



ACKNOWLEDGEMENTS

The authors take full responsibility for any errors or inaccuracies in this document. We extend our appreciation to the PWSRCAC staff who assisted us in accessing the numerous documents on which this report and the associated compendium document are based. PWSRCAC carries the records of more than 30 years of collaboration, cooperation, and, at times, conflict over how to ensure that oil spill prevention and response plan requirements put in place after the *Exxon Valdez* oil spill are fulfilled. Maintaining this record is not an insignificant effort but an important one.

The opinions expressed in this PWSRCAC-commissioned report are not necessarily those of PWSRCAC.

Executive Summary

Prince William Sound Regional Citizens' Advisory Council (PWSRCAC) contracted Nuka Research and Planning Group, LLC and Nielsen Koch, PLLC to compile a history of the oil spill prevention and response plan for crude oil tankers operating in Prince William Sound. That history has played out through thousands of pages of documents, meetings and workgroups, and drills and exercises. This project spans the first plan developed under then-new state requirements put in place following the *Exxon Valdez* oil spill up through the State-approved plan that was in place in 2020. The plan structure, commitments, owners, and content has changed in that time under both State of Alaska requirements and State-approved operator-initiated revisions.

Under its Oil Pollution Act of 1990 mandate, PWSRCAC has been an active advisor on plans for oil spill prevention and response associated with crude oil operations in Prince William Sound this whole time.

The history compiled through this project focuses on issues and changes associated with Alaska Department of Environmental Conservation findings that elements of the plan are adequate and meet state regulations and the conditions of approval issued when the Department does not consider an issue to resolve at the time of plan approval. PWSRCAC comments are identified throughout the materials compiled which include: this summary report, a timeline of key plan changes and related efforts (e.g., workgroups), a compendium of summaries of plan renewals and key amendments, and tables listing the findings and conditions of approval. Together, these materials are intended to provide a resource for those interested in understanding how issues have been addressed over time and why certain elements of the plan are the way they are today. In many cases, they are the result of extensive, and often collaborative, effort by the plan holders, State, and PWSRCAC on behalf of its members.

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Note: Two of the appendices referenced in this document are being circulated as separate documents for ease of review. These are:

- 1) a timeline (11 x 17 graphic) and
- 2) a compendium of summaries of the events identified on the timeline, many of which are mentioned in this summary report as well

PRINCE WILLIAM SOUND TANKER OIL DISCHARGE PREVENTION AND CONTINGENCY PLAN

Summary (1995-2020)

February 2021 -

1. Introduction

As part of its Oil Pollution Act of 1990 mandate, the Prince William Sound Regional Citizens' Advisory Council (PWSRCAC) has been an active advisor on plans for oil spill prevention and response associated with crude oil operations in Prince William Sound for more than 30 years. The plan structure, commitments, owners, and content has changed in that time as regulations, oil shippers, equipment and vessels, and planning assumptions have evolved.

PWSRCAC contracted Nuka Research and Planning Group, LLC and Nielsen Koch, PLLC to compile a history of the oil spill prevention and response plan for crude oil tankers operating in Prince William Sound. This project documents the history of the plan from 1995-2020 that has played out through thousands of pages of documents, meetings and workgroups, drills and exercises both in rooms and on the water, and, most important, in ensuring that significant improvements in oil spill response preparedness in Prince William Sound developed shortly after the *Exxon Valdez* oil spill are sustained, effective, and, ideally, improved over time.

The project outputs are 1) a timeline of events related to plan development (with other events included for context), 2) a compendium of summaries of those events with references to the relevant documents and PWSRCAC comments, and 3) this summary report.

Background

The first oil spill contingency plan for crude oil tankers shipping oil through Prince William Sound was developed in 1976, in a document that covered spill response for the length of the Trans Alaska Pipeline System (TAPS) route, Valdez Marine Terminal, and oil tankers shipping crude oil from Valdez out through Prince William Sound. The U.S. government approved that plan in 1977, the same year that TAPS started flowing and Alaska enacted its first state regulations for oil spill contingency planning (DeCola and Robertson, 2018).¹

¹ Earlier background on oil spill contingency plans for crude oil operations related to TAPS and associated tankers, state and federal requirements, and the legislative process and negotiations that ensued in the

The *Exxon Valdez* oil spill of March 24, 1989 triggered new federal and state laws governing oil spill prevention and response. Within two weeks, the Alaska Department of Environmental Conservation (ADEC) had issued an Emergency Order requiring a significantly revised contingency plan to be developed within 38 days. Within a year, Alaska had enacted a new law that required separate planning for different elements of the TAPS system and established planning standards and other requirements for oil spill prevention and response for vessels and facilities operating statewide. The first Prince William Sound Tanker Oil Discharge Prevention and Contingency Plan was approved in 1995 under the regulations stemming from that new law (DeCola and Robertson, 2018). While the plan has changed over time, the version that exists today stems from that 1995 version.²

Under ADEC regulations, the plan serves seven important functions. It is:

1. A “working” emergency plan;
2. A detailed long-term response plan with procedures;
3. A compliance demonstration of the access to equipment and resources required to meet the facility’s or vessel’s response planning standard and the separate ability to protect environmentally sensitive areas;
4. An assessment of past and potential spills at the facility and how they can be prevented;
5. A description of spill prevention measures required by the Article 1 regulations (18 AAC 75.005 - .085), federal prevention requirements, and company spill prevention measures at use at the facility;
6. A demonstration of the use of best available technology by the plan holder; and
7. A permit to operate that, if not followed, is a violation of law.

Alaska regulations require contingency plans that are very specific about how the operator of a particular facility and operator-specific descriptions and details on how oil spill containment and response will occur. An Alaska contingency plan is not a generic plan on how to respond to spills. Unlike federal response plans, Alaska’s contingency plans do not simply rely on contracting with an oil spill removal organization with a specific level of resources. Nor is an Alaska contingency plan simply a “strategy and tactics” manual of an oil spill response contractor. Details matter when it comes to what an operator plans to do in the event of a spill. Alaska’s contingency plans are operator-specific and facility-specific plans that address all seven critical objectives of a contingency plan.

immediate aftermath of the *Exxon Valdez* can be found in *Alaska’s Oil Spill Response Planning Standard: History and Legislative Intent* (DeCola and Robertson, 2018), also produced under contract to PWSRCAC.

² The tanker plan has changed form over time but has always consisted of more than one volume. This report references the plan with the intent of encompassing the associated documents (multiple volumes or referenced technical manuals, for example) that, combined, indicate how those responsible will prevent, prepare for, and respond to an oil spill from a TAPS-trade tanker.

