RCAC asks Ayleska to continue role as contingency plan holder for Sound

RCAC has asked Ayleska to continue to be the planholder for the Prince William Sound Tanker Spill Prevention and Response Plan, in the interest of the best possible oil spill prevention and response. The Prince William Sound Plan is the core contingency plan for tanker spills in the Sound and it has always been produced and held by Ayleska. Ayleska maintains it has never been the planholder.

In a May 16 letter to Ayleska President David Pritchard, RCAC President Stan Stephens cited state and federal laws, and a history of industry assurances as evidence of Ayleska’s responsibility to be the planholder. That information is contained in a recently completed report, “Ayleska Plantholder Responsibilities,” prepared for RCAC. Beginning in 1990, Ayleska began to assert a different relationship to the contingency plan. While it acknowledges its duty to respond to a tanker spill in Prince William Sound, officials maintain that it does so only on behalf of the shippers. As such, Ayleska says it is a “response action contractor,” with no responsibility as a planholder in its own right.

When the Prince William Sound Plan was submitted this spring to the Alaska Department of Environmental Conservation (ADEC) for review, it was presented not as Ayleska’s plan, but as the plan of the oil shippers with Ayleska as their response action contractor. ADEC so far has accepted Ayleska’s assertion that it is not the planholder.

“RCAC feels strongly that the best possible prevention and response oversight by ADEC and concurrently, the best possible prevention and response actions by Ayleska will occur when Ayleska is a planholder for the Prince William Sound Plan,” Stephens’ letter said. “It is clear that response action contractor status provides for a lower general standard of care in response actions than that applicable to a planholder.”

RCAC asked Pritchard to explain why Ayleska needs to change from what RCAC views as its historical position of being the author and plan holder for the Prince William Sound Plan.

Passage of “470” fund legislation puts state prevention programs at risk

Funding for the state’s efforts to prevent oil spills and ensure adequate spill response has been cut back significantly, in the wake of a bill approved by the legislature. Passage of SB 215 will bring more than $30 million in tax savings to the oil industry over the next five years. As of Mar 16, there appeared to be a possibility that the governor would veto the measure.

Since 1989, North Slope oil producers have been paying a nickel per-barrel surcharge into a state fund that pays for programs and projects related to spills of oil and other hazardous substances. The so-called “470 Fund” has paid for oil spill prevention and response work within the Alaska Department of Environmental Conservation (ADEC).

Under the new system created by SB 215, the nickel surcharge will be split and the portion available to ADEC’s work will be spread much more thinly. Two cents of the nickel will be funneled into a response account, a reserve to be used only in certain circumstances. The 2-cent portion of the surcharge will be suspended within a year and reinserted only if and when the reserve drops back under $50 million.

Three cents will go to spill prevention and abatement work in ADEC, and that portion of the tax will continue indefinitely. But the legislature added major new users for that portion of the nickel cleanup of underground storage tanks and above ground storage tanks. Based on recent expenditures and projected costs, ADEC will not be able to cover all the programs and projects out of the prevention account.

SB 215 also benefits the oil industry at the expense of spill prevention by funneling most of the money now in the 470 Fund into the response account. The bill put approximately $32 million into the response account, ensuring the 2-cent surcharge will be suspended soon. Only $5 million of the $37 million current balance in the response fund was put into the prevention account.

The change could mean significantly less oversight by state regulators and curtailing of ADEC’s efforts to help prevent and respond to oil spills. The actual impact of the legislation on specific spill prevention and response programs will depend on the philosophy and priorities of the legislators and governor elected in November. Despite these problems, it could have been even worse. The original measure would have devastated prevention programs.

RCAC tracked the bill throughout the legislative session, submitted several sessions of testimony, alerted the public to the issues involved and worked with other groups opposed to the bill. RCAC board member Wayne Coleman worked closely with RCAC’s consultant, Ginny Fay, and traveled to Juneau three times. He also testified at five teleconference hearings. “I just very disappointed that they left so little in prevention,” Coleman said. RCAC President Stan Stephens also.

(See Page 6)
Charter member Tim Robertson cuts ties

One of the founders and most active members of the Prince William Sound Regional Citizens’ Advisory Council is calling it quits after nearly five years. Tim Robertson, of Soldotna, submitted his resignation from the Oil Spill Prevention and Response (OSPR) Committee in May. Robertson cited the press of several business ventures and other commitments for his reluctant decision to resign.

"Tim’s contributions to RCAC have been enormous," said Prince William Sound Regional Citizens’ Advisory Council President Stan Stephens. "His historical perspective, his knowledge of legal and technical issues, and his dedication have been extraordinary. Tim has made a real difference, especially in the arena of spill response planning. We’ll miss him."

Robertson was part of the original group that began meeting in July 1989 to form a formal citizens group to advise Alyeska. Robertson represented the City of Soldotna from RCAC’s inception until he resigned in December 1991. He left the board in order to represent RCAC in a six-month "negotiated rulemaking" task force set up by the U.S. Coast Guard to develop federal regulations on vessel containment.

Volunteer profile: Jim Levine

RCAC relies heavily on the energy expertise and resources of volunteers. Those volunteers share some core values, such as the importance of citizen involvement and concern for environmental protection. But their interests, politics and perspectives are wide-ranging and diverse.

It was anger that mobilized Jim Levine to get involved in RCAC in the first place, but the satisfaction that comes from making a difference keeps him involved. Levine, an engineer from Anchorage, is in his fourth year as a volunteer on RCAC’s Terminal Operations and Environmental Monitoring (TOEM) Committee. He currently serves as chairman of the group.

"I was very angry and very upset at what happened in 1989, at the general modus operandi of the company," Levine said. "I felt the most important thing was to prevent it from happening again and I felt local people could help make sure it doesn’t happen again."

Although his initial reaction focused on oil spill prevention, Levine applied for the TOEM committee, because the spill’s engineering background gave him more to offer in pollution issues. Most of TOEM’s efforts have focused on the impacts of terminal operations, oil spill response and pollution issues related to the terminal’s ballast water treatment facility.

Levine was born and raised in Newton, Mass., a suburb of Boston. He holds a bachelor of science in environmental engineering from Rensselaer Polytechnic Institute in New York. Levine came to Alaska in 1983 from Sacramento. Three years later he joined up with the U.S. Army Corps of Engineers, where he is an environmental manager for hazardous waste remediation.

Levine said he typically puts in 20 to 30 hours a month on RCAC work, but still makes time for skiing, hiking, sea kayaking and socializing as a volunteer for environmental groups.

He initially had some apprehensions about the degree of RCAC’s independence from Alyeska, but those apprehensions turned out to be unfounded.

"We’re bringing some important citizen input to the process and making some headway. It’s satisfying to me, as a volunteer, because we’ve made a difference," he said. "We’ve brought some insight into things that would not have been brought out without our effort. We’ve pushed a few items in the direction of stopping pollution in the Valdez area."

Levine cites Alyeska’s decision to install vapor controls at the terminal as a prime example. "I wasn’t all too busy doing anything, but I think we contributed significantly to Alyeska’s decision," he said.

Why does Levine care about Valdez? He subscribes to a variation of the NIMBY (not in my backyard) syndrome. "I care about everywhere. To plagiarize another environmentalist, I say, ‘it’s not in anybody’s backyard.’ He is working toward a cooperative working relationship with Alyeska and finds the willingness to seek consensus on issues and problems encouraging.

"I find the regulatory agencies more whining than helpful. You have an idea where industry is coming from. The agencies are supposed to watch out for the public’s best interests and it seems to me that a lot of time is spent reacting to the industry they work with and see their point of view too easily,” he said.

"Regulators hear from the public but don’t work with the public at the same level as they work with industry. Right now, it’s easier for them to agree with industry. It may be our job to turn that around."
Oil spill prevention

Speakers call for high worldwide standards on tankers

Despite preventive measures instituted since 1989, major oil spills will keep occurring unless high international standards are imposed and enforced for tanker structure, training and qualifications of masters and their crews.

That was a major theme echoing through an international conference, "Prevention, response and oversight five years after the Exxon Valdez oil spill." The conference, sponsored by the University of Alaska Fairbanks Sea Grant College Program, was held last week in Anchorage.

Ill-trained and overworked crews, substandard vessels and the absence of consistent worldwide standards were repeatedly cited as major contributors to the continuing risk of major oil spills.

Seattle journalist Eric Nalder, author of a new book "Tankers Full of Trouble," said the Exxon Valdez was not a flukish event, but part of a continuing pattern of oil spills. No accident has a single reason, he said. "It's always a code of errors." Nalder believes the problem is that no one is in charge and that international regulations are needed to govern the shipping industry, ship inspections, accident investigations and crew training.

Sheftland journalist Jonathan Wills said the laws of the sea should be revamped to parallel the international rules of civil aviation. Like pilots, ship masters should file transit plans, and be monitored and controlled like planes, he said. The most ardent proponents of international standards and regulation were former and present industry representatives. Mike Williams, former vice president of Alyeska Pipeline Service Co. and a master mariner, called for a paradigm shift in attitudes about the sea, even if it means restraining trade. He called for the major trading nations to set their own high standards and demand that all others meet those standards.

Human factors study on hold

A study to develop a preliminary list of the most important human factors in tanker accidents has been put on hold because major oil shippers will not allow their crews to be interviewed. The study, "Human factors issues in shipping and spill prevention requirements analysis," is co-sponsored by RCAC and Cook Inlet RCAC.

ARCO Marine and SeaRiver Marine (formerly Exxon Shipping) have refused to allow the consultants on board their ships to interview crew members. Unless the shippers can be persuaded to participate, the study will likely be aborted, since interviews with tanker crews are considered essential to the project. BP Shipping asked for more information and as of mid-May had not said whether the crew of its chartered vessels could be interviewed.

ARCO Marine, Inc. President Jerry Aspland told RCAC that the study is a human factors research should be done nationally by the U.S. Coast Guard, which is charged under OPA 90 with conducting a study of human factors. The Coast Guard study is due in 1995. Aspland said the RCAC-CIRCA interviews could talk to him, however.

