transmit on Ch. 16, as well as its usual transmission on Ch. 13.

Jim Herbert thanked Franklin for his service, his participation at the Council's meetings, and the information he has provided to PWSRCAC. He asked CDR Drayer to put a request for newer radar on his "wish list" for Prince William Sound.

Rebecca Skinner asked CDR Franklin to include Kodiak USCG contact information in the email information he said he would provide, as well as how to best reach out directly to the USCG in other areas of the state.

Mako Haggerty thanked Franklin for taking his responsibilities in Prince William Sound as seriously as the Council does its mission. He asked how the virus problem might create new guidelines for USCG inspection. CDR Franklin stated that the pandemic had already caused a lot of issues in Valdez, from inspectors and repair contractors not being able to travel to Valdez and other communities or get contractors into other communities to service a boat. He said that the USCG was being as flexible as possible, without giving up safety, by allowing fishing vessels to operate past their inspection dates and other accommodations.

Thane Miller and Robert Beedle both expressed interest in having a USCG person ride on their boats to familiarize themselves on how fishing boats and crew operate in the fishing areas. CDR Franklin said he would send up the request to the Sector Anchorage office.

Mike Bender echoed the request for USCG to have a VHF radio. He noted that there was still no coverage at Pigot Point. Franklin stated that Pigot Point was on the top three for repair.

Archibald expressed the Council's best wishes to Franklin for the future.

OIL SPILL RECOVERY INSTITUTE (OSRI)

(No report.)

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (NOAA) (No report.)

ALASKA DEPT. OF FISH AND GAME (ADF&G)

Lee McKinley expressed appreciation for being able to participate as an *ex offici*o in this virtual format. He said he had no specific report but would be available to

answer questions. He reported that, like ADNR, the ADF&G office had moved into the Atwood Building in Anchorage.

He reported that ADF&G personnel were involved in the VMT sump spill as part of the Wildlife Task Force and helped to develop and sign off on the Wildlife Response Plan.

Recess: 11:38 a.m. - 11:48 a.m.

EXTERNAL OPENING COMMENTS: TAPS SHIPPERS, OWNER COMPANIES, & PILOTS

POLAR TANKERS/CONOCOPHILLIPS

Monty Morgan wished CDR Franklin farewell and expressed appreciation for how he had worked well with everyone. Morgan went on to give an overview of Polar Tankers/ConocoPhillips TAPS operations since the January Board meeting.

He outlined Polar Tankers' COVID-19 precautions for the tanker fleet. Every time a ship comes in, Polar Tankers sends a report to the VTS that everyone is symptom-free and tested. Everyone is screened as best as they can be, with temperature readings, crew changes limited to one, and bringing everyone on at one time so they can be monitored. All the pilots and contractors are screened with monitors, thermometers and the like, and movements are restricted within the ship. All declarations of inspection are done electronically. The berth operators do come on board but maintain social distancing and wear masks.

Polar Tanker's scheduled exercise for Puget Sound, WA, that was to have taken place during that week was cancelled.

Morgan reported that planned events for the fall were still in flux and there was a possibility that the bridge management team course in Seward may not happen, depending on how Alaska begins to lift travel restrictions.

On loadings and fleet issues, Morgan reported that Polar Tankers had transported 26 million barrels to date in 2020. The *Polar Endeavor* left the West Coast and was just north of Hawaii preparing to go to Singapore when her shipyard visit was postponed so she returned to Alaska to load. Morgan said the plan going forward is to have the *Polar Endeavor* go into the shipyard in July (if it is open by then), where she will have her bridge retrofitted with all new electronics and the ballast water treatment system (BWTS) installed. The next to go will be the *Polar Discovery*, whose shipyard visit has been postponed until November.

Morgan reported one lost-time injury which occurred in the transfer of a mooring line that snapped back hitting the boatswain in the arm. The ship went back to Hawaii to get him treated.

Amanda Bauer asked for an update on ice scouting measures. Morgan said the six-hour ice reports for outbound tankers are no longer done. When a ship departs, there are always two tugs with her, one of which can be an ice scout. If something is seen in the lane, one of the tugs is sent up ahead to report back. An ice report is

always gathered for an inbound tanker before the vessel transits the Bligh Reef area because an inbound tanker can be traveling at a much higher speed than an outbound tanker.

Beedle asked about the effects to Polar Tankers' operations due to the delays in shipyard visits because of the pandemic. Morgan stated that it would depend on when the Singapore shipyard is able to open again. USCG has extended certificates and inspections until ships are able to get into maintenance facilities. Morgan added that the pandemic restrictions and shutdowns also affect Polar Tanker's regulatory exercises calendar in Washington, Oregon, California, and Alaska. Polar Tankers was working with the regulatory agencies in each of those states in order to get credit for having done an exercise in one state that would be accepted in one of the others, so that not all the exercises will have to be crammed into one year to meet each state's requirements. He noted that all the shippers were in the same boat in terms of the impacts to meet regulatory requirements in the different states.

Steve Lewis encouraged Polar Tankers to look into domestic shipyard availability to do some of the maintenance work when things open up again.

CROWLEY ALASKA TANKERS

Angelina Fuschetto said that Polar Tanker's Morgan had already reviewed most of the things she was going to cover on the vessels. She reported that, to date, Crowley Alaska Tankers had been incident free. She stated that Crowley Alaska Tankers was exploring new ways to do things on the tankers and gave kudos to the crews for working on that. She reported that new protocols for rotation of the vessel crews had been implemented Crowley had completed its first crew change and was working through the new requirements and protections.

ALASKA TANKER COMPANY (ATC)

Chris Merten expressed best wishes to CDR Franklin. He stated that ATC, like the other shippers, was still working through new protocols under the COVID-19 safeguards and he outlined those safety measures.

He conveyed his regrets and those of Anil Mathur and Sam Norton of OSG that the usual joint ATC-OSG hosted reception in Valdez had to be shelved because of COVID-19 concerns. He said new protocols had been instituted to keep crews safe and healthy. He thanked PWSRCAC for helping with COVID-19 test vendors.

Merten stated that the transition in ownership of ATC to OSG officially occurred on March 12, 2020. He emphasized that none of the vessel crews had changed and the support staff remained the same. Some personnel were lost in redundant administration positions, such as accounting.

Merten reported no incidents or recordable injuries year-to-date. ATC made 16 TAPS voyages in 2020 and six since the transition. He reported that ATC-OSG's relationship with BP remained the same, except the ships were now on a time charter instead of co-ownership with BP.

ATC was also working on the transition of BP to Hilcorp and getting ready to manage its relationship with Hilcorp and their ANS crude shipping.

Merten reported that ATC had to revise its c-plans because of the change in ownership of the company which resulted in it no longer having BP as its primary response action contractor. Its new response action contractor is Gallagher Marine.

Like Polar Tankers, ATC had a dry dock scheduled for June for the *Alaskan Navigator*, which has been postponed until September and could be postponed again. Meanwhile, ATC was working with agencies and the states for extensions of certificates, etc. The *Alaskan Navigator* will get a BWTS installed when it eventually goes to dry dock. The system on the *Alaskan Explorer* is up and running and working well. The *Alaskan Legend* will get the system in 2021.

Executive Director Schantz announced that PWSRCAC planned to honor Anil Mathur for his almost 20 years of service with an official recognition at a future meeting. She welcomed Merten to the meeting.

Steve Lewis expressed concern about Gallagher Marine and their lack of local knowledge. Lewis said he would ask the Council to pay attention to Gallagher Marine as the contractor.

BP SHIPPING

Jeff Adamczyk reiterated that ATC was sold to OSG on March 12, 2020. He congratulated Chris Merten on taking the helm of ATC.

He reported that COVID-19 issues were adding to an oversupply of crude oil worldwide, so BP was looking at export cargos. Two had already been completed in 2020, and a third, using a spot charter, would happen around the May 15-18.

Adamczyk reported that BP was still working on the Hilcorp transition, and that BP/ATC/Hilcorp were working together to ensure that Hilcorp would be able to take over the time charters of the ATC fleet sometime during the summer. Hilcorp will be responsible for the commercial operations and scheduling, and ATC will operate the vessels.

At the present time BP was still maintaining its spill response plan in Alaska and would continue to maintain a small spill response team in the state, but BP has always brought in contractors from out-of-state for spill response. The small team would be able to stand up in the first 72 hours of a spill and take over from Alyeska/SERVS. BP also has its own mutual response team that can respond anywhere in the world.

MARATHON (formerly Tesoro/Andeavor)

(No report.)

SOUTHWEST ALASKA PILOTS ASSOCIATION (SWAPA)

Capt. Andy Wakefield, President of the Southwest Alaska Pilots Association (SWAPA), thanked Mike Day and Alyeska for communicating with the pilots on the VMT spill and response.

Capt. Wakefield reported that SWAPA was doing everything possible to keep COVID-19 off the ships. They have 200 antibody tests and they have been testing crews and the pilots themselves. SWAPA purchased extra vehicles and is practicing self-isolating.

Wakefield confirmed that the large ice presence he spoke of last meeting was in regard to conditions in Cook Inlet and not Prince William Sound, as pointed out by Jim Herbert in a clarification to the minutes of the Board January meeting.

Lunch Recess: 12:30 p.m. - 1:00 p.m.

ALYESKA/SERVS ACTIVITY REPORTS

Alyeska's Emergency Preparedness and Response Director Andres Morales presented the Alyeska/SERVS activity report for the first quarter 2020. He prefaced his report by thanking CDR Franklin for his service to Alaska and said his leadership at MSU Valdez would be missed.

Morales reported that the year started as routine, then the coronavirus became a reality for Alyeska, which has changed the world greatly and brought social distancing, social isolation, working from home, and all the new risks inherent with the virus. As COVID-19 took hold, the consumption of oil went down by approximately 30% worldwide and storage needs went up. The producers started to reduce the amount of oil being put into the TAPS pipeline and as throughput is down to 400,000 bbl/day it has changed what projects will be done this year and how they will be done, and the situation is fluid right now. Morales predicted that the international market would remain in this situation worldwide for some time.

Morales went through Alyeska's activities and projects as of the first quarter 2020. The figures did not include the April 12 sump spill or the Edison Chouest Offshore (ECO) diesel spill.

VMT Operations:

• Operations: (As of 3/31/2020)

		<u>Y I D 2020</u>
0	Tankers Loaded	71
0	Tankers Escorted	75
0	Barrels Loaded	42,461,084
		. 0

		Since start up
0	Tankers Loaded	22,699
0	Tankers Escorted	14,028
0	Barrels Loaded	17,332,378,055

• **Safety:** (As of 3/31/2020)

0	Days away from work cases	0.00
0	TAPS Combined Recordable Rate %	0.42

• **Environment:** (As of 3/31/2020)

o Spill Volume (Gallons)

0.016***

Number of Spills

15

*** Does not include total for VMT Administrative Sump Crude Oil Spill discovered on 4/12/2020.

• VMT Administrative Sump Incident:

Morales reported on an incident discovered at the VMT on April 12, 2020, where oil was found in Port Valdez 700 feet away from Sump Pump 58 SU-3 with no visible flow path on the surface of the ground. Alyeska investigated and determined that the both the check valve failed (debris caused the valve to be stuck in the open position) and the level indicator failed on that sump pump.

The spill was estimated to be 50 barrels total of crude and other oils. The spill went down into the ground underneath the ice and snow cover to perforated piping which took it to tidewater. When initially found, it was discovered by a crew out on the water but they did not know the source and it became larger. Morales went on to explain the booming pattern and efforts to contain the oil on the surface of the water.

Alyeska had to verify that the sump was the source of the spill and then stop the source. Once the source was identified, Alyeska then worked to clean up the land and the water and minimize damage to wildlife. The investigation led to discovery of the oily water to gravel. Alyeska installed a temporary system to take the oily water away and pump it to the ballast water treatment system (BWTS). Morales said there would continue to be sheen on the water for some time. It will leach out of the soils and rocks and that will require Alyeska to put in a permanent containment management system for as long as it is needed.

Alyeska has a root cause analysis investigation ongoing. Morales noted that this part of the system has regular maintenance performed, so how the valve got stuck open and the level indicator failed is all part of the investigation.

Steve Lewis thanked Morales for the information that was available to date and said PWSRCAC looked forward to hearing the results of the investigation.

Executive Director Schantz asked if PWSRCAC would be provided a copy of the investigation report. Morales responded that it was likely he would be presenting it in person to the Council.

COVID-19 Response:

In response to the COVID-19 pandemic, Alyeska initiated an incident management team to limit the exposure and impacts to TAPS workers and facilities while maintaining personnel safety, environmental stewardship, and critical operations.

Examples of actions taken to limit the impact of COVID-19 include:

- Working remotely.
- Limiting access to facilities to critical staff to maintain safe operations.
- Screening for all workers prior to accessing a work site or facility (exception CPW/DIF).
- Site specific plans to manage and disinfect all facilities in the event of an exposure.
- Following CDC mandates, such as maintaining social distance, limiting size of gatherings, and wearing masks.
- As of April 27, 2020, there were no known cases of COVID-19 on TAPS.

Fishing Vessel Availability by Port (end of 1st quarter 2020):

<u>Port</u>	<u>Tier 1</u>	Tier 2
Valdez	22	19
Cordova	32 (8 Rapid R	esp.) 135
Whittier	7	22
Seward		26
Homer		49
Kodiak		40
Totals	61	291

Fishing Vessel Training:

- Postponed the Spring Fishing Vessel Training because of COVID-19 concerns.
- Still planning on doing Fall Fishing Vessel Training, but it will depend on the COVID-19 situation later in the summer.

Morales emphasized that there are a lot of concerns in the fishing industry with regard to COVID-19 risks and exposures.

2020 Contingency Plan Activities:

- VMT contingency plan SAP Amendment 2020-1:
 - Application submitted to ADEC on 1/29/20.
 - 30 days of Public Review from 2/21/20 3/21/20.
 - o RFAIs due from ADEC by 6/19/20.
- VMT contingency plan minor Amendment 2020-2 for administrative updates:
 - o Approved on 3/5/20 and published on 3/23/20.
- Prince William Sound Tanker contingency plan amendment for administrative edits and removal of extra TOO, that was erroneously included in equipment table:
 - o Approved on 3/3/20 and published on 3/23/20.

2020 VMT/PWS Training & Exercises

- SERVS conducted five drills, exercises, and training events in the first quarter:
 - Valdez Star Training Deployment 2/1/20.
 - Emergency Towing Assist Exercise 3/7/20.
 - Tethered Escort Tanker Arrest Exercises at 6 & 10 knots 3/7/20.
 - ICS 305 IMT Process and ICS 307 Resource Ordering Training 3/11/20.
 - Unannounced Rapid Response Vessel Call-Out Drill for Cordova VOO - 3/13/20.
- Upcoming 2020 Exercises:
 - VMT Exercise 5/21/20 postponed for COVID-19.
 - Andeavor/Marathon Prince William Sound Tanker Exercise October.
- Exercises that can continue without creating additional COVID-19 risk will continue.

