



*“The mission of the Council is to represent the citizens of Cook Inlet in promoting environmentally safe marine transportation and oil facility operations in Cook Inlet.”*

*Members*

May 20, 2013

*Alaska State Chamber of Commerce*

Gerry Brown  
Division of Water  
Alaska Department of Environmental Conservation  
555 Cordova Street  
Anchorage, AK 99501

*Alaska Native Groups*

SUBJECT: Cook Inlet RCAC Comments on Draft APDES Permit No. AKG-31-5100

*Environmental Groups*

Dear Mr. Brown:

*Recreational Groups*

The Cook Inlet Regional Citizens Advisory Council (RCAC) is responding to your call for comments regarding the Proposed Authorization to Discharge under the APDES for Mobile Oil and Gas Exploration Facilities in State Water in Cook Inlet (Draft General Permit Number AKG-31-5100). The proposed geographic area, activities, and facilities covered in this draft permit are within our areas of concern and, as such, this letter and attached comments address our concerns specific to the draft permit and its associated documents (*i.e.* Fact Sheet, Ocean Discharge Criteria Evaluation).

*Aquaculture Associations*

*Fishing Organizations*

The Cook Inlet Regional Citizens Advisory Council (RCAC) is a citizen oversight council for oil industry operations in the Cook Inlet region and was established according to Section 5002 of the Oil Pollution Act of 1990 (OPA 90). Our Board of Directors includes representatives from local governments and interest groups in Cook Inlet and nearby areas who have the potential to be impacted by crude oil industry operations in Cook Inlet. One of Cook Inlet RCACs many tasks under OPA 90 is to provide “*advice and recommendations on policies, permits, and site-specific regulations relating to the operation and maintenance of terminal facilities and crude oil tankers which affects or may affect the environment in the vicinity of the terminal facilities.*” Thus, through this congressional mandate, we are providing you with these comments.

*City of Kodiak*

*City of Kenai*

*City of Seldovia*

*City of Homer*

On 19 May 2006, prior to the issuance of the last NPDES general oil and gas permit for Cook Inlet, our Board of Directors met and passed a resolution regarding the proposed NPDES permits that states that:

*Kodiak Island Borough*

*“... the Cook Inlet RCAC does hereby oppose the issuance of an NPDES General Permit for Oil and Gas Exploration in Cook Inlet that would allow more pollution to be discharged than is currently permitted and the Cook Inlet RCAC supports the goal of zero discharge.”*

*Kenai Peninsula Borough*

*Municipality of Anchorage*

Although stopping short of requesting “zero discharge” for all facilities in this permit cycle, the resolution language articulates *Cook Inlet RCAC’s stance that the proposed permit limits and mixing zones should ensure that the total concentrations and pollutant loadings to Cook Inlet are not increasing and that every effort be made to move towards zero discharge.* The increase in exploration activity since the last permit cycle will definitely introduce significantly more wastewater stream discharges to the Inlet and we are asking ADEC to take a close look at recent successful efforts by some Cook Inlet operators to re-inject drill fluids and cuttings and produced water discharges that have shown that re-injection is possible. We will push for future revisions to the Effluent Limitation Guidelines to reflect this new information about the feasibility of successful down-well reinjection of wastewater streams that are covered in the proposed permit.

Our attached comments address a range of concerns about the review process, especially for the environmental monitoring requirements, as well as details of the proposed permit and the Ocean Discharge Criteria Evaluation. If you have any questions regarding our comments, please contact me or our Director of Science and Research, Susan Saupe, at the number below or at our respective e-mails, [munger@circac.org](mailto:munger@circac.org) or [saupe@circac.org](mailto:saupe@circac.org). We look forward to working with ADEC as you develop your APDES program and were encouraged when Commissioner Larry Hartig recently assured our Board of Directors that, in the future, we would be provided a more active role earlier in the review process.

Sincerely,



Michael Munger  
Executive Director

Cc: Wade Strickland, Program Manager  
Commissioner Larry Hartig