SeaRiver President Gus Eimbcke said the same position as Aspland and said there were safety concerns in allowing interviewers to board the tankers. The study was to identify the extent to which changes in human behavior, produced by working conditions or other factors, can play a role in maritime accidents in Alaska. It was designed to provide a preliminary analysis of those human factors issues that should be explored in more detail in a comprehensive research project later. The state's Hazardous Substance Spill Technology Review Council's expressed strong interest in conducting more comprehensive research into human factors; the RCAC-CIRCA study would lead into the larger one.

The primary source of information was to be focus groups and approximately 35 interviews with a broad cross-section of the maritime community, including shipping companies, pilots, working seamen and regulators. Project consultant is Battelle Seattle Research Center, of Seattle, Washington, with Dr. Martha Grabowsk and Capt. Mike Stoeker. The project formally began in March 1984; it was to have been completed by June 10, 1994. Human error is involved in more than 80 percent of hazardous substance spills and it played a major role in the Exxon Valdez grounding.

Weather stations added to house authorization bill

Installation of additional weather reporting equipment in Prince William Sound would be authorized under a measure approved May 1 by the U.S. House Merchant Marine and Fisheries Committee. Language about the weather reporting stations was added to the NOAA Authorization Act of 1994, at the request of Congressman Don Young.

The resolution authorizes the Secretary of Commerce to spend $340,000 for equipment at four sites:

- A weather buoy at Cook Rocks, capable of measuring and reporting wind speed and direction, barometric pressure, wave height and period, and air temperature;
- A weather buoy on the tower at Elk Reef to measure and report wind speed and direction;
- Relocate the existing anemometer at Point Point to a more exposed location in order to provide more accurate information; and
- Acquire and install an anemometer at the Hinchinbrook Lighthouse site.

Coast Guard proceeding with rule on vessel escorts in Sound

The U.S. Coast Guard has decided to draft a final rule on escort vessels in Prince William Sound and Puget Sound without waiting for the final report of a study of disabled tanker towing. That report is now expected to be completed in September. The final rule is expected to be published in August. However, it could be delayed if the Office of Management and Budget conducts a lengthy review, according to "OPA '89 Update," a Coast Guard newsletter.

The Disabled Tanker Towing Study is evaluating the capability of existing and alternative emergency towing equipment and practices to assist disabled tankers in Prince William Sound. The study was funded primarily by RCAC and the Prince William Sound Tanker Association. The U.S. Coast Guard, Alyeska Pipeline Service Company, and the Alaska Department of Environmental Conservation also are participating. The Coast Guard has left itself an option to change the escort standards for Prince William Sound, if conclusions of the towing study show that changes are warranted. Any changes to the Prince William Sound rule would be incorporated into a separate rulemaking to deal with escort requirements in "other waters." That rulemaking is on a later time schedule than the one for Prince William Sound and Puget Sound.

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Response and planning
Nearshear strike team demonstration in Seldovia

In an all spill response exercise conducted by the state, fishing vessels successfully demonstrated they can safely tow and control a recovery barge. The demonstration is significant because the so-called "nearshear strike team" that performed the exercise is likely to be a prototype for response corps in coastal areas around Alaska.

The first sea trials of the Nearshear Demonstration Project, April 14-16 in Seldovia, had been long anticipated by RCAC's Oil Spill Prevention and Response (OSPR) Committee. RCAC, in particular Tom Copeland and Tom Robertson of the OSPR Committee, has worked for years urging the state to establish response corps and depots as required under a law passed after the 1989 Exxon Valdez oil spill. The Nearshear Demonstration Project represents the first concrete step toward corps and depots.

The "nearshear response" refers to the containment and recovery of oil that has escaped initial containment efforts and threatens sensitive coastal areas. The Nearshear Demonstration Project was designed to demonstrate that equipment could be placed in coastal communities for use by local volunteers and vessels of opportunity in the event of an oil spill which escaped initial containment efforts. Local citizens and local vessels played an effective part in the Exxon Valdez oil spill clean-up efforts.

In 1982, the state legislature appropriated $1.2 million to the Alaska Department of Environmental Conservation (ADEC) to conduct nearshear response demonstration projects in the Gulf of Alaska and Southeast Alaska. These monies were allocated out of the $470 Fund as an initial development of the local response depots and corps.

The Seldovia demonstration, led by Hartec Management Consultants for ADEC, consisted of the Alaska Responder 650, a specially-built 650-barrel recovery barge with skimmer and power pack and four fishing vessels. The fishing vessels, ranging in size from 38 feet to 60 feet, performed specific towing, skimming and barge assist functions. The objective of the exercise was to demonstrate that fishing vessels could safely work with the recovery barge.

The high level of interest in the exercises stemmed in part from its implications for the development of response units in other areas of the state. The Alaska Department of Environmental Conservation has said that if the Seldovia demonstration project was successful, it could serve as a prototype for the statewide response depot and corps project, which would greatly expand oil spill response resources.

In the next step of the project, members of the Seldovia Oil Spill Response Team will be trained to man the barge and additional fishing vessels will be brought under contract and trained in barge towing. Once the barge is deemed response-ready, the state will have established the first response capability under the volunteer response corps mandated by the state in 1989.

