

U.S. Department
of Transportation
United States
Coast Guard



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JAN 13 1999

Mr. John Devens
Executive Director
Prince William Sound Regional Citizens' Advisory Council
750 W. 2nd Ave., Suite 100
Anchorage, AK 99501-2168

Dear Mr. Devens:

Your request for recertification as the alternative voluntary advisory group instead of a council for Prince William Sound, Alaska, is approved. The approval, pursuant to the provisions of the Oil Pollution Act of 1990 (OPA 90), Section 5002 (o), is effective June 1, 1998 through January 30, 2000. The additional time will allow a realignment of the recertification process with your annual budget year. A notice of the recertification will be published in the Federal Register.

Your application for recertification was evaluated in accordance with the policy statement published in the Federal Register on July 7, 1993, (58 FR 36505). This Federal Register notice clarified the factors that the Coast Guard would consider in making its determinations as to whether advisory groups should be certified in accordance with OPA 90, as outlined in Section 5002, the Oil Terminal and Oil Tanker Environmental Oversight and Monitoring Act (the Act). The policy statement advised that the Coast Guard would solicit and consider comments from industry and government, as well as the general public, in its evaluation process.

The information provided with your request for recertification indicates that the Prince William Sound Citizens' Advisory Council (PWSRCAC) is working toward fulfilling the mandates of OPA 90 as outlined in the Act. That is, "to foster the general goals and purposes of the Act, and assure that the Council is broadly representative of the communities and interests in the vicinity of the terminal facilities and Prince William Sound..."

Comments received from industry, government and the general public in Prince William Sound were mostly favorable, supporting your request for recertification. These comments were identified to you for your review immediately upon closing of the Federal Register comment period and have been accessed by your staff through the Department of Transportation website. In the spirit in which the comments were made, we encourage you to continue to press forward with innovation and energy to make the PWSRCAC an effective voice for all its constituencies.

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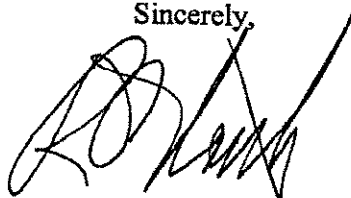
Subj: PRINCE WILLIAM SOUND RCAC RECERTIFICATION

Based upon our evaluations of the comments, we find concerns related to conflicts with a limited number of staff and Board members who on occasion represent positions not supported by your "self-governing process". We acknowledge that you have already taken specific actions to correct at least one of these misrepresentations. In the spirit of cooperation when such corrective actions are taken, we encourage you to provide feedback to organizations that received inaccurate representations of your official position. In addition, despite the apparent compliance with PWSRCAC By-laws, we are concerned about the implications of a two-month residency per annum of one of your members. It is doubtful that a representative of special citizens' interests meets the representative intent of the statute by living in the state of Alaska not more than two months of the year.

Therefore, we recommend as part of your "self-governing process" that you revisit the residency issue and conduct an internal policy - controls audit. We further request that you make the results, and any actions stemming from an audit, available in your next recertification package. Lastly, we request that you include a copy of your By-laws as part of your recertification package next year and any year following the incorporation of changes.

We acknowledge PWSRCAC's endeavors to provide advice, oversight and monitoring of the terminal facilities and tanker operations in Prince William Sound, Alaska, and look forward to working with you during the coming year. Your responsiveness in addressing our questions facilitated the evaluation process.

Sincerely,



R. C. NORTH

Rear Admiral, U.S. Coast Guard
Assistant Commandant for Marine
Safety and Environmental Protection