Operators must renew their plan every 5 years (changed from every 3 years in 2003). Alaska regulations require plan holders to share plans for public review and comment upon submitting a renewal or a major amendment (see Section 3). Plan documents are also now posted on the ADEC website. Having this information available to the public is critical to allowing those concerned about an oil spill – or those who would bear the brunt of the impacts – able to review and understand how operators are preventing or preparing to respond to spills.

Project Approach

For this project, the team compiled a list of events that were in some way pivotal in the history of the plan from 1995-2020. These events included plan approvals, renewals, major amendments, legal action (court cases, adjudicatory hearings), work groups, and exercises. Not all work groups and exercises were included, but only those which either led to changes in or significantly validated the plan contents.

The events are identified on a timeline figure (Appendix A) and summarized in a compendium of event summaries (Appendix B). Input on the events was received from individuals familiar with the plan over the years including current and past PWSRCAC staff, board members, and volunteers. It is important to note, however, that the event summaries were developed based on review of extensive documentation and do not rely on recollections. This review was possible due to the tremendous effort by PWSRCAC staff to develop and maintain a comprehensive document management system which allowed the authors to search for necessary documents and helped to identify some missing events to complete the timeline.

2. Prince William Sound Tanker Plan

Formally known as the Prince William Sound Oil Discharge Prevention and Contingency Plan (ODPCP), the document has been colloquially called the plan, the c-plan, the tanker plan, and so on. For the purposes of this report, it will be called the plan. Other plans or subsections of this plan are designated with more specific titles.

Ownership/Roles

The plan is officially owned by the shipping companies that transport crude oil through PWS; they are required under State of Alaska statutes and regulations to have an approved oil discharge prevention and contingency plan in order to operate within the state. By statute, the crude oil shippers in PWS are required to use APSC as a common primary response action contractor [AS 46.04.030(q)]. The shipping companies have one common plan that describes how an oil spill would be prevented and, if necessary, responded to in PWS.

Under state regulations, however, each plan holder must have its plan approved separately by ADEC. Additionally, there are some operational differences between the shipping companies. Therefore, each plan holder separately and individually submits its

plan to ADEC for approval. How those plans have been organized over time is discussed below.

Plan Organization and Changes over Time

State of Alaska regulations at 18 AAC 75.425 dictate what information must be included in a plan. The regulations divide the information into five parts:

1. Response Action Plan,
2. Prevention Plan,
3. Supplemental Information,
4. Best Available Technology Review, and
5. Response Planning Standard.

The way this information has been organized in the plan has changed over time. From 1995 to 2007, the plan consisted of three parts: Part 1. Response Action Plan, Part 2. Prevention Plan, and Part 3. Supplemental Information Documents (there were four “SIDs” in the plan). In print form, the plan filled several large three-ring binders.

For the 2007 renewal, the plan holders completely restructured the plan. They created what became known as the “core plan” which was divided into five sections to address the specific parts required by Alaska regulations (listed above). It is titled the *Prince William Sound Oil Discharge Prevention and Contingency Plan*. In addition, they created the *SERVS Technical Manual* which includes lists of the equipment and resources owned by APSC/SERVS as well as descriptions of the tactics showing how that equipment would be used during a response. These two volumes make up the plan that is the focus of this report.

Because the shipping companies have some operational differences, they are additionally each required to submit for approval a company-specific Vessel Response Plan. As a result, when a PWS crude oil shipping company submits a contingency plan for approval, it must submit three volumes: their Vessel Response Plan, the PWSODPCP, and the SERVS Technical Manual.

Related Documents

In addition to the plan, several other documents which describe prevention and response operations in PWS. Some of these are incorporated by reference into the plan.

- **Vessel Escort and Response Plan (VERP):** the VERP governs the ship escort guidelines and procedures in PWS in compliance with the requirements set out in OPA 90.
- **Gulf of Alaska Agreement:** an agreement between APSC and the shipping companies to provide oil spill response actions in the Gulf of Alaska region, the area of the USCG Prince William Sound Captain of the Port Zone, outside the three-mile limit of State waters, but including State waters in the area of Copper River Delta and Flats, extending to the 200 nautical mile offshore extent of the Exclusive Economic Zone.

- **PWS Area Contingency Plan:** a government plan intended to provide a coordinated and cooperative marine pollution response in PWS under the responsibility of ADEC and the USCG as co-chairs of the PWS Area Committee. (U.S. Coast Guard and ADEC, 2020)
- **Alaska Regional Contingency Plan:** a government plan for a coordinated federal, state, Tribal, and local response to a pollution discharge or threat of a discharge anywhere in Alaska, maintained by the Alaska Regional Response Team under ADEC, USCG, and U.S. Environmental Protection Agency (ARRT, 2018).
- **Guidance documents:** ADEC-issued guidance documents for operators subject to Alaska's oil spill prevention and response requirements. These are non-regulatory documents that provide further explanation and discussion of the regulations. The first was completed in 1994, with a new version in 2016 (ADEC, 1994; 2020).

3. Mechanisms for Plan Changes Over Time

Once a plan has been approved by ADEC, the plan holders cannot make any changes to it, no matter how insignificant, without applying for an amendment or renewal which must be approved by ADEC before the changes are made. A plan must be renewed every five years and undergoes the public review process defined at 18 AAC 75.455. Plan holders can elect to renew their plan sooner, but most plan changes between renewals are made by amendment. State regulations at 18 AAC 75.415 describe the amendment application procedures and distinguish between minor and major amendments. The regulations have been amended several times between 1995 and 2018 to delineate what are routine “minor” or major amendments.

An amendment is defined as major if it includes any of the following: an increase of the RPS volume; changes to the scenarios; expansion of operations to new physical environments; reductions to the amount or quality of prevention, response resources, or training; or changes that require an increase in prevention, response resources, or training. All major amendments must follow a public review process (as all plan renewals do).

Any changes that do not qualify as "major" can be approved by ADEC as minor amendments without public review.

Additionally, two amendment types are specifically defined as routine plan updates at 18 AAC 75.415: a deletion of a vessel operating under a plan that is not required as a response asset and a revision to spill command and response personnel contact information. These changes do not require ADEC approval, although ADEC must be notified of the changes within five days of when they go into effect.

Changes to the plan can also result from regulatory revisions, changes made during renewal of the plan, or when ADEC requires a change as a condition of approval. Conditions of approval typically require information to clarify or verify information that is already in the plan, not to add new analysis. In some circumstances, however, DEC has

imposed conditions of approval requiring analysis of information not available at the time of renewal and later changes to the plan that then go through public review as major amendments. Appendix C includes all Conditions of Approval on the PWS tanker plan from 1995-2020.

The plan history timeline contained in this report includes references to numerous renewals and amendments, both major and minor. Summaries for these events describe the most important changes made with the actions. Some of these amendments were prompted by exercises or work groups which identified the need for change, and in most cases, summaries are included for those activities as well with references to the subsequent amendments where possible.

4. Key Topics in Plan Changes

More than four decades have passed since the first PWS tanker plan was approved, and regulations, operations, and the plan itself have undergone immeasurable changes. This history project has focused on changes to the plan since the first iteration of the current oil spill contingency planning regulations were adopted, but even in that shorter span of 25+ years, there have been myriad changes to the plan and operations.

To help make sense of all those changes, an attempt was made to characterize each of the events in the timeline by the most relevant topics addressed by the event. Once characterized, those topics that occurred repeatedly were identified as they were clearly ones of recurring concern over the years. The 17 topics identified are listed in the table below. Each topic was assigned an abbreviation which is used in the timeline and COA (Appendix C) and Findings (Appendix D) tables in this report to aid the reader in tracking the topics through history and the report. Brief descriptions of each topic and how they have played out over time follow the table.

Table 1: Event Topics

Topic	Abbreviation
Air Logistics	AL
Barges	B
Best Available Technology	BAT
Contracts/MOU/MOA	C
Escort Tugs	ET
Fishing Vessel Program	FV
Lightering	L
Nearshore	NS
Non-mechanical	NM
Oil Properties	OP
Personnel Numbers	PN

Response Equipment	RE
Realistic Maximum Response Operation Limitations	RMROL
Sensitive Area Protection and Geographic Response Strategies	SAP
Scenarios	S
Training	TR

Air Logistics (AL). The need for aircraft to support an oil spill response in PWS has been identified since the first plan approval in 1995. Indeed, aircraft are specifically listed in State of Alaska regulations as part of the equipment which must be identified for logistical support. [18 AAC 75.425(e)(3)(E)] Aircraft are needed for transportation, field monitoring, dispersant application, and more. Over the years, the plan holders have been asked to identify sources of aircraft, verify contracts for the service providers, and demonstrate the suitability of those aircraft for the intended purpose.

Barges (B). Response barges are a critical part of oil spill recovery operations in PWS, and serve a variety of purposes, including open water oil recovery and storage, secondary storage for nearshore response, lightering, and equipment storage and distribution sites. The suitability of the barges for their tasks has been questioned several times during the life of the plan, particularly in the arenas of storage capacity, lightering, and nearshore response.

Best Available Technology (BAT). State of Alaska regulations require a BAT analysis and use of BAT in the areas of communications; source control procedures; trajectory analyses and forecasts; wildlife capture, treatment, and release; measure to assure prompt detection of an oil spill; operation of a tank vessel under escort; and escort vessels. [18 AAC 75.425(e)(4)]

Regulations for how the technologies are to be evaluated in the plan are located at 18 AAC 75.445. They require that a BAT review include comparisons to technology used in other comparable situations, transferability of the technology, reasonable expectation of improved prevention or environmental benefit protection, cost, age and condition of the technology, compatibility, feasibility, and environmental impacts.

The identification, definition, and inclusion of BAT in the plan has been a continual source of disagreement. Numerous RFAI have been written and addressed in findings documents, and court cases have been settled around the subject. The BAT review regulations are multi-layered and subjective, and it is up to ADEC's discretion whether or not an alternative technology must be considered BAT and adopted into the prevention or response system. Questions are still frequently raised about BAT, but changes in technology are seldom required.

One important determination that has been made about BAT is that it can be addressed through a "system approach" rather than by examining each individual piece of equipment or procedure used. The understanding is that if the response system, for example, is, as a whole, sufficient to meet regulatory requirements for containing,

controlling, and cleaning up an RPS-sized oil spill then the system is considered BAT. The individual components of the system do not need to be subjected to a BAT review under regulation. The tanker escort tugs can also be evaluated under the systems approach, and the individual components on a tug (winches, bits, etc.) are not individually subject to a BAT analysis.

Contracts, MOU, MOA (C). Alaska regulations require that “the plan holder shall maintain or have available under contract within the plan holder’s region of operation or another approved location, sufficient oil discharge containment, storage, transfer, and cleanup equipment, personnel, and other resources” to contain, control and clean up an RPS volume of spilled oil. (18 AAC 75.432) Whether or not sufficient and/or appropriate contracts, MOUs, and MOAs have been in place to assure compliance has been questioned and answered repeatedly.

Escort Tugs (ET). Like barges, tugs in the system are critical to response operations, but they also play an important role in preventing oil spills. The tugs are used to move barges, carry equipment, and escort laden tankers through PWS. This last role is required by both the state and federal governments, and has been a source of close scrutiny, primarily from a BAT standpoint with regards to the general suitability of the tugs for the purpose, as well as the fitness of the tug components mentioned under BAT above.

Fishing Vessels (FV). The backbone of spill response in PWS could arguably be said to be the SERVS Fishing Vessel Program. This program has more recently been called the Vessel of Opportunity Program by APSC, but this is technically a misnomer as the vessels are under contract continuously, not just when opportunity arises. Over 400 FV are under contract to contain, control, and recover oil, protect sensitive areas, carry out wildlife operations, provide logistical support, and more. The numbers of vessels and training of crews has been analyzed carefully and repeatedly, and many important improvements have been made as a result.

Lightering (L). Although technically any movement of oil from one vessel or barge to another is lightering, in the context of this plan, the lightering of interest is the removal of retained (unspilled) oil from the stricken tanker to a barge or another tanker. The suitability and availability of a lightering barge and tanker (both are required in the plan scenarios) has been questioned repeatedly. APSC maintains, through their contracted tug and barge provider, a barge that is outfitted with lightering equipment. The capability of the barge has been assessed, but often of more interest is the availability of a tanker of opportunity to take over lightering duties before the barge is required to support nearshore response activities.

Nearshore Response (NS). The vast majority of SERVS resources are assigned to the nearshore response system, including most of the FV fleet. These resources are responsible for containing, controlling, and cleaning up oil that has escaped the open water recovery fleet and is in shallower or more constrained waters closer to shore, if not on shore already. Because they are working in more difficult areas and with a wider variety of equipment than the open water fleet, excellent training of the FV crews is especially important, and is indeed the focus of SERVS’ annual training for FV crews. The quality of training, choice and maintenance of nearshore response equipment, and

availability of vessels has been scrutinized closely and has been the subject of modeling and analysis, RFAI, work groups, exercises, and amendments.

Nonmechanical Response (NM). Perhaps the most contentious of all topics included here is that of nonmechanical response, namely the use of dispersants and *in situ* burning. Concerns have been repeatedly raised about the necessity, safety, efficacy, and monitoring of these response tactics, particularly dispersants. In addition, there has been a fear that dispersing the oil into the water column or the air would end up being prioritized over mechanical removal of oil from water. The plan holders and ADEC have asserted that non-mechanical response options are simply tools in the toolbox and will not be relied on preferentially over mechanical response options. The timeline includes amendments, work groups, exercises, and reports related to non-mechanical response operations.

Oil Properties (OP). The characteristics (API gravity, viscosity, temperature, etc.) of Alaska North Slope (ANS) crude oil have changed over time and depending on from which field on the North Slope the oil is produced. These characteristics can impact the way in which mechanical and non-mechanical spill response activities need to be carried out to be most efficacious, as well as storage requirements for emulsified oil. Oil properties were first discussed in the 1993 Anvil Study, and have been reexamined by work groups in subsequent years. The plan holders have committed to reexamining oil properties and any potential impacts on response operations prior to each plan renewal.

Personnel Numbers (PN). As noted earlier, the regulations at 18 AAC 75.432 require not only sufficient equipment to contain, control, and clean up spilled oil, but also sufficient people trained to carry out the response activities. These people have to be maintained within the region of operation, just as the equipment does. Significant effort has been expended by the plan holders, contractors, and work group participants to ensure that all personnel requirements are accounted for in the plan and that there are appropriate plans in place to ensure that those hundreds of people will be available and trained if and when needed.

Response Equipment (RE). As with personnel, substantial work by all parties has gone into ensuring that there will be enough of the right mechanical response equipment available for use during an oil spill cleanup. Equipment availability, types, BAT, maintenance, and more have been scrutinized annually since the first plan was written, scrutiny that is evident in the number of events on the history timeline that include RE as a relevant topic. Although the BAT regulations are applied to the response system as a whole, the plan holders and their contractors have elected to make significant improvements in specific recovery equipment used as new innovations have come onto the market, particularly in the areas of boom and skimmers.

Realistic Maximum Response Operation Limitations (RMROL). The situations in which a plan holder could not successfully operate mechanical response equipment or escort tugs due to environmental limitations (weather, sea states, etc.) are known as RMROL. Alaska regulations require that plan holders be able to describe RMROL conditions that might be encountered and specify “additional temporary prevention or response measures that will be taken to reduce the environmental consequences of a discharge” during RMROL conditions. [18 AAC 75.425(e)(3)(D)] Defining what these

situations are and how a response might be altered to allow oil recovery or a tanker rescue to still occur have been the focus of much debate and study over the life of the plan. Work groups, plan holders, PWSRCAC, and ADEC have repeatedly examined the frequency of RMROL conditions in PWS, what the limitations of different equipment types are, and alternate response options that might be considered.

Sensitive Area Protection (SAP). Alaska regulations require the identification and protection of environmentally sensitive areas and areas of public concern that may be impacted by an RPS-sized spill. [18 AAC 75.425(e)(3)(J)] In PWS, plan holders, stakeholders, and ADEC have worked to identify many of these locations and, where possible, pre-plan for the protection of them. The resulting Geographic Response Strategies (GRS) are maintained by ADEC and are used by the plan holders for SAP planning and training. In some cases, such as at salmon hatcheries, protection equipment has been pre-staged for immediate use. Plan holders have committed to testing sensitive area protection strategies annually, and updates are submitted when appropriate. The timeline contains many instances of work groups, exercises, and amendments which have impacted how SAP is described in the plan.

Scenarios (S). While it is important for the plan holders to have equipment and personnel available to respond to an oil spill, it is equally important for them to have planned for how those resources will be used during a spill so that a response is carried out efficiently and effectively. The scenarios in Section 1 of the plan describe how the plan holders will carry out a response to an RPS-sized spill as well as smaller spills, and are required by the State of Alaska in 18 AAC 75.425(e). Many of the other topics listed here (AL, PN, RE, etc.) focus on information that is located in the scenarios. Additionally, there has been effort put forth by stakeholders, plan holders, and ADEC towards determining what are the right scenarios and what level of information is required by them. Scenarios receive close scrutiny with every plan renewal.

Training (T). The best prevention and response equipment is useless if the people who are operating it don't know how to do so properly. Training of SERVS and contractor personnel and FV crews is continual and is carefully examined to ensure that effective training is being conducted in the correct areas. State regulations in this area are vague, requiring only "a detailed description of the training programs for discharge response personnel [18 AAC 75.425(e)(3)(I)] and written discharge prevention programs that include oil discharge prevention training [18 AAC 75.425(e)(2)(A)]. Under its regulatory discretion, ADEC has generally interpreted these regulations to mean that personnel have to be trained to carry out all prevention and response activities described in the plan. Exercises are conducted to both provide training and to test the capabilities of the responders. Plan holders, stakeholders, and ADEC all participate in or evaluate these exercises and make recommendations for further training.

Wildlife (W). Per Alaska regulations, plan holders are required to include in their scenarios "procedures and methods for the protection, recovery, disposal, rehabilitation, and release of potentially affected wildlife...." [18 AAC 75.425(e)(1)(F)(xi)] and those procedures and methods are subject to the BAT requirements of 18 AAC 75.425(e)(4). In PWS these requirements have led to the development of wildlife response plans, staging of dedicated equipment, construction of an otter rescue center, and designation of wildlife FV task forces.

5. PWSRCAC Comments

PWSRCAC has a responsibility to review contingency plans under its OPA 90 mandate and is one of a few named reviewers in state regulations. The organization has provided comments on every plan renewal and major amendment since 1995. Additionally, PWSRCAC staff and volunteers have engaged in work groups, observed and evaluated drills and exercises, and conducted their own technical analyses of myriad elements of the prevention and response system.

PWSRCAC has submitted hundreds of pages of plan comments. These have ranged from requesting minor edits for clarity to bigger questions, such as whether the escort vessels are sufficiently equipped and crews adequately trained to achieve a challenging save of a laden tanker in bad weather. While PWSRCAC has weighed in on all the key topics identified in the preceding section, and more, some of the key areas of concern expressed since the first renewals in 1995 and 1999 have been:

- Best available technology for all equipment, including a focus on the escort system in more recent years,
- Ensuring that plan holders are prepared to bring equipment in from outside PWS – and to respond to a spill that *leaves* PWS as the *Exxon Valdez* spill did,
- Seeking ongoing assurance that there are sufficient vessels of the necessary types available through the Fishing Vessel program and that personnel numbers and training are adequate,
- Attention to wide-ranging details in the response scenarios, from use of specific equipment to personnel numbers, and
- Ensuring opportunities for public review of referenced documents, e.g., the VERP, with plan reviews.

While some comments may be considered to represent on-going disagreements or discussion, others over the years have become obsolete, such as concerns raised about Y2K computer glitches or details regarding equipment that is no longer used in the system. Many, many PWSRCAC comments were resolved by work groups or simply by text changes in the plan.

PWSRCAC comment documents are listed for reference in the event summaries in the compendium so those seeing further information on any particular event may also trace back to the organization's comments at that time. (Appendix B).