In addition to RCAC, observers included Commissioner John Sande of the Alaska Department of Environmental Conservation, USCG Adm. Roger Rule and USCG Capt. D.E. Bodton, chief of the Marine Safety Office in Valdez. Also observing were representatives from Cook Inlet RCAC, Seldovia Oil Spill Response (SOS) Team, and Alyeska's SERVS division (Ship Escort Response Vessel System).

Nearshear response drill and exercises planned
Protecting shoreline from spilled oil will be the focus of a drill to be held September 19-22, by Arco Marine, Inc. Bob Levine, Arco Marine's Director of Alaskan Maritime Affairs, told the RCAC Board of Directors at their annual meeting in March that the drill will be different from past drills in several significant respects. It will test only the nearshear contingency plan and it will be conducted with more realism than most drills, Levine said.

Nearshear response is a concept that emerged from the Exxon Valdez oil spill to contain spilled oil after it has escaped the spill site but before it hits shore. Nearshear response uses local fishing vessels and their crews for most of the nearshear response work. The drill will employ approximately 100 fishing vessels and last 48 to 72 hours. Most of the exercise will consist of vessel deploying equipment, getting it in place and skimming and transferring water.

"The intent is to test the process," Levine said. "We can get the nearshear plan to work as intended? if not, why not?"

Levine cited the tendency of major spill drills to reflect wishful thinking more than reality. "We're becoming skilled at stage plays. Nobody ever seems to miss a meal or lose any sleep. It's like a big three-day party and everybody has a good time. When it's over everybody congratulates themselves on what a success it was. This drill won't be like that," Levine said.

Three specific areas will be evaluated: the nearshear response plan, ARCO's external affairs plan for communicating with affected communities, and ARCO's command and control system. RCAC has been asked to be on the evaluation team.

Alyeska's Ship Escort Response Vessel Service (SERVS) division will conduct nearshear response training and exercises through the summer. Steve Hood, SERVS' Nearshear Response Manager, said 10-12 different fishing vessels will participate in each of 12 on-water exercises scheduled from June through August.

Hood said the exercises are to both test the nearshear response equipment and train the fishermen in how to use the equipment. The equipment includes specially-built mini-barges to hold oil and water recovered by the fishing boats, new skimmers, boom, power packs, pumps, off-loading gear and decanting equipment.

Oil spill response plans undergoing public review
Dozens of documents spelling out how Alyeska Pipeline Service Co. and oil shippers will respond if a tanker spills oil in Prince William Sound are available for public review until mid-June. The state's review process allows up to 44 days for public review and comment.

RCAC is reviewing contingency plans for crude oil spills in Prince William Sound. Plans were submitted in March to the Alaska Department of Environmental Conservation (ADEC) for approval. They include the 22-volume Prince William Sound Tanker Spill Prevention and Response Plan, and a contingency plan for each of the tankers that call at the Valdez Marine Terminal.

This formal public review of the contingency plans is the culmination of five years of work to update and amend oil spill response plans. Neither the terminal nor tankers can operate in the Sound without an approved plan and legislation enacted after the Exxon Valdez oil spill dictated major changes in the plans.

Since March of 1989, tankers calling at the terminal have been operating under "conditional approval" of their oil spill prevention and response plans. ADEC rejected an appeal from RCAC that review periods for the plans be staggered to extend the time allotted, considering the large number of plans under review. With only six weeks, RCAC will not attempt to thoroughly review every plan. RCAC's Oil Spill Prevention and Response Committee and its contractors have decided to review the core Prince William Sound Tanker Plan, and selected tanker plans based on incident history, age and other factors. The Prince William Sound Tanker Plan describes how Alyeska will conduct the initial response to a tanker spill in the Sound, on behalf of the tanker owner or operator.

Each of the tanker plans references the Prince William Sound Tanker Plan. In reviewing the contingency plans, the RCAC team is using protocols developed last year as a master guide to assess the adequacy of the plan and compliance with regulatory requirements.

The Prince William Sound Tanker Plan is familiar territory to RCAC. Since late 1989, RCAC representatives have been working with Alyeska, other industry representatives and regulatory agencies on amendments and additions to the plan.

However, the state's public review period is the first opportunity any of the public, including RCAC, has had to review the tanker contingency plans since the 1989 spill.
Use of corrosion inhibitors questioned

Products that will be used to inhibit corrosion in the crude oil piping at the Valdez Marine Terminal look like biocides and act like biocides, so why aren’t they being regulated like biocides? That’s the question RCAC is putting to the U.S. Environmental Protection Agency (EPA). In mid-June, Alyeska will begin using NaCl 3554 and NaCl 3564 to inhibit corrosion in the pipeline. The products work predominantly in the coating, and chemically, by killing sulfate-reducing bacteria.

Apparently, the products are characterized and labeled primarily as pipe coating, yet both contain agents that act as biocides. Biocides are regulated under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). Similar products used in Cook Inlet are regulated as biocides.

“We are very concerned with chemical compounds being used as coatings, creative marketing or product labeling technologies, are not properly regulated. We would appreciate knowing how EPA determines whether or not a corrosion inhibitor is a biocide, especially since most biocides used by the Alaska oil and gas industry are employed specifically to combat corrosion,” RCAC President Stan Stephens said in a letter May 6 to Charles Clarke, regional administrator for EPA’s Region 10. “Please believe the public has the right to expect your agency to authorize the use of these materials based on scientifically reasonable study of their impact on the environment.”

