



"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

January 4, 2018

Tourism Organizations

John Harry
Environmental Program Specialist
Alaska Department of Environmental Conservation
555 Cordova Street
Anchorage, AK 99501

Alaska Native Groups

RE: Comments and 2nd round requests for additional information on Tesoro Logistics (Andeavor) Kenai Refinery Storage Facility and Truck Terminal Oil Discharge Prevention and Contingency Plan (#12-CP-2019)

Environmental Groups

Dear Mr. Harry:

Recreational Groups

Cook Inlet Regional Citizens Advisory Council has reviewed the version of Tesoro Logistics' Kenai Refinery Storage Facility and Truck Terminal Oil Discharge Prevention and Contingency Plan that was revised based on the first round of requests for additional information (RFAI). We appreciate that ADEC conveyed so many of our comments from the first RFAI (July 2017) to the plan holder, and the plan holders' efforts to improve the overall clarity of the plan itself.

Aquaculture Associations

In this letter, we identify a few follow-up items based on the RFAI table provided by ADEC and dated November 22, 2017.

Commercial Fishing Organizations

RFAI #8: The plan holder notes that they have removed PHMSA from the list of notifications in Table 1.2-2. However, we see that PHMSA is still included in this table. In our comments on the first round of review we sought clarification to the requirement for PHMSA notification. It was not our intent to remove PHMSA from the notification list unless there was no need for PHMSA notification. Please clarify.

City of Kodiak

City of Kenai

RFAI #15: The plan holder indicated in the RFAI table that language in section 1.5.2 was changed to clarify that the company Incident Commander (or their designate) will *activate* CISPRI, not just *notify* them. However, we do not see this change made in the plan document. Please revise plan language as indicated in the RFAI table.

City of Seldovia

City of Homer

RFAI #17: While the truck terminal scenario had CTM #'s added, the RFAI cited did not seem to have been addressed. Only two scenarios are fully described while five different scenarios/procedures are identified in Section 1.6.1. The corresponding spill scenario number should be attached to two of the five tables (1.6.-2 and 1.6-3). In reviewing portions of Table 1.6-3 again, we recommend changing the term "evaluate" to a more specific action verb (like "implement") with reference to the use of friction plugs and/or pipe band. Procedures for the use of friction plugs are already in place per Section 4.2. If the term "evaluate" is being used to indicate that an evaluation must be made to determine if this method will work depending on the incident specifics, this should be clarified (i.e. "Evaluate and implement if possible...").

Kodiak Island Borough

Kenai Peninsula Borough

RFAI 21: While Tesoro indicates in their response that their "Liaison Officer determines additional notifications required" and that "this is addressed in their training," this contact information should

Municipality of Anchorage

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RFAI #21: (continued) included in Section 1.2 as requested to ensure that it is immediately available to all plan users.

RFAI #22: CIRCAC requests that plan holder update Table 1.6-7 to clarify the purpose of what is essentially just-in-time HAZWOPER training. Language should be included to indicate that this training will be conducted for additional personnel who may be needed during an incident beyond those already trained. Additionally, use of a different action verb other than "establish" should be considered. Establish indicates that something will be set up on a permanent basis. We recommend using a term like "conduct."

RFAI #23: CIRCAC recommends checking for missing word in added paragraph regarding sensitive areas.

RFAI #25: This RFAI questioned whether dispersants or in-situ burning would be appropriate measures given the nature of the facility. The plan holder responded that, "this is addressed to respond to regulatory requirements." We request that ADEC clarify how information about the use of non-mechanical options is required in regulations. As we understand 18 AAC 75.425(e)(1)(G), information regarding the use of dispersants/in-situ burning is required "if a non-mechanical response option...*is proposed as a response option.*" If it is not proposed, as would be reasonable for this facility (in our opinion), then the information is not required in the plan. Additionally, the RFAI table indicates that the plan holder has changed language to refer to the fact that they "may" instead of "will" use non-mechanical response; we do not see that this change was made.


RFAI #40: CIRCAC requests that the plan holder revisit the edits made to this section. New language makes it sound like the hub boxes have been replaced with steel liners, not that they have been replaced with hub boxes *that have* steel liners.

RFAI #46: CIRCAC appreciates the explanation offered in the plan holders' response to this RFAI regarding the fact that regulations require presentation of response planning for on-water response, yet a spill from the covered facility is unlikely to reach open water. We suggest that the language in the plan holders' RFAI response be added to the plan in Section 3.

RFAI #50: We request that the plan holder revisit the edits to this section. The language added does not adequately clarify what an "industrial response action contractor" is.

We hope our enclosed comments will be helpful to ADEC and the plan holder. If you have any questions or wish to discuss this further, I can be reached at (907) 283-7222 or via email at MikeMunger@circac.org.

Sincerely,



Michael Munger
Executive Director

Cc: Graham Wood

P.P.