6. Conclusion

It is expected that the processes and issues would evolve over the 25-year life of the tanker plan. In the early years of the plan, there were conditions of approval still being implemented and major decisions being made about the process (e.g., the ruling in 1998 regarding what constitutes "phasing" and what is an acceptable "condition of

approval") from the 1995 plan even as the 1998 plan renewal got underway. Two substantive changes to regulations have occurred, both of which can be seen as reducing the requirements for operators. In 1997, ADEC promulgated BAT regulations which deemed any equipment used to meet a response planning standard as BAT. This eliminated any consideration of skimmers and containment systems in future BAT analyses. In 2004, regulations were changed such that plan holders could identify either prevention measures or non-mechanical response options they would use in the event that conditions were not conducive to mechanical recovery. (The regulations are silent on the potential for conditions to preclude non-mechanical options.) The years 1996-2010 saw two significant rounds of workgroup efforts, one of which could be associated with the early plan submittals, 1995 and 1998, while another began with the 2007 renewal. Work groups were used to advance specific issues and ensure all parties were involved in the process. Since 2012, there have been no new work group efforts but multiple amendments initiated by the plan holders.

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Appendix A – Timeline (see separate doc)

Appendix B – Compendium of event summaries (see separate doc)

Appendix C – Conditions of Approval 1995-2020

Approval Year	Renewal or Amendment	COA #	COA Description	Topics	Applicable Alaska Statutes and Regulations	Related Events
1995	R	1	Notify ADEC of any change in contractual relationship with response contractor.	administrative	18 AAC 75.425(e)(3)(H); 18 AAC 75.445(i)	
1995	R	2	Submit vessel escort improvement proposals.	ET		1998 Tanker Escort Improvements
1995	R	3	Submit a report demonstrating effectiveness of the Near Shore Response Plan.	NS	18 AAC 75.425(e)(1)(F) (vi), (vii) and (ix); AS 46.04.030(e); 18 AAC 75.445(g)(2)	1996 Nearshore Response Plan
1995	R	4	Provide supplemental data to PWS air logistics study.	AL	AS 46.040.03(k)(3); 18 AAC 75.438(c)	1996 Supplemental Data for PWS Air Logistics Study and Water Cargo Transportation into Kodiak and Cordova
1995	R	5	Provide a final date for the completion of identification of sensitive areas in PWS, Kodiak, and Kenai Peninsula.	SAP	18 AAC 75.425 (e)(3)(J); 18 AAC 75.445 (d)(4)	1996 ESAs for Prince William Sound, Kodiak, and Kenai Peninsula areas
1995	R	6	Identify primary recreational use areas in PWS, put them in the plan, and create protection	SAP	18 AAC 75.425 (e)(3)(J)	1996 Recreational Areas in PWS

			procedures for these areas.			
1995	R	7	Submit compliance schedule for wildlife handling, complete wildlife training, and complete otter treatment facility construction.	W	18 AAC 75.425(e)(1)(F)(xi) and .445	1996 Wildlife Training and Otter Hospital Compliance Schedule
1995	R	8	Submit oil spill trajectory analysis for two hypothetical spill incidents to determine the foreseeable likelihood of oil reaching the Copper River Delta or Flats.	S	6 AAC 80; 18 AAC 785.425 (e)(3)(J); 18 AAC 75.445 (d)(4)	Condition 8 Decision Adjudicatory Hearing request granted and heard with 1995 Plan approval. Condition 8 and DEC decision finding trajectory analyses not in compliance with Condition 8 upheld by Deciding Officer. 1999 Copper River Delta Oil Spill Trajectory Analysis and Agreement; 1999 Copper River Delta Oil Spill Trajectory Analysis and Agreement
1995	R	9	Tesoro Alaska Petroleum ONLY: submit amendment to plan which evaluates plan holder response in Kodiak region.	S	18 AAC 75.425 (e)(3)(J); 18 AAC 75.445 (d)(4)	Challenges to Condition 9 were rejected by the Deciding Officer in the 1995 Adjudicatory Hearing Proceedings. Docket No. 700 and Final Decision at p. 9, 12; 1995-

						1996 Kodiak Island Spill Response
1999	R	1	Notify ADEC of any change in contractual relationship with response contractor.	administrative	18 AAC 75.425(e)(3)(H); 18 AAC 75.445(i)	The Shippers filed an adjudicatory hearing request that was subsequently dismissed after discussions with DEC. Tom Lakosh filed an adjudicatory hearing request that was denied for not meeting the adjudicatory hearing requirements. administrative Law Judge Shelley Higgins heard the case which was affirmed by Superior Court Judge Dan Hensley.
1999	R	2	Deadline established for 2002 renewal, and scope of future renewal outlined.	administrative	AS 46.04.030(e); AS 46.04.030(d); 18 AAC 75.415; 18 AAC 75.420	John Kotula wrote a letter on behalf of the ADEC concerning the upcoming 2002 renewal.
1999	R	3	Participate in GRS workgroup, update plan, and deploy GRS equipment.	SAP	AS 46.04.030(e); 18 AAC 75.445(d)(4); 18 AAC 75.425(e)(3)(J); 18 AAC 75.425(e)(1)(F); 18 AAC 75.425(e)(1)(F)(v); 18 AAC 75.415	2000 Geographic Response Strategy

1999	R	4	Participate in scenario workgroup.	S	AS 46.04.03 (e); 18 AAC 75.425 (e)(1)(F); 18 AAC 75.445(d)(3); 18 AAC 75.445(d)(4); 18 AAC 75.445 (d)(5)	2000 Scenario Workgroup
1999	R	5	Provide for access to secondary storages barges.	B	AS 46.04.030 (e); AS 46.04.030(k)(3)(C)	2000 Minor Amendment re Nearshore Secondary Storage Barges
1999	R	6	Modify and update spill response training for fishing vessel response.	FV, TR	AS 46.04.030 (e); AS 46.04.030(k)(3)(C); 18 AAC 75.430 – 18 AAC 75.442; 18 AAC 75.445(d)(4)	2000 Major Amendment re Fishing Vessel Program
1999	R	7	Provide respirator training to 18 Tier I fishing vessels.	FV, TR	AS 46.04.030(e); AS 46.04.030(k)(3); 18 AAC 75.445(j)	2000 Minor Amendment re Respirator Training
1999	R	8	Conduct simulation and sea trials for Hinchinbrook Entrance tanker escort operations.	ET	AS 46.04.030 (e); 18 AAC 75.027(e); 18 AAC 75.425(e)(2)(D); 18 AAC 75.425(e)(4)(A)(iii); 18 AAC 75.425(e)(3)(D); 18 AAC 75.445 (f)	2001 Major Amendment re Hichinbrook Entrance tug
1999	R	9	Submit a report if a vessel is involved in a reportable incident along the TAPS trade route.	administrative	AS 46.04.030 (e); 18 AAC 75.005	2000 Notification of Vessel Casualty
1999	R	10	Submit conforming plan edits within 45 days.	administrative	AS 46.04.030(e)	

2000	A		No COA were written into the major amendment approval.			
2001	A		No COA were written into the major amendment approval.			
2002	R		No COA were written into the 2002 plan renewal.			
2004	A	1	Demonstrate the ITB Krystal Sea's response capabilities and adequate staffing with trained crew members.	RE, TR	18 AAC 75.425(e)(3)(F)	
2004	A	2	Confirm the ITB's availability and procedures for addressing circumstances when it would not be available.	RE, TR	18 AAC 75.425(e)(3)(F)	
2004	A	3	Agree to the requirement that the Krystal Sea remain in the region of operation in order to meet RPS requirements.	RE, TR	18 AAC 75.425(e)(3)(F)	
2006	A	1	Assignment of one additional fishing vessel to any Near Shore Task Force	NS, TR, FV, RE	18 AAC 75.425(e)(3)(F)	

			which incorporated a Current Buster system, and notification to ADEC before any changes are made			
2006	A	2	Fishing vessel crew training in all near shore tactics	NS, TR, FV, RE	18 AAC 75.425(e)(3)(F)	
2006	A	3	A requirement that eight Current Buster systems would be available for deployment before the amendment could become effective	NS, TR, FV, RE	18 AAC 75.425(e)(3)(F)	
2007	R	1	Initiate a workgroup to verify personal numbers, roles, and deployment strategies.	P	18 AAC 75.425 (e)(3)(C) and (I)	2008 Personnel Workgroup
2007	R	2	Conduct a field exercise to verify aerial support for dispersant use.	AL, NM	18 AAC 75.425 (e)(3)(G) and 425 (e)(3)(G)	2008 Dispersant Aerial Support Workgroup
2007	R	3	Provide documents verifying the updated plan information for the Tier III fishing vessel program.	FV, TR	AS 46.04.030(e); 18 AAC 75.425(e)(3)(I)	
2007	R	4	Keep up current Nearshore Task Force 5 equipment and update plan when new equipment arrives.	NS	18 AAC 75.425(e)(3)(F)	

2007	R	5	A copy of the approved plan must be on board covered vessels at all times.	administrative	18 AAC 75.465	
2007	R	6	Submit a final revised copy of the plan within 30 days.	administrative	AS 46.04.030(e)	
2007	R	7	Future amendments must be submitted in "red line" format identifying all changes.	administrative	AS 46.04.030(e); 18 AAC 75.415; 18 AAC 75.420	
2007	R	8	Notify ADEC of any change in contractual relationship with response contractor.	administrative	18 AAC 75.425(e)(3)(H); 18 AAC 75.445(i)	
2012	R	1	A copy of the approved plan and COA must be on board all vessels in state waters	administrative	18 AAC 75.465	
2012	R	2	Submit updated plan within 30 days.	administrative	AS 46.04.030(e)	
2012	R	3	Future amendments must be submitted in "red line" format identifying all changes.	administrative	AS 46.04.030(e); 18 AAC 75.415; 18 AAC 75.420	
2012	R	4	Notify ADEC of any change in contractual relationship with response contractor.	administrative	18 AAC 75.425(e)(3)(H); 18 AAC 75.445(i)	
2012	R	5	Correct section on fishing vessel availability to show correct numbers.	administrative	AS 46.04.030(e); AS 46.04.030(k); 18 AAC 75.438; 18 AAC	

					75.425(e)(1)(F); 18 AAC 75.445(c)	
2012	R	6	Provide documents to verify information on Tier III fishing vessel program.	FV, TR	AS 46.04.030(e); 18 AAC 75.425(e)(3)(I)	
2017	R	1	Submit administrative corrections to plan.	administrative	AS 46.04.030(e)	
2017	R	2	Provide documents to verify information on Tier I, II, III fishing vessel programs.	FV, TR	AS 46.04.030(e); 18 AAC 75.425(e)(3)(I)	
2017	R	3	Notify ADEC of any change in contractual relationship with response contractor.	administrative	18 AAC 75.425(e)(3)(H); 18 AAC 75.445(i)	
2018	A	1	Requirement to make seven administrative edits and factual corrections prior to publication.	ET, TR, FV	18 AAC 75.425 (e)(3)(G) and 425 (e)(3)(G); 18 AAC 75.425(e)(3)(F)	
2018	A	2	PWS Transition Plan changes and implementation, including: a. Updates to training information, b. Adding an appendix to the Transition Plan which maintained the TransRec tactics until all	ET, TR, FV	19 AAC 75.425 (e)(3)(G) and 425 (e)(3)(G); 18 AAC 75.425(e)(3)(F)	

			TransRec skimmers were decommissioned, c. Inclusion of the Transition Plan as an appendix to the ODPCP until transition was complete, and d. Additional demonstrations and documentation to assure vessel configuration and crew training.			
2018	A	3	Submittal of additional documentation, including ABS and USCG documentation and load and decant plans for the Mineral Creek and OSRBs.	ET, TR, FV	20 AAC 75.425 (e)(3)(G) and 425 (e)(3)(G); 18 AAC 75.425(e)(3)(F)	
2018	A	4	Update of PWS Tanker C-plans information regarding escort and sentinel tugs, as well as the response training program	ET, TR, FV	21 AAC 75.425 (e)(3)(G) and 425 (e)(3)(G); 18 AAC 75.425(e)(3)(F)	
2018	A	5	Additional exercise requirements which included a tabletop exercise for additional personnel needed to meet the 18-hour commitment, a lightering barge exercise, and field demonstrations	ET, TR, FV	22 AAC 75.425 (e)(3)(G) and 425 (e)(3)(G); 18 AAC 75.425(e)(3)(F)	

			of open water recovery operations.			
2018	A	6	Requirement to provide quarterly reports for crew training and exercises.	ET, TR, FV	23 AAC 75.425 (e)(3)(G) and 425 (e)(3)(G); 18 AAC 75.425(e)(3)(F)	
2020	A		No COA were written into the major amendment approval.			