2020 Valdez Projects:

- X220, Tank 94 (BWT) Inspection Postponed.
- Z773 Ballast Water Piping Triennial Inspection.
 - o Berth 4 ballast header and sump, Tank 94 drop leg Postponed.
- X219. TK-8 2019 Tank Program.

Morales elaborated on the Tank 8 project. Tank 8 is inspected under API criteria by law and Alveska is required on a periodic basis to inspect the tank. That inspection on Tank 8 occurred in 2019. The law allows the tank to be returned to service as long as any anomalies are corrected, and Alyeska has to estimate how long the repairs will last, based on the most aggressive or pessimistic corrosion rates that Alyeska can project. Based on the condition of the floor in Tank 8, Alyeska's most pessimistic estimate was that it would last another four years, taking the next inspection to 2023. That is a standard calculation based on the condition of the floor. Alyeska repaired the floor, the sheets under the columns, and the coatings, met all the regulatory requirements, and has plans in place to reinspect in 2023. Morales speculated that in all likelihood Alyeska will replace the floor in 2023 so it is able to get another 10-year inspection interval before it has to take the tank down and do another inspection. Having met the API requirements for tank inspections, Morales explained that ADEC's involvement was solely to review Alveska's mitigation measures to ensure they met Alyeska's c-plan commitments for tank inspections. He also pointed out that the CP system on Tank 8 is an older system. It is an effective system, but it is not as effective near the edges of the tank, so part of Alveska's commitment is to replace it with a more

modern system that addresses corrosion more uniformly over the bottom of the tank.

- Z730 VMT Berth 4 & 5 Gangway Replacement.
 - The engineering and long lead time order is still on the books and will be looked at, but the installation is not a 2020 project.
- Z692 SERVS Hatchery Buoy System Integrity.
 - Ordered a new buoy and the inspection and buoy system
 maintenance has been completed. This is a multi-year project.
 Alyeska considered doing more extensive work this year, but the
 engineering has not yet been done, and there will not be any more
 work this year other than what was required from the inspection.

Morales stated that there would be another corporate reorganization because of the drop in oil production and price, as well as for COVID-19 issues, and cuts and elimination of positions would have to be made.

NOMINATIONS FOR OFFICERS AND EXECUTIVE COMMITTEE MEMBERS-AT-LARGE

President Archibald opened the floor for nominations for the 2020-2021 Officers and three Member-at-Large seats on the Executive Committee:

Robert Beedle nominated all officers and the members-at-large in their present positions to the Executive Committee for a second term:

[For the Office of President: Robert Archibald. For the Office of Vice President: Amanda Bauer. For the Office of Treasurer: Wayne Donaldson. Bob Shavelson.

For the Members-at-Large: Rebecca Skinner, Thane Miller, Ben Cutrell.]

Rebecca Skinner seconded, and the motion carried by unanimous consent.

The election would be held the following morning in accordance with the Board's custom.

Amanda Bauer moved to go into executive session to receive information/discuss an overview of a 360 evaluation and the Council's pending contract negotiations with Alyeska. Rebecca Skinner seconded, and the motion carried by unanimous consent. Those included in the executive session in addition to the Board were: legal counsel Joe Levesque, committee chairs, and staff members Gregory Dixon, Joe Lally, Donna Schantz, Brooke Taylor, and Walt Wrede.

Recess:

The open session ended for the day at 2:03 p.m.

Friday, May 8, 2020

CALL BACK TO ORDER

President Archibald called the meeting back to order at 8:30 a.m. on May 8, 2020. A roll call was taken. There were 16 Directors present at the time of the call back to order (Archibald, Bauer, Beedle, Bender, Chadwell, Cutrell, Donaldson, Haggerty, Hasenbank, Miller, Moore, Shavelson, Skinner, Totemoff, Vigil, and Zinck). Patience Andersen Faulkner joined the meeting at 9:10 a.m.

REPORT ON EXECUTIVE SESSION

Amanda Bauer reported that the Board discussed the pending contract negotiations with Alyeska in executive session and listened to a presentation by Mike Meadors on 360 evaluations for executive director annual reviews.

[There was no action taken on items discussed in executive session.]

3-1, 3-2, 3-3 CONSENT AGENDA

The consent agenda consisted of three items: 3-1, 3-2, and 3-3.

Thane Miller moved to approve the Consent Agenda as presented. Michael Vigil seconded.

The **consent agenda was approved** as follows.

3-1 RESOLUTION DESIGNATING PWSRCAC CHECK SIGNERS

Adoption of the resolutions provided by First National Bank Alaska to update the list of authorized individuals to conduct financial transactions on PWSRCAC's two accounts.

• 3-2 ANNUAL PWSRCAC/ALYESKA CONTRACT COMPLIANCE VERIFICATION REPORT APPROVAL

Acceptance of the PWSRCAC/Alyeska Annual Contract Compliance Verification Report.

• 3-3 COMMITTEE MEMBER APPOINTMENTS

Appointment of committee members to two-year terms to the following respective committees:

Scientific Advisory Committee (SAC)

Debu Misra Renewal
Sarah Allen Renewal
Davin Holen Renewal
Jeffrey Brooks Renewal

Note: The committee consists of nine members, including renewals.

