



“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.”

January 29, 2022

Members

Zuzana Culakova

**Tourism
Organizations**

Alaska Department of Environmental Conservation
Division of Spill Prevention and Response, Prevention, Preparedness, and Response Program
P.O. Box 111800
Juneau, AK 99811

**Alaska Native
Groups**

RE: Comments regarding Revisions to the Oil Discharge Prevention and Contingency Plan Plans and Streamlined plans; 18 AAC 75 Article 4

**Environmental
Groups**

Dear Ms. Culakova:

**Recreational
Groups**

The Cook Inlet Regional Citizens Advisory Council (CIRCAC) is a nonprofit corporation created by Congress under the Oil Pollution Act of 1990. Our mission is to represent citizens in promoting environmentally safe marine transportation and oil facility operations in Cook Inlet.

**Aquaculture
Associations**

Under our Oil Pollution Act of 1990 mandate, CIRCAC is charged, among other things, with reviewing adequacy of oil spill prevention and contingency plans in Cook Inlