The council has been closely following a process that began in 2005, when then-governor Frank Murkowski set the wheels in motion for the state of Alaska to take over the National Pollution Discharge Elimination System permitting program. The program is currently under the control of the United States Environmental Protection Agency.

This permitting program helps control water pollution by regulating sources that discharge pollutants into the waters of the United States. One source requiring such a permit is the Ballast Water Treatment Facility at the Valdez Marine Terminal in Prince William Sound.

After reviewing the state’s latest application to take over the program, the council found several problems. Some of these more critical issues have led the council to believe the state is not properly prepared to take on this responsibility.

In August the council sent a letter to the Environmental Protection Agency, during a public comment period, voicing its concerns over the remaining issues.

As mandated by the Oil Pollution Act of 1990, the council is responsible for citizen oversight for all permits pertaining to the Valdez Marine Terminal’s facilities. Traditionally, the Environmental Protection Agency has consulted the council, since its inception, regarding all permitting pertaining to wastewater treatment and discharges from the terminal in Prince William Sound.

The state’s program description does not address the role of regional citizens’ advisory groups. The council is requesting that the state, if given permitting authority, does not address the role of regional citizens’ advisory groups.

Alyeska moves operational control center from Valdez to Anchorage

In October 2006, Valdez and the surrounding areas experienced a bout of heavy rainfall, resulting in flooding that damaged Alyeska’s fiber optic communications channel in several places.

The damage caused Alyeska’s Operational Control Center to lose the ability to remotely control all of the check valves along the trans-Alaska pipeline between Pump Station 12, 40 miles north of Valdez, and the Valdez Marine Terminal.

While loss of remote control did not result in damage to the terminal, the council became concerned about the redundancy of the communications system used to control the terminal. Redundant communications are normally used to control remote assets and to maintain control in the event of failure of parts of the communications system.

The council had previously been told that a communications failure of the type observed during the October flooding was extremely unlikely because Alyeska had in place three redundant systems: fiber optics, microwave, and satellite. However, the type of failure in the fiber optics system had not been anticipated and the microwave and satellite systems did not have the capability to compensate for it.

This year Alyeska moved the operational control center from Valdez to Anchorage. It controls not only pipeline operations, but also some of the equipment at the Valdez Marine Terminal. According to Alyeska, the system is now fully operational, through
**POVTS volunteer provides custom sea adventures to kayakers**

Despite record gas prices and a slowing economy, citizens’ council volunteer Pete Heddell says he’s managed to stay pretty busy this summer running his business, Honey Charters, in Whittier, Alaska.

Heddell operates the small water transport company with his wife, Marilyn, a council board member. The Heddells have been taxing Alaskan adventure seekers and tourists from across the world throughout Prince William Sound for almost 20 years.

A large portion of their business comes from dropping off and picking up kayakers embarking on custom trips, but they also offer charters to Cordova and Valdez, as well as sightseeing trips and spring bear-hunting drop-offs.

Heddell says they do everything, but fish.

“I was raised in the commercial fishing business,” Heddell said. “I’ve seen enough fish that I don’t need to go out and catch another one.”

This year Heddell says he’s seen a slowdown in the frequency of trips from his regular customers, but that people are still getting out into the Sound and having fun.

“People haven’t been recreating as much as years past, but they’re still recreating,” Heddell said.

He said the slowdown has caused more and more people to catch on to Honey Charter’s share-a-ride plan.

When kayakers book trips they have the option of posting the trip to the Honey Charters Web site so that others can share boat ride and save on costs.

Heddell says during the summer months he works seven days a week, but it’s a labor of love and the seasonal work allows him and his wife to travel to the Lower 48 to see family during the off season.

“We’ve got kids scattered from the west coast to the east coast, to relatives and kids on the East Coast, so we do a certain amount of travelling during the winter,” Heddell said.

But it’s not all vacations and visiting in the off season. Heddell says he stays pretty busy in his Anchorage office during the winter months, booking trips for the following summer.

As a member of the Port Operations and Vessel Traffic Systems Committee, Heddell brought the issue of corrosion on double-hull tankers to the attention of the council.

While double-hull tankers have been praised for reducing the risk of spilling oil in minor collisions and groundings, the outer hull, dedicated to the containment of ballast water, is at an increased risk of corrosion.

After learning of the issue, the state can demonstrate it is able to adequately handle the first three phases.

The Environmental Protection Agency’s public comment period on August 18, the council is waiting to see which, if any of its issues will be addressed.

Depending on the Environmental Protection Agency’s review of the state’s latest application, the state could begin to assume control of the National Pollution Discharge Elimination System permitting program within the next year.

However, approval hinges on whether the state’s application for Maritime Operations Project Manager

Anchorage office hires new assistant, Valdez looking for Maritime Operations Project Manager

The council has had some turnover this summer and has said goodbye to some hard-working staff and hello to some new blood.

In the Anchorage office, Telena McQuery has accepted the position of administrative assistant, taking over for Anita Daniels who left the council in June.

Lena joined the council in August. She moved to Alaska with her husband Mike who is in the U.S. Navy. She is originally from a very small town named Buena Vista, Georgia. Lena attended Columbus State University before starting work as a legal secretary. Before moving to Alaska she worked for a family law attorney in Columbus, Georgia.

Barbara Penrose, the council’s Anchorage office Data Entry Assistant, who was temporarily handling the administrative assistant duties during the position’s vacancy, has taken on a full-time internship as a fun director.

Emily Polley left the council in July due to a move prompted by her husband’s transfer by the U.S. Army.

Following the departure of Chris Jones, the council is seeking skilled and experienced applicants for its Maritime Operations Project Manager position in Valdez.

Maritime and/or oil spill prevention and response experience is preferred, however the council is willing to train an otherwise outstanding applicant.

To check the status of this position or for information on how to apply, please visit our website at http://www.pwsrcac.org/OPM0121.html.
Corporations held to different standards than citizens

Following recent events such as the Supreme Court’s ruling on the Exxon Valdez oil spill and Alaska’s decision to vote down the clean water initiative, the council has become increasingly interested in the idea of corporate responsibility.

In an effort to extract Alaska’s precious resources, big businesses are rapidly descending on our state, not only with hopes of building a gas pipeline, but through mining operations all across the state and offshore drilling in locations spanning from the Aleutians to the Chukchi Sea.

While it is generally in the interests of big businesses to avoid damage to Alaska and its people, accidents do happen. In the case of the 1989 Exxon Valdez oil spill, many Alaskans were left with their lives in ruins, while Exxon pulled through the ordeal relatively unscathed.

This brings up an issue of growing importance: the rights of individuals versus the rights of big corporations.

As with most things, the disappointing ruling in the Exxon Valdez case boils down to politics.

As a result of President Bush’s appointments to the Supreme Court, the interests of big business have taken precedence over the interests of individual citizens. Even the United States Senate is starting to take notice.

In the case of Exxon, Senate Judiciary Committee Chairman Patrick Leahy said the Supreme Court’s decision on the Exxon Valdez case was a deterrent against risky corporate behavior.

By doing so the Supreme Court set a precedent of capping punitive damages against big business, effectively crippling their function as a deterrent against risky corporate behavior.

This is directly at odds with how courts punish individual citizens. Despite not being persons, corporations are recognized by the law to have some of the same rights and responsibilities as actual people.

However, individuals who break the law receive mandatory lengthy sentences and, in some states, even the death penalty. This is not only to punish criminal behavior, but to deter it as well.

The Supreme Court’s Exxon ruling seems to suggest that corporations do not merit the types of harsh punishments individuals receive and completely fail to address the issue of deterring corporate irresponsibility.

Exxon’s punishment of $500 million was less than 2 percent of its 2007 earnings of $40 billion. For the sake of comparison, the average American with an income of $50,000, could have dumped 11 million gallons of crude oil into Prince William Sound and gotten away with paying $1,000 in punitive damages.

This surely is a double standard in punishment, considering that individuals found guilty of crimes can spend large portions of their lives in prison.

Alaska is still built on the hard work of its people and the production and distribution of its natural resources. Resource production will undoubtedly be a part of our great state well into the future. But as we move forward, Alaskans must hold big businesses accountable for their actions and remember that big businesses work for us, not the other way around.

• John Devens is executive director of the Prince William Sound Regional Citizens’ Advisory Council.

Alyeska SERVS sends tug to help grounded vessel

On August 7, 2008, the Northern Mariner went hard aground on the northeast side of Flemming Island in southwest Prince William Sound. Alaska Chadux and R&R Diving responded. Additionally, the United States Coast Guard asked Alyeska Ship Escort Response Vessel Systems for assistance to protect the Armin F. Koernig Hatchery in Saw Mill Bay.

While Alyeska’s escort and vessel response is typically limited to Trans Alaska Pipeline System tankers, we maintain a contract with the Coast Guard for use in cases involving other vessels, and Alyeska advised that it could lend a hand.

Under this Coast Guard contract Alyeska response personnel and equipment were immediately dispatched aboard the tug Endurance to respond to the incident.

The Endurance arrived on the scene early the next morning, and a response crew made up of TCC, Crowley, Chenega Bay IRA Council, and Alyeska responders set up 7,200 feet of protection boom. The boom was pre-positioned at the response center located in the Village of Chenega Bay as part of the Trans Alaska Pipeline System tanker oil spill response plans.

In the meantime, the Coast Guard contracted with Alaska Chadux, an oil spill response contractor, to boom the Northern Mariner. Alaska Chadux in turn worked with R&R Diving to lighten the vessel. They were able to remove an estimated 25,000 to 30,000 gallons of fuel from the crippled vessel. In addition, three fishing vessels based out of Whittier and two Cordova vessels working for Alaska Chadux were deployed to Chenega Bay to assist in the protection efforts.