Directors on SAC: Dorothy Moore, Wayne Donaldson.

Terminal Operations and Environmental Monitoring Committee (TOEM)

Matt Cullin Renewal George Skladal Renewal

Note: The committee consists of eight members, including renewals.

Directors on TOEM: Amanda Bauer.

Oil Spill Prevention and Response Committee (OSPR)

Jerry Brookman Renewal Dave Goldstein Renewal

Note: The committee consists of seven members, including renewals.

Directors on OSPR: Robert Beedle, Mike Bender.

Port Operations and Vessel Traffic Systems (POVTS)

Pete Heddell Renewal
Orson Smith Renewal
Gordon Terpening Renewal

Note: The committee consists of eight members, including renewals.

Directors on POVTS: Amanda Bauer, Robert Archibald.

<u>Information and Education Committee (IEC)</u>

Ruthie Knight Renewal Linda Robinson Renewal Kate Morse Renewal

Note: The committee consists of nine members, including renewals.

Directors on IEC: Patience Andersen Faulkner.

4-4 FEDERAL AND STATE GOVERNMENT AFFAIRS UPDATE

Director of Administration Walt Wrede introduced updates on federal and state government and political affairs by PWSRCAC's legislative monitors Roy Jones in Washington, D.C., and Kate Troll in Juneau.

<u>Federal Legislative Report.</u> Roy Jones reported that most of the action and focus in Washington, D.C., had been geared towards COVID-19 relief and stimulus relief packages. Most of the congressional offices and personnel were working from home and key staff that he works with have been available by email or phone.

Jones reported that one key bill of interest to PWSRCAC involves fixes to the Oil Spill Liability Trust Fund (OSTLF). He hoped some action could be developed on that bill. It was before the Senate Finance Committee at that time, but not referred to a subcommittee. Several important improvements to the OSLTF program contained in the bill could be attributed to efforts of PWSRCAC. He said PWSRCAC, as an organization that represents communities and industries, could be helpful in getting this moving. Jones noted that only four Republican and seven Democratic members of the committee were from states with water around them. The remainder were landlocked.

Jones said he had also talked about the deterioration of oversight protections and response capabilities in Prince William Sound and he felt the congressional delegation would be receptive to the Council's concerns. He noted that it was more difficult at the present time simply coordinating action because of people working from home. In that vein, he had received an offer from Rep. Don Young's office to do a conference call with PWSRCAC's delegation and Jones felt that could be helpful in the present situation with people working from home, social distancing, and limits on travel.

In response to a question from Mako Haggerty, Jones confirmed that the OSLTF benefits all 50 states, not only the ones bordered by water, and that is a point the Council should emphasize to the Senate Finance Committee in attempt to get the bill moving.

<u>State Legislative Report</u>. Kate Troll reviewed the 2020 state legislative session and PWSRCAC's accomplishments.

- C-plans PWSRCAC learned that the emphasis for the c-plan revision was on things other than black oil.
- Hilcorp/BP PWSRCAC was able to get its questions asked and answered by key legislators on the Hilcorp financing. PWSRCAC will pursue those concerns in other venues.
- SPAR PWSRCAC was able to get the eliminated positions reinstated in the SPAR Division within the legislature, even though the Governor vetoed them again. PWSRCAC was able to make its solid arguments for defending the function, the role and need for SPAR and would likely have legislative support in the future.
- 470 Fund PWSRCAC found a vehicle in which to replenish the spill and
 response fund through an increased surcharge on refined fuel products
 contained in an amendment to SB 115- the motor fuel tax. While ultimately
 the bill did not pass because of the shutdown of the legislature due to the
 COVID-19 pandemic, PWSRCAC made progress and learned from legislative
 staff that the Governor would not have vetoed the surcharge on the refined
 fuels.
- PFAS Legislation PWSRCAC learned that PFAS response will not be funded from the 470 Fund, but rather unrestricted general funds.

Troll noted that the legislature was technically still in session, but they did not have the authority to meet and vote remotely, and they did not want to go to Juneau to do that. If they came back to deal with the COVID funding, that is all they would do, and the Council would have to look to next year's legislative session to get any of its bills through.

Dorothy Moore expressed appreciation to Troll and Jones for their reports and their assistance on PWSRCAC issues. Wrede pointed out that Jones had also assisted with the VHF radar issue and getting that moved along.

Mako Haggerty pointed out that there seemed to be a "desert of information" among the agencies on the BP-Hilcorp transaction, and that ADNR should be sharing the information with the Regulatory Commission of Alaska (RCA) and the information should be made public.

Project Manager Linda Swiss reported it was her understanding that there had been a challenge to the BP-Hilcorp information that ADNR was sharing with the RCA. She invited ADNR's Jacquelyn Schade to enlighten the Board as to the problem. Schade

declined to answer questions, citing Commissioner Feige's order to staff that only she was authorized to speak on the BP-Hilcorp transfer. Schade did offer to pass the Council's questions to the Commissioner and ask her to update the Board. Wrede added that he had invited Commissioner Feige to this Board meeting and while she had been unable to attend, he would try to find another opportunity for the commissioner to update the Board soon.