RCAC’s Terminal Operations and Environmental Monitoring (TOEM) Committee has expressed concern about the lack of information available regarding the toxicity of the corrosion inhibitors on marine animals. The committee has argued that the substances should not be approved for use until more data is available.

Alyeska has agreed to postpone using the corrosion inhibitors until mid-June, after salmon fry have migrated to their nearby habitat. Under its EPA permit, Alyeska will conduct tests after it begins using the inhibitors to determine whether they are resulting in higher toxicity in the effluent from the ballast water treatment plant.

Tracer study dropped

RCAC has decided not to proceed with a new study of vapors emitted during tank loading at the Valdez Marine Terminal. The so-called "tracer" study would have indicated how much of the benzene in Valdez comes from sources like the terminal.

In September 1993, RCAC and Alyeska agreed to conduct the study together. RCAC budgeted $300,000 to cover its share of the study. After lengthy discussion and debate at a meeting in Seward, May 13, the Board of Directors decided to proceed with the tracer study, citing the following reasons:

- Alyeska has committed to install vapor controls to reduce emissions at the terminal by 1997 and to select the specific technology it will use by the end of June.
- Another tracer study would not necessarily provide comparable results as previous questions raised by a first tracer study in 1992.
- Draft regulations issued April 30 by the U.S. Environmental Protection Agency (EPA) indicate that Alyeska will be required to reduce hazardous air pollutants — including benzene — by about 85 percent, or perhaps 85 percent, depending on the technology used.
- There is some concern within RCAC that Alyeska might not install vapor controls at all the loading berths, even if that’s the case, the EPA standard would still apply.
- The findings of the tracer study would be unlikely to have a bearing on the EPA regulations for benzene emissions. The tracer study would take at least 18 months, while the public comment period on the draft regulations closes July 18. Second, information from the tracer study would speak to a standard different from that being applied by the regulations. The EPA standards for benzene would be different from those the tracer study would have related to health standards.

One of the reasons for the joint tracer study was to resolve a conflict between RCAC and Alyeska. In 1992, Alyeska released results of a tracer study conducted as part of its Valdez Air Health Study. Scientists hired by RCAC to review Alyeska’s work disputed the methodology and findings of the tracer study and concluded that Alyeska’s study significantly underestimated the amount of benzene in Valdez air. While the dispute has not been resolved, the RCAC Board concluded that the reasons to continue the study were outweighed by the above.

Study proposed at ballast water treatment plant

The Regional Citizens’ Advisory Council (RCAC) and Alyeska Pipeline Service Co. are looking at co-sponsoring a study or studies of environmental questions related to the ballast water treatment plant at the Valdez Marine Terminal.

RCAC had proposed a materials balance study to answer unresolved questions about the plant’s ability to successfully treat the waste streams it receives, the fate of contaminants entering the plant, and the composition of the effluent discharged from the plant into the Port of Valdez.

RCAC wants the study to provide a comprehensive measurement of the environmental contaminants that enter and are discharged from the treatment plant. Alyeska, on the other hand, would prefer to focus on a few issues that are of most pressing concern.

The proposed work is consistent with RCAC’s responsibilities, referenced in its contract with Alyeska and the Oil Pollution Act of 1990, to monitor the actual and potential environmental impacts of terminal operations. RCAC’s Terminal Operations and Environmental Monitoring (TOEM) Committee drafted the study proposal to address unresolved questions about the effectiveness of treating ballast water and the plant’s impact on the environment.

One of RCAC’s chief concerns is the presence of polycyclic aromatic hydrocarbons (PAHs) found in Port Valdez sediments. These hydrocarbons have been designated as known or suspected carcinogens by national health agencies. In compliance with its National Pollution Discharge Elimination System (NPDES) permit, Alyeska has reduced the levels of PAHs dramatically in the past two years to the point where PAHs in the plant’s effluent are at zero or below detection limits. However, PAHs have been found in elevated levels in fish tissue caught near the terminal and in Port Valdez sediments. The proposed project would look into the source of the hydrocarbons, and possible solutions for reducing their presence in the environment.

Another issue RCAC proposes to study is the effect of ballast water on the plant. A materials balance calculation completed for RCAC in 1992 was unable to fully account for most of the pollutants entering the plant in two important categories: gases and sediments. The calculation indicated that the fate of a significant amount of toxic chemical compounds is unknown.

The study envisioned by RCAC would also seek to explain the toxicity of the plant’s effluent. Chemical analysis currently conducted for Alyeska on the waste water discharged from the plant does not identify toxic substances at toxic concentrations. However, toxicity tests conducted on marine animals over the last four years as part of Alyeska’s NPDES permit indicate that the plant effluent has remained consistently toxic to marine test organisms.

RCAC believes that a materials balance study would help resolve public uncertainty about the effectiveness of the ballast water treatment plant; demonstrate the capability of the plant to deal with contaminants of different types; provide a rational basis for recommended plant modifications, if any; clarify the relationship between the treatment plant and the observed effects in Port Valdez; and identify the components that are causing those effects.