Initial recovery efforts focused on lightening the Northern Mariner and on the subsequent patching of the vessel to float it off of Flemming Island and move it to a more secure area. The patchwork was finished on Aug. 11, and the vessel was towed to Thumb Bay in anticipation of worsening weather conditions.

By Thursday, Aug. 14, R&R Diving had removed enough fuel to diminish the pollution potential to the Sound. With the pollution potential removed, Alyeska response crews began to demobilize the boom protecting Chenega Bay and the Armin F. Koernig Hatchery. The crews finished Friday evening and returned to Valdez early Saturday morning.

As of August 18, the Northern Mariner was still in the safe harbor of Thumb Bay and was awaiting the arrival of the tug Junior to be towed to Seward for final repairs.

The Northern Mariner incident, while certainly unfortunate for the parties involved, provided an opportunity for SERVS and the Coast Guard to work together and coordinate the efforts with the local resources of PWS.
Community Corner

20th anniversary events set to commemorate Exxon oil spill

After the September board meeting, staff and board members will be participating in a spill response drill, put on by Tesoro Corporation, and regional stakeholder committee members will be set up with Tesoro community liaisons in Homer and Seward. On Sept. 25, Alyeska Ship Escort/Response Vessel System and Cook Inlet Spill Response Inc. will participate in a field deployment exercise in Homer.

From Sept. 26-28, the council information booth will be set up at the 2008 Seward Music and Arts Festival. This festival features artists, a full schedule of musicians and dancers, and children’s activities. For more information, go to www.sewardfestival.com.

On July 9, former staff member Emily Polley and I visited Chenega Bay. We showed the council’s film, “Then and Now — The Alaska Oil Spill at 20,” to students at the Chenega Bay School, a kindergarten through grade 12 facility. While in Chenega Bay we also presented a framed map of Prince William Sound to former board member Pete Komppokoff, thanking him for his years of service with the council.

Chenega Bay is very busy this summer with new road construction, and a new 16-house subdivision being built.

It’s hard to believe, but the 20th anniversary of the Exxon Valdez oil spill is coming up. On March 24, 2009, the council will connect several affected communities by videoconference and share presentations, panel discussions, and art. The purpose of the event is to remind people not only of the spill and how we must always remain vigilant, but also of the advance-ments in oil transportation that have been made since the spill.

Tentative topics and venues at this writing are: Cordova, socio-economic impacts, and the status of her- ring; Valdez, demonstration of prevention and response capabilities; Kenai, a tour of the Cook Inlet Spill Response Inc.’s otter rehabilitation facility; Seward, tour of the Alaska SeaLife Center; Anchorage, panel of industry representatives and reporters to discuss improvements in oil transport since the spill; and the Bunnell Street Gallery in Homer will host an art event for writers and artists with work related to the spill and how it affected their lives. It will include a month-long show, with a reception and readings on March 24th. For the month of March, 2009 Barnes and Noble in Anchorage will feature books on the spill and the region affected by it.

November will be busy with the Alaska Municipal League conference in Ketchikan, the Society for Environmental Toxicology and Chemistry annual meeting in Tampa, and the Pacific Marine Expo in Seattle.

The free Oil Spill Curriculum is updated and available on our website at http://www.pwsrcac.org/outreach/education.html?curric and the free DVD, “Then and Now — The Alaska Oil Spill at 20,” is available by contacting me at robinson@pwsrcac.org.

Teachers and students: the Observer would like to begin a student column. Students can write about anything relevant to the council or its work that would be of interest to our readers. Please let us know if you are interested in submitting a column.

Members Janelle Eklund, Nancy Bird, Savannah Lewis, Amanda Johnson, and Cathy H Русел the information and Education Committee stop for a photo. Aug. 5 in Girdwood during the IEC member retreat. Photo by Linda Robinson.

Prince William Sound
Regional Citizens’ Advisory Council

The Prince William Sound Regional Citizens’ Advisory Council is an independent, non-profit corporation formed after the 1989 Exxon Valdez oil spill to minimize the environmental impacts of the trans-Alaska pipeline terminal and tanker fleet.

The council has 18 member organizations, including communities affected by the Exxon Valdez oil spill and groups representing Alaska Native, aquaculture, environmental, commercial fishing, recreation and tourism interests in the spill region.

The council is certified under the federal Oil Pollution Act of 1990 as the citizen advisory group for Prince William Sound, and operates under a contract with Ayleska Pipeline Service Co. The contract, which is in effect as long as oil flows through the pipeline, guarantees the council’s independence, provides annual funding, and ensures the council the same access to terminal facilities as state and federal regulatory agencies.

The council’s mission: Citizens promoting environmentally safe operation of the Ayleska terminal and associated tankers.

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