<u>Invasive species legislation</u>:

Wrede reported that there had been a meeting on the proposed invasive species legislation with Rep. Tarr and the bill now looked different than in the past. PWSRCAC had advocated for an invasive species council for some time that would have direct access to the Governor to advise him on prevention and for quick response. That provision is now included in the bill. The invasive species council would be made up of those who have expertise in invasive species, not solely commissioners. Past versions of the bill would have created a response fund, but there was no funding mechanism. The revised bill has funding from increased license fees and boat fees for a rapid response for invasive species problems.

Wrede reported that there was a long debate about ADF&G's responsibilities under the bill. Those sections have been removed because commissioners from ADNR and ADEC pointed out overlapping responsibilities with other agencies and they want to make sure that the agencies have the authority to do what the bill intends. In the meantime, ADEC is approving a general emergency permit for things such as pike infestations and those permits are being approved in 10 days or less, which was working well. Wrede reported he had just received the minutes of that meeting with Rep. Tarr and would provide copies to anyone on the Board who was interested.

4-2 REPORT ACCEPTANCE: TANKER TOWLINE DEPLOYMENT BAT REVIEW

Project Manager Alan Sorum introduced Capt. Peter Soles of Glosten, who presented the report on his review of the best available technology (BAT) for tanker towline deployment. A copy of the report and a briefing sheet were included in the meeting notebook under Item 4-2.

The study evaluated the technology currently being used and available in the escort and rescue tugboat trade for messenger line deployment to establish a connection between a disabled oceangoing vessel and a responding vessel at sea for the purpose of connecting emergency towing gear. A set of criteria was developed that reflects the eight criteria used by the ADEC to evaluate best available technology for messenger line deployment. The scope of work did not consider available tools, equipment, or methods for actually *towing* vessels. Rather, the project was an examination of the crucial first step of any at-sea rescue effort (the act of passing a small-diameter messenger line from one vessel to the other) and the state of the art with respect to tools and methods designed expressly for this purpose.

Soles reviewed the various equipment and methods of deploying a messenger line between two vessels to establish a tow line and the pros and cons of each.

Soles' recommendations were:

- The *Restech PLT SOLAS* unit offers several practical advantages and is recommended as BAT for Alyeska /SERVS and/or tank vessel operations in Prince William Sound.
 - It meets SOLAS and USCG requirements.
 - Relatively inexpensive.
 - Readily reusable.
 - o Marinized construction.
 - No incendiary propellant.
 - Passive projectile (no active propellant).
 - Can be used in live drills/training exercises at virtually zero cost.
- Vessel operators serving or supporting the TAPS trade should consider outfitting vessels with both the *Restech PLT SOLAS* unit and a surface float line, to give themselves at least two options for emergency towline deployment for any given scenario.
- PWSRCAC should consider leading a practical trial/demonstration of the top three to five technologies identified in the report, with SERVS/TAPS vessel operators and individuals from Glosten and PWSRCAC in attendance.

Steve Lewis thanked Soles for the work that Glosten did on the project and he thanked staff and the committee. He drew the Board's attention to the importance of the report's conclusion that familiarity with the tool and experience in the operating environment were the key elements of response for successfully coupling two vessels together. He said he was not comfortable at the present time with the SERVS support fleet's situation in that regard and he suggested that PWSRCAC ask the operators what system the tankers and tugs are using and what their training regime is for the equipment they have.

Emphasizing the importance of the study's conclusions and the lack of literature on this subject, Jim Herbert advocated that some effort be made to publish the report in a trade journal.

Noting the lack of standardization of the equipment and models that come and go, Thane Miller pointed out that the equipment is not required by USCG and the reason it is not required is because of lobbying and the reluctance of vessel owners to spend the money for more modern equipment. If it were required there would be several different options available that would be USCG approved and those options would available all the time.

Mako Haggerty commended Soles/Glosten for the excellent information in the report. He concurred with Herbert that it should be published and that it should include the Council's name as the commissioner of the study because this is the type of important information that PWSRCAC brings to the forefront.

Mako Haggerty **moved to accept** the final report titled "Tanker Towline Deployment BAT Review" submitted by Glosten, dated March 25, 2020, as meeting the terms and conditions of contract 8012.20.01 and release the report for public distribution. Rob Chadwell **seconded**, and the **motion passed** without objection.

Recess: 10:09 a.m. - 10:19 a.m.

4-3 REPORT ACCEPTANCE: LTEMP 2019 SAMPLING RESULTS & INTERPRETATIONS

Project Manager Austin Love introduced a report by James Payne and William Driskell for acceptance by the Board of the 2019 Long-Term Environmental Monitoring Program (LTEMP) Sampling Results and Interpretations in Prince William Sound. A copy of the report and a briefing sheet were included in the meeting notebook as Item 4-3. Love reviewed the results and findings with the Board and James Payne and William Driskell were online and available for questions.