Appendix D – Findings 1995-2020

Renewal Year	Finding #	Finding Description	Topics	Applicable Alaska Statutes and Regulations
1995	1	The core plan adequately describes fire hazard prevention and control methods. There is no legal basis to require demonstration of plan holder's fire-fighting capabilities for an oil spill that is on fire. Attorney General opinion is included.	RE	18 AAC 75.425(e)(1)(F)(ii); 18 AAC 75.425(e)
1995	2	There is not sufficient information to find that the tanker escort is BAT, particularly for VLCCs; vessel escort improvement proposal required. Findings document discusses the need for regulatory guidance on BAT, which had not yet been promulgated. It also explains the use of a "system" approach to considering BAT for the escort system, which is applied to this day. Finally, it acknowledges the then-forthcoming PWS risk assessment as providing necessary information regarding the escort system and prevention measures overall. [See 1995 COA 2.]	ET, BAT	AS 46.04.030(e); 18 AAC 75.990(5); 18 AAC 75.445(f)

1995	3	The open-water response system is BAT, but there is not sufficient information yet to determine that the nearshore response system is BAT. [See 1995 COA 3.]	BAT, RE	AS 46.04.030(e); 18 AAC 75.445(g)(2); 18 AAC 75.990(5)
1995	4	Overall the scenarios (three at the time) satisfy the requirement to describe deployment strategies for various response system elements, but more information is needed to assess air transportation during holiday periods as well as water transportation to Kodiak and Cordova. [See COA 4.]	RE, AL	AS 46.04030(k); 18 AAC 75.438; 18 AAC 75.424(e)(1)(F); 18 AAC 75.445(c); 18 AAC 75.438
1995	5	Tesoro Alaska Petroleum must submit response plan for Kodiak region.	S	AS 46.04.030(r); AS 46.04.030(c); AS 46.03.030(k)(3); AS 46.04.900(23); 18 AAC 75.495; AS 46.04.020(g)(1)&(2)
1995	6	Plans provide adequate equipment to support lightering oil from a tanker vessel.	L	18 AAC 75.425(e)(3)(F)
1995	7	The necessary contracts are in place between plan holders and the Primary Response Action Contractor. The equipment required to meet the in-region response planning standard must be listed in plan.	C	AS 46.04.035(h)(2); 18 AAC 75.500(a)&(b)
1995	8	Insufficient information to determine full adequacy of nearshore response, plan holders must complete several tasks. [See COA 3.]	NS	18 AAC 75.425(e)(1)(F),(vi), and (ix)
1995	9	Sufficient controls exist to prevent required response equipment from being removed from a spill response when spill leadership transitions from APSC to the Responsible Party [under AS 46.020(g)(2)].	RE	AS 46.04.030(r); AS 46.020(g)(2)
1995	10	Current vessels operating in the TAPS trade meet requirements for a towing system.	ET	18 AAC 75.027(f)
1995	11	Plan holders must provide a compliance schedule for identifying environmentally sensitive areas, as well as recreational use areas. [See COA 5 and 6.]	SAP	18 AAC 75.425; 18 AAC 75.445; 18 AAC 75.425(e)(3)(J)
1995	12	ADEC should require completion of wildlife recovery/rehabilitation infrastructure as a COA. [See COA 7.]	W, TR	18 AAC 75.425(e)(1)(F)(xi); 18 AAC 75.445
1995	13	Adequate strategy for a 2000 bbl and less spill at the VMT.	RE	18 AAC 75.425(e)(1)(F)
1995	14	Dispersant Corexit 9527 may be considered by the FOOSC in a spill response.	NM	18 AAC 75.445(h)

1995	15	Core plan contains an RMROL analysis of the environmental and operation conditions that would impede or hamper a response.	RMROL	18 AAC 75.425(e)(3)(D); 18 AAC 75.445(f)
1995	16	Response to Comments Not Related to a Major Finding: Onshore Response Equipment, Medical Monitoring and Substance Abuse Programs, Fishing Vessel Response Training, Availability of Escort Vessels During a Response	TR	
1999	1	GRSs are required to continually improve the plan and incorporate new information	SAP	18 AAC 75.425(e)(3)(J); 18 AAC 75.425(e)(1)(F)(v); 18 AAC 75.438; 18 AAC 75.445(d)(4)
1999	2	Plan holders have not sufficiently demonstrated that they maintain access to an additional barge to provide secondary storage	B	18 AAC 75.425(e); 18 AAC 75.445; AS 46.04.030(k)(3)(C)
1999	3	There is an adequate number of trained fishing vessels, but Tier III vessels must be trained to be viable response assets.	FV, TR	AS 46.04.030(k); AS 46.04.030(k)(3)(C); 18 AAC 75.425(e)(3)(F); 18 AAC 75.445(g)(4)
1999	4	Respirator training is required to prepare the Tier I fishing vessel fleet to work in fresh oil.	FV, TR	18 AAC 75.425(e)(1)(C); 18 AAC 75.445
1999	5	Plan holders need to update and modify worst case spill scenario to meet the intent of ADEC regulations.	S	18 AAC 75.425(e)(1)(F); 18 AAC 75.445(d)
1999	6	Simulations of tug performance during worst case events must be developed.	ET	18 AAC 75.425(e)(4); 18 AAC 75.445(k)
2002	1	All plan holders have adequate access to sufficient out-of-region response equipment through a registered PRAC; ADEC verified this by requiring an Out of Region Acquisition Survey from each plan holder during the plan review.	RE	AS 46.04.030(k); 18 AAC 75.430; 18 AAC 75.438
2002	2	1999 scenario workgroup provides full activation of entire range of adopted spill response strategies, usable for any size spill.	S	18 AAC 75.425(e)(1)(F); 18 AAC 75.445(c) & (d)
2002	3	Sufficient resources are available to support the levels of nearshore response operations listed in the plan	NS	18 AAC 75.425(e)(1)(F); 18 AAC 75.445(d)
2002	4	Plan holders have access to adequate numbers of personnel trained in ICS, and can properly and efficiently staff a response.	PN	18 AAC 75.425(e)(3)(C)