In seeking to get the study underway, RCAC first sought support from the Ballast Water Management Pilot Program, a group organized to address ballast water treatment at five ports and funded by two regulatory agencies, the Environmental Protection Agency and Alaska Department of Environmental Conservation, as well as RCAC and Alyeska. When the regulatory agencies decided this study would go above and beyond their authority, Alyeska and RCAC agreed to work on co-sponsoring the study together.
Alyeska begins redesign of organization structure

by Gary P. Bader, Manager, Citizen Group Liaison Alyeska Pipeline Service Co.

As a result of a fundamental change in operational philosophy, Alyeska is in the process of implementing organizational changes to become a better, more effective company.

Alyeska’s goal is to improve performance in our core business activities by (1) moving oil safely while protecting the environment; (2) remaining in compliance with all laws and regulations; and (3) maintaining and modifying our facilities and right of way in accordance with a new state-of-the-art quality program.

The new company design will result in the creation of large operation sections called “business units” which will have the authority and resources to get required results. Each business unit will be comprised of “business teams,” smaller groups who will focus all of their expertise on the unit’s responsibilities.

The plan calls for flattening the organization to improve decision-making and communication processes. We plan, initially, to have a five-layer organization, CEO through technicians.

At the Valdez Marine Terminal there will be one business unit consisting of four business teams. The first business team to be implemented is the marine business team, which has responsibilities for debiasting and loading oil on tankers. Later this summer, ballast water treatment, power vapor and oil movements and storage business teams will form at the terminal.

While some individuals’ titles and job responsibilities will change, layoffs are not expected at this time.

— Gary Bader

Potpourri

Shippers negotiate with state over barge fines

The state attorney general’s office has fined 22 tanker operators for failing to have adequate oil spill response equipment in place for about a month last winter. A settlement between the state and the shippers over the fines was expected to be finalized by the end of May.

The original $5,000 fine leveled against each of the 22 tanker operators was announced in March. The fines stem from events last December, when Alyeska Pipeline Service Co. sent a key response barge Outside for maintenance work.

“470 Fund” bill on Governor’s desk

(Continued from Page 1) worked extensively on the bill.

Other bad news came in the form of SB 308, which has the potential to narrow the long term environmental concerns that must be considered in development projects and weakens the public’s ability to influence decisions about resource development. SB 308 addresses the Alaska Coastal Management Program (ACMP) and state “best interest” findings for land disposals. The ACMP was originally established to ensure residents of coastal areas are consulted and involved in decisions about coastal resource uses. All projects in the coastal zone, including oil spill contingency plans, are reviewed under the ACMP.

The “best interest” finding in the state’s analysis of whether a particular disposal of state land or resources is in the best interest of the state. Disposals such as state timber sales, mineral leases, and oil and gas leases are all required to have a best interest finding.

There are several problems with the new law. It allows more development projects in the state to be “phased” and thus potentially sidestep longterm environmental analysis at the initial phase. It allows segmenting of a particular development project in such a way as to preclude from the decision-making process consideration of how the entire development will eventually impact the local area.

It gives division directors in the Department of Natural Resources (DNR) broad discretion in their decisions about state land and resource disposals, and gives state agencies broad discretion to phase projects. In some cases, the limit on state agency discretion is not bound by regulation or statute. For example, an environmental impact which DNR concluded is not “known” or “material” to its decision at a particular phase, does not have to be considered. This could be interpreted to allow DNR to exclude consideration of the potential for oil spills at the lease sale stage.

Finally, the legislation places strict limits on the public’s ability to participate in the approval and appeals processes. This limitation is a significant change from the existing right of the public to freely participate, comment on and appeal these decisions. It may have a negative long term impact on the ability of the public to influence decisions in the coastal zone.

Sampling changed in monitoring

In an effort to improve the chances of detecting hydrocarbon contamination, some sediment samples collected as part of RCAC’s environmental monitoring program will be taken from shallower depths beginning in July.

Deep sediments (30 meters) will still be collected at all nine sampling sites, but at three of the sites – Disk Island, Sleepy Bay and Sheep Bay – sediment samples will also be collected at five to eight meters. The addition of shallow sampling was recommended by reviewers based on evidence found in studies examining the impacts of the Exxon Valdez Oil Spill.

The Long Term Environmental Monitoring Program provides baseline measurements of hydrocarbons present in sediments and intertidal mussels in Prince William Sound and the Gulf of Alaska. The study also identifies the source of hydrocarbons present. Samples are taken twice a year, both at sites known to be contaminated by the 1989 spill and at sites not contaminated. The data will provide a benchmark for assessing the impacts of oil transportation and any future oil spills. Field samples are taken in March and July.

The environmental monitoring program is overseen by RCAC’s Scientific Advisory Committee.

State, Coast Guard sign MOA

The State of Alaska and the U.S. Coast Guard have signed a memorandum of agreement (MOA) reinforcing the commitment of the Coast Guard and Alaska to work together on joint preparedness, prevention, response and law enforcement efforts.

The MOA was formally signed March 24, the fifth anniversary of the Exxon Valdez oil spill, by Governor Walter H. Hickel and Rear Adm. Roger Rufe, 17th Coast Guard District Commander.