The general findings were that polycyclic aromatic hydrocarbons (PAHs) in the blue mussels in Port Valdez were almost undetectable by the laboratory and the biomarker PAHs in the sediments in Port Valdez were going down over time but still detectable.

Love added that the there are other chemicals likely discharged by the BWTF that can be more toxic than PAHs, which LTEMP does not track. The current LTEMP data supports that PAHs are low, but there are other chemicals and information that LTEMP could look at and monitor and LTEMP is moving that way.

Driskell added that the mussels in Prince William Sound are cleaner than many other sites around the country, as well as those sites in the Gulf of Alaska that were originally sample sites at the beginning of the LTEMP sampling because they were heavily oiled during EVOS.

Amanda Bauer **moved to accept** the report titled "Long-Term Environmental Program: 2019 Sampling Results and Interpretations," by Dr. James R. Payne and William B. Driskell, dated March 2020, as meeting the terms and conditions of contract number 951.20.04, and for distribution to the public. Wayne Donaldson **seconded**, and the **motion passed** without objection.

PRESIDENT'S REPORT TO THE BOARD

President Archibald thanked the Board for their confidence in nominating him for another year as President. He acknowledged that everyone was working during some pressured times and that the coronavirus pandemic had turned the world upside down. But one constant is the Council's mission of citizens promoting the environmentally safe operation of the Alyeska VMT and its associated tankers.

He spoke of the discouraging funding shortfalls for ADEC and other regulatory agencies and emphasized that PWSRCAC must strive to maintain funding for efficient and well-sourced regulators to ensure a robust system.

He expressed pride in several Council projects that have improved the safe operation and transportation of oil, including the LTEMP project, the Port Valdez buoy project, and maintenance of the two-escort system which ensures the safe transport of laden tankers. But in these unsure economic times, the cost of cleaning up a spill will not change. He emphasized that it is the Council's mission as representatives of the people of Alaska to see that prevention is the leading component and that in the event of a spill, swift and ample response would be mounted. By pushing the prevention aspect, he hoped that the response system

would never have to be tested and it will ensure a clean and safe environment into the future.

(This was an information item. No action was requested of the Board.)

2-1 EXECUTIVE DIRECTOR'S REPORT TO THE BOARD

A written Executive Director's Report was in the meeting notebook as Item 2-1.

In addition to her written report, Executive Director Schantz added the following comments:

- On March 16, staff went to work in the office. On March 17, the office closed because of the COVID-19 emergency order of the Governor and has remained so since. She will reassess the office closure as things progress and will take a cautious approach to opening back up. She credited staff for maintaining PWSRCAC's core operations from home while so much was happening around them. She recognized Financial Manager Gregory Dixon for maintaining financial operations and controls and thanked him for making sure staff had appropriate equipment to be able to work from home.
- She recognized Director of Programs Joe Lally, , and Project Managers Jeremy Robida and Roy Robertson for all their work on the VMT sump oil spill, and for the extraordinarily long days they put in to cover all the meetings and gather information.
- She also recognized Alyeska for their cooperation in providing PWSRCAC access to all the meetings and documents for the VMT sump spill, as well as access to the oiled area of the spill to collect the mussels for sampling. She stated that Alyeska did a very good job responding to the spill.
- She has asked Alyeska for a copy of the its completed investigation report when available because it is important for the Council to understand what caused that spill.
- At the last LAC meeting on April 23, 2020, the group talked about all the cumulative impacts of increased risks to safe transportation of oil in Prince William Sound at the present time, and the committee and staff were working on that:
 - An almost 50% reduction in staffing levels in the JPO from the 1990s. This is of concern to PWSRCAC because it represents reduced contributions from all state and federal agencies. At the same time, ADEC's SPAR Division has experienced a steady cut in staffing levels and its budget over the past few years, including another seven positions cut this year. In addition, the 470 Fund is currently unsustainable without adjustments to its funding mechanisms.
 - Comments from top regulatory officials within the state that regulations are too onerous or burdensome on industry and suggestions that there is too much regulatory oversight and unnecessarily penalizing to industry.
 - o The low price of oil and reduced TAPS oil throughput.
 - Upcoming staff reductions at Alyeska over the next few months as a result of another corporate restructuring, which will be in addition to the 10% reduction in staffing level that Alyeska took in its last corporate reorganization a year ago.

Schantz pointed out that the culmination of reduced staffing levels, reduced accountability and supervision, and the increased workloads all elevate risk. Add the COVID-19 pandemic, which has reduced staffing levels even further, and personnel distracted by changes in routines and concern over health issues and those of loved ones, and numerous other factors have all elevated the risk to safe operations across the board for Alyeska. She emphasized that the Council's work and vigilance was as important at the present time than it ever was and the Council needed to step up efforts in light of all these increased risks to make sure that the Council delivers more technically accurate and expert advice and recommendations to Alyeska and the regulators to maintain the safeguards that are so important to protecting Alaska's resources, its economy, way of life, and culture.

Annual recognition of volunteers:

Schantz recognized volunteers who had reached service milestones to the Council:

5 years of service:

- Board members: Robert Archibald, Mike Bender, Wayne Donaldson, Michael Vigil, and Mako Haggerty.
- Committee members: Trent Dodson (IEC) and Jeremy Talbot (POVTS).