2002	5	TAPS trade vessel inspections by the USCG are adequate to establish compliance with state regulations.	C	18 AAC 75.007(h); 18 AAC 75.005 - 18 AAC 75.090; 18 AAC 75.007(b); 18 AAC 75.425(e)(2)(A)
2002	6	Towlines onboard escort vessels are adequate for the intended purpose and services (and are BAT).	ET	18 AAC 75.027; 18 AAC 75.425(e)(4)(A)(iii)
2002	7	Plan holders have adequately addressed BAT requirements, including escort system.	BAT, ET	18 AAC 75.425(e)(4); 18 AAC 75.445(k)
2007	1	The plan meets intent of regulations by providing adequate information about the deployment of shoreline cleanup.	RE	18 AAC 75.425(e)(1)(F)(xii); 18 AAC 75.438(a)(1)
2007	2	The plan contains adequate information to address the protection of downstream communities and sensitive areas.	SAP	18 AAC 75.310(a)
2007	3	The plan contains sufficient information to ensure that responses in darkness can be carried out.	NS	18 AAC 75.425(e)(1)(F)
2007	4	Ariel response resources identified in the plan are sufficient to meet initial response requirements.	AL	18 AAC 75.425 (e)(3)(E); 18 AAC 75.445(d)(3)
2007	5	The plan sufficiently identifies the required number of trained personnel needed to fill the positions necessary in first 72 hrs of a response.	PN	18 AAC 75.445(c); 18 AAC 75.430 - 18 AAC 75.442
2007	6	Non-technical monitoring of dispersants and in-situ burning is adequately described in the plan.	NM	18 AAC 75.425 (e)(3)(G)(i)
2007	7	The plan adequately described RMROL capabilities during a situation when response would be impaired or ineffective (i.e. severe weather).	RMROL	18 AAC 75.425(e)(3)(D)
2007	8	The plan contains sufficient response capacities for the specific purpose of protecting sensitive areas.	SAP	18 AAC 75.425(e)(3)(J); 18 AAC 75.425(e)(1)(F)(v); 18 AAC 75.445(d)(4)
2007	9	The BAT information contained in the plan meets regulatory requirements.	BAT	18 AAC 75.425(e)(4)(A)(iii); 18 AAC 75.445(k)(3)(A) through (H), 18 AAC 75.027(e)
2007	10	The plan adequately describes and accounts for resources necessary to care for wildlife during an oil spill response.	W	18 AAC 75.425(c)(1)(F)(xi)
2007	11	The quantity and types of boom identified in the plan are sufficient to satisfy regulatory requirements.	RE	18 AAC 75.425(g)(3); 18 AAC 75.438

2012	1	Sensitive area protection task forces are sufficiently equipped with fishing vessels.	SAP	18 AAC 75.425(e)(3)(J); 18 AAC 75.425(e)(1)(F)(v); 18 AAC 75.445(d)(4)
2012	2	Nearshore response systems have been/will be sufficiently field tested.	NS	18 AAC 75.425(e)(1)(F)
2012	3	There are sufficient on-site safety officers and supporting fishing vessels designated in the plan.	PN, FV	18 AAC 75.425(e)(1)(C)
2012	4	Plan holders have a system in place to ensure fishing vessels are equipped with enough trained crew.	FV, PN	18 AAC 75.445(c); 18 AAC 75.430 - 18 AAC 75.442; 18 AAC 75.438
2012	5	The plan has been adjusted to sufficiently identify the required personnel to carry out a response.	PN	18 AAC 75.445(c); 18 AAC 75.430 - 18 AAC 75.442; 18 AAC 75.438
2012	6	Concerns raised about the plan with regards to weather/sea state and booming are adequately met.	RMROL	AS 46.03.030(k)(3); 18 AAC 75.438; 18 AAC 75.425(e)(1)(F); 18 AAC 57.445(d)(5); 18 AAC 75.425(e)(3)(D); 18 AAC 75.445(f)
2012	7	A vessel decontamination task force is contained in the current plan and would sufficiently decrease hull contamination.	RE, FV	18 AAC 75.438; 18 AAC 75.425
2012	8	The 546 Scenario meets regulatory requirements for lightering.	L	18 AAC 75.027(a); 18 AAC 75.425(e)(1)(F)(viii); 18 AAC 75.438; 18 AAC 75.425(e)(1)(F)(ix)
2012	9	BAT analysis In the 2012 plan is sufficient.	BAT	18 AAC 75.425(e)(4)(A)(i) and (iii); 18 AAC 75.445(k)(3)(A) through (H); 18 AAC 75.027(e); 18 AAC 75.445(k)(2)
2012	10	The roles listed in the plan incident management team organization chart are sufficient to meet initial response needs.	PN	18 AAC 75.425(e)(3)(C)
2012	11	Eight areas were identified as needing verification through response exercises.	TR	18 AAC 75.485
2017	1	The incorporation of the crucial skimmers and buster booming systems into the plan was approved.	RE	18 AAC 75.445(g); 18 AAC 75.430 - 18 AAC 75.442; 18 AAC 75.445(k)(1)
2017	2	The removal of one open water recovery barge did not impede the plan's effectiveness.	B	46.04.030(k)(3)(B); 18 AAC 75.438
2017	3	Concerns about the barge and vessel system expressed through public comments are unfounded.	B, ET	18 AAC 75.445; 18 AAC 75.425
2017	4	The plan has sufficient lightering capabilities.	L	18 AAC 75.027; 18 AAC 75.445(d)(6)

2017	5	Regulations do not require that plan holders demonstrate their abilities under all possible environmental conditions.	RMROL	18 AAC 75.990(101); 18 AAC 75.425(e)(3)(D); 18 AAC 75.445(f)
2017	6	Concerns about decanting are unfounded.	RE, S	18 AAC 75.445(d)(7); AS 46.03.050; AS 46.04.020(b)
2017	7	Descriptions of monitoring plans for non-mechanical response are adequate and meet regulations.	NM	18 AAC 75.425(e)(3)(G)(i); 18 AAC 75.445(h)
2017	8	The referenced terminology regarding ANS crude characteristics is acceptable, but ADEC will continue to analyze oil periodically and update terminology, if needed.	OP	18 AAC 75.445(g)(5); 46.04.900(12)
2017	9	The plan holders have a system in place to ensure fishing vessels are equipped with sufficient trained crew.	FV, TR	18 AAC 75.445(c); 18 AAC 75.438
2017	10	The information listed in the plan is sufficient for addressing debris encountered during a response.	RE	18 AAC 75.445(d)(7); 18 AAC 75.425(e)(1)(F)
2017	11	The three sensitive area task forces and associated equipment are sufficient for sensitive area protection.	SAP	18 AAC 75.425(e)(3)(J); 18 AAC 75.425(e)(3)(J)(iii); 18 AAC 75.425(e)(1)(F)(v); 18 AAC 75.445(d)(4)
2017	12	BAT analyses contained in the core plan continue to meet regulatory requirements.	BAT	18 AAC 75.425(e)(4)(A)(i) and (iii); 18 AAC 75.425(e)(1)(F)(iv); 18 AAC 75.445(k)(3)(A) through (H); 18 AAC 75.990(130); 18 AAC 75.027(e); 18 AAC 75.445(g)(2); 18 AAC 75.990(9); 18 AAC 75.445(k)(1); 18 AAC 75.445(k)(2)
2017	13	The three weather scenarios contained in the plan are sufficient to address winter weather conditions.	S	18 AAC 75.425(e)(1)(F)
2017	14	The core plan sufficiently identifies the personnel to carry out a response.	PN	18 AAC 75.445(c); 18 AAC 75.438; 18 AAC 75.425(e)(3)(C)
2017	15	While plan holders must demonstrate the ability to develop a safety plan, ADEC regulations do not specify what the plan must contain.	S	18 AAC 75.425(e)(1)(C)
2017	16	The current plan is sufficient for a response in darkness, but ADEC will continue to ensure that training focuses on operation in darkness.	TR	18 AAC 75.425(e)(1)(F)