The agreement emphasizes a shared and cooperative approach to marine safety and marine environmental protection, and encourages creative solutions to leverage resources and minimize duplicate requirements.
Stan Stephens re-elected RCAC board president

Valdez charter boat operator Stan Stephens has been re-elected to a second one-year term as president of the RCAC Board of Directors. Stephens was elected during RCAC's annual meeting, March 10 and 11, in Valdez.

Also elected to the Executive Committee were Michelle Hahn O'Leary of Cordova, vice-president; Ivan Wode of Sedoiva, secretary; Bill Walker of Anchorage, treasurer; and Wayne Coleman of Kodiak, member-at-large.

All nine board members whose terms expired this year were reappointed to represent their organizations for another two-year term. They are:

- Charles Christiansen, Kodiak Village Mayor's Association. Christiansen was mayor of Larson Bay for about 15 years, until 1992, and was part of the "Oiled Mayors" group that organized after the Exxon Valdez oil spill. A retired cannery employee, he is a shareholder of Konig Native Corporation. Christiansen is beginning his third term on the board.
- Wayne Coleman, Kodiak Island Borough. Until retiring in 1986, Coleman was a civilian engineer with the U.S. Coast Guard. He has continued to do civil engineering work with the City of Kodiak and the Kodiak Island Borough. He has been on the RCAC board since January 1990 and is serving his second year as Executive Committee member-at-large.
- Larry Evanno, Community of Chenega Bay. Evanno is a project manager for the Chenega Bay IRA Council and the Chenega Village Corporation. Born in Anchorage and raised in the old village of Chenega, Evanno moved to the rebuilt village of Chenega Bay when the village was re-established in 1984. Evanno was appointed to the board in July 1992.
- Margy Johnson, City of Cordova.

Code of conduct approved

The RCAC board of directors recently approved a code of conduct based on the principle that people who choose to be active in RCAC have an obligation to support its policies and processes. The code, approved at the annual meeting in March, applies to committee volunteers, staff and the board of directors.

The code says individuals who have environmental or safety concerns about terminal or tanker operations should work with RCAC before taking action on their own. The issue of individual action versus RCAC process has generated debate about freedom of speech issues, but the board concluded that when people join RCAC, they assume an obligation to include their fellow members in the deliberation process.

Board member Michelle O'Leary (Cordova District Fisherman's United) said people who choose to be part of RCAC have an obligation to work through the system that's been established, and that RCAC's effective-ness hinges on people working with that system.

Board member Bill Walker (City of Valdez) agreed. "We're a team effort; I have a real problem with end runs," he said. "I'm not saying we should always agree — it's healthy if we don't. However, it undermines Johnson was elected mayor of Cordova in 1993 and she manages a family business there. She co-founded and previously served as chair of the Prince William Sound Tourism Coalition. Johnson came to Alaska from Montana in 1996. Johnson was seated on the RCAC board in March 1993.

- Carl H. Marts, Alaska State Chamber of Commerce, which represents tourism interests in Prince William Sound. Marts, of Anchorage, is Senior Vice President of Cook Inlet Region, Inc., the Anchorage-based Native regional corporation. He was born and raised in Sedoiva. Marts was seated on the RCAC Board of Directors in March 1992.

- Michelle Hahn O'Leary, Cordova District Fishermens United. O'Leary, of Cordova, is a commercial fisherman and former director of CDFU. An Alaskan resident since 1974, O'Leary was involved in the formative stages of RCAC and lobbied as a citizen for the RCAC concept and passage of the Oil Pollution Act of 1990. She was first appointed to the RCAC board in September 1991 and is currently serving her second year as vice-president of the board.

- Stan Stephens, Alaska Wilderness Recreation and Tourism Association. Stephens owns a charter and cruise operation based in Valdez. An Alaskan resident since 1961, Stephens has been a citizen activist in oil issues since 1984. A member of the RCAC board since 1990, he represented the Alaska Chamber of Commerce the first two years. In 1992, the Alaska Wilderness Recreation and Tourism Association selected him as its board representative. Stephens is serving his second year as board president.

- Carol Till, City of Whittier. Till has been on the RCAC board since December 1992. Till moved to Whittier from Minnesota in 1992.
- Bill Walker, City of Valdez. Walker is city attorney for Valdez and a partner in the law firm of Hughes, Thomason, Gantz, Powell and Brundin. A resident of Anchorage, he was born in Fairbanks and raised in Valdez. He has represented Valdez on the RCAC board since its founding in 1989. Walker has served as treasurer since RCAC’s inception.