10 years of service:

• Committee member Savannah Lewis (IEC) was awarded a Copper River Fleece Hat with PWSRCAC logo.

15 years of service:

• Committee member John LeClair (OSPR) was awarded an art print of Prince William Sound.

25 years of service:

 Committee member Jerry Brookman (OSPR) was awarded a Copper River Fleece yest with PWSRCAC logo.

Schantz thanked all Board members, committee members, and staff for the strong support she had received and she stated she looked forward to the time they could all meet again in person.

Executive Assistant Jennifer Fleming led the Board in a Zoom virtual "round of applause" for all those volunteers who were recognized.

(This was an information item. No action was requested of the Board.)

2-2 FINANCIAL MANAGER'S REPORT TO THE BOARD

Gregory Dixon updated the Board on financial matters he had been focused on recently, which included obtaining refunds for cancellation of airline tickets, conference registration fees, and the refunds of expenses paid in advance of those commitments, etc. He reported that the bookkeeper position remained open, so the position would continue to be advertised.

(This was an information item. No action was requested of the Board.)

Recess: 11:00 a.m. - 11:20 a.m.

ELECTION OF OFFICERS AND MEMBERS-AT-LARGE TO EXECUTIVE COMMITTEE

President Archibald asked the Board to confirm its intent, by formal action, to seat all incumbent officers and members-at-large to the Executive Committee for a second term, in their respective positions for the upcoming 2020-2021 year. President Archibald read the names and office they held at that time and to which they were nominated for a second term:

President: Robert Archibald
Vice President: Amanda Bauer
Treasurer: Wayne Donaldson
Secretary: Bob Shavelson

Members-at-Large Rebecca Skinner, Thane Miller, Ben Cutrell.

Archibald called for a roll call vote, as follows:

Patience Andersen Faulkner Yes. Robert Archibald Yes. Amanda Bauer Yes. Robert Beedle Yes. Mike Bender Yes. Ben Cutrell Yes. Rob Chadwell Yes. Wayne Donaldson Yes. Mako Haggerty Yes. Luke Hasenbank Yes. Thane Miller Yes. Dorothy Moore Yes. Bob Shavelson Yes. Rebecca Skinner Yes. Roy Totemoff Yes. Michael Vigil Yes. Kirk Zinck Yes.

The election/seating of Officers and Members-at-Large for 2020-2021 (as read by President Archibald) was confirmed by unanimous roll call vote.

4-5 APPROVAL OF THE FORM 990

Financial Manager Gregory Dixon presented to the Board the FY2019 IRS Form 990 informational tax return required of organizations exempt from income tax. Dixon reminded the Board that the information contained in the return would become public information once filed and the return would be available for public review on PWSRCAC's website. Dixon explained that the organization's accountants, BDO, prepared the return and the financial information it contains came from PWSRCAC's audited financial statements. He reviewed the return with the Board. He stated that he would ask BDO to make a minor correction to Sch. O, Part 6, Line 19 (referring to the compensation studies that Gallagher & Associates has conducted over the years) to reflect that a study was also done in 2018. Dixon said this was

important because it shows the organization is updating its compensation periodically.

Dixon asked the Board to authorize the Executive Director to sign the return on behalf of the organization and to file it with the IRS.

Wayne Donaldson **moved to authorize** the Executive Director to sign the FY2019 IRS Form 990 on behalf of PWSRCAC, with the addition of the reference to the 2018 compensation studies by Gallagher & Associates to Sch. O, Part 6, line 19, and submit it to the Internal Revenue Service on or before May 15, 2020. Mako Haggerty **seconded**, and the **motion passed** without objection.

4-10 ANNUAL BOARD COMMITTEE APPOINTMENTS

The annual appointment to Board subcommittees was led by Executive Director Schantz and President Archibald. The following directors volunteered to serve on each committee and were confirmed by a motion made by Dorothy Moore, seconded by Ben Cutrell, and passed without objection. (It was agreed that Directors who were not present at this point in the meeting but who wanted to serve on a subcommittee could be added later.)

O FINANCE COMMITTEE:

Treasurer Wayne Donaldson (Chair), Roy Totemoff, Mako Haggerty, Rebecca Skinner, and Robert Archibald.

- O LONG-RANGE PLANNING COMMITTEE:
 - Thane Miller, Patience Andersen Faulkner, Amanda Bauer, and the chairs of the five technical committees.
- BOARD GOVERNANCE COMMITTEE:
 - Thane Miller, Dorothy Moore, Robert Beedle, Mike Bender, Patience Andersen Faulkner, and Luke Hasenbank.
- O LEGISLATIVE AFFAIRS COMMITTEE:
 - Dorothy Moore, Rebecca Skinner, Kirk Zinck, Robert Beedle, Mako Haggerty, Robert Archibald, and Thane Miller.

CONSIDERATION OF CONSENT AGENDA ITEMS

(None.)

CLOSING COMMENTS

Directors were given the opportunity to make closing comments.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:05 p.m., on a motion made by Robert Beedle and seconded by Thane Miller and passed without objection.

Secretary	