Committee members appointed

At the annual meeting in March, the RCAC Board of Directors appointed volunteers to serve on RCAC’s four committees. Directors also serve on committees at will. Under a new policy, non-director committee appointments are for two years. However, half the members appointed this year will serve only one year in stagger the terms. The current committee members are:

<table>
<thead>
<tr>
<th>Name</th>
<th>Status</th>
<th>Community</th>
<th>Occupation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eilie O’Leary</td>
<td>Continuing</td>
<td>Valdez</td>
<td>Marine technician</td>
</tr>
<tr>
<td>Nellie Kelly</td>
<td>Continuing</td>
<td>Valdez</td>
<td>Community college advisor</td>
</tr>
<tr>
<td>Tom McAlister</td>
<td>Continuing</td>
<td>Valdez</td>
<td>Port director</td>
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<tr>
<td>Vincent B. Mitchell</td>
<td>Continuing</td>
<td>Valdez</td>
<td>Oil spill response</td>
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<tr>
<td>Peter Komofff</td>
<td>New</td>
<td>Chenega Bay</td>
<td>Fisherman</td>
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<tr>
<td>Dutch Heimbuch</td>
<td>Continuing</td>
<td>Anchorage</td>
<td>VP, Chenega Corp. Oper.</td>
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<tr>
<td>Dean Rand</td>
<td>New</td>
<td>Cordova</td>
<td>Education/fisheries (retired)</td>
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<tr>
<td>Tim Robertson</td>
<td>Continuing</td>
<td>Sedoiva</td>
<td>Charter vessel owner/oper.</td>
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<tr>
<td>Gordon Scott</td>
<td>Continuing</td>
<td>Girdwood</td>
<td>Consultant/lodge owner</td>
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<tr>
<td>Clark R. Torell</td>
<td>New</td>
<td>Cordova</td>
<td>Fisherman, ski patrol</td>
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<tr>
<td>Lou Weaver</td>
<td>New</td>
<td>Cordova</td>
<td>PWSCAC maintenance mgr.</td>
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<td>Oil spill response captain</td>
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<tr>
<td>Scientific Advisory Committee</td>
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<tr>
<td>Bill D'Arri</td>
<td>New</td>
<td>Anchorage</td>
<td>Account representative</td>
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<tr>
<td>Jocelyn Barker</td>
<td>New</td>
<td>Anchorage</td>
<td>School library assistant</td>
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<tr>
<td>Ivan Frohne</td>
<td>New</td>
<td>Anchorage</td>
<td>Statistical Analyst (retired)</td>
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<tr>
<td>David Hite</td>
<td>New</td>
<td>Anchorage</td>
<td>Consulting geologist</td>
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<tr>
<td>Dr. A.J. Paul</td>
<td>Continuing</td>
<td>Seward</td>
<td>Oceanographer</td>
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<tr>
<td>David Salmon</td>
<td>New</td>
<td>Cordova</td>
<td>Research scientist</td>
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<tr>
<td>James D. Steward</td>
<td>Continuing</td>
<td>Anchorage</td>
<td>Engineer</td>
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<tr>
<td>Richard Tremaine</td>
<td>New</td>
<td>Anchorage</td>
<td>Economic consultant</td>
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<tr>
<td>Terminal Operations and Environmental Monitoring Committee</td>
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<tr>
<td>Bob Benda</td>
<td>Continuing</td>
<td>Valdez</td>
<td>College professor</td>
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<tr>
<td>Michael Frank</td>
<td>New</td>
<td>Anchorage</td>
<td>Attorney</td>
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<tr>
<td>Julie Howe</td>
<td>Continuing</td>
<td>Eagle River</td>
<td>Environmental engineer</td>
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<tr>
<td>Susie Kendick</td>
<td>New</td>
<td>Sedoiva</td>
<td>Commercial fisherman</td>
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<tr>
<td>Jim Levine</td>
<td>Continuing</td>
<td>Anchorage</td>
<td>Engineer</td>
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<tr>
<td>Paul McCullom</td>
<td>New</td>
<td>Homer</td>
<td>Fisheries biologist/admin.</td>
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<tr>
<td>George Skidgel</td>
<td>Continuing</td>
<td>Anchorage</td>
<td>Attorney</td>
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Recertification application available for public review

The Prince William Sound Regional Citizens’ Advisory Council (RCAC) is seeking recertification as the alternative voluntary advisory group for Prince William Sound, as authorized under the Oil Pollution Act of 1990 (OPA 90). The application has been submitted to the U.S. Coast Guard, which will assess whether the RCAC fosters the general goals and purposes of OPA 90 and is broadly representative of the communities and interests as envisioned under OPA 90. Recertification means that RCAC fulfills the requirement of the federal Oil Pollution Act of 1990 (OPA 90) for a citizen advisory group to work with industry and regulatory agencies in environmental oversight of terminal and tanker operations in Prince William Sound. The RCAC is funded under a contract with Alyeska Pipeline Service Company. OPA 90 requires industry-funded citizen advisory councils to be established in Prince William Sound and Cook Inlet as a demonstration project for citizen participation. A provision of the law allows existing voluntary citizens group to substitute for the council as prescribed, so long as certain conditions are met. Both the Prince William Sound and Cook Inlet RCACs are certified, for their respective areas, as the alternative voluntary advisory group in lieu of council. The Prince William Sound RCAC incorporated as a non-profit in December 1989 and entered into the contract with Alyeska in February 1990. RCAC was initially certified in March 1991 by President George Bush, and subsequently recertified in June 1993. Copies of the application are available at the RCAC, 750 W. 2nd Ave. Suite 100, Anchorage, AK 99501-2168, or call 277-7222 (toll free in Alaska: 800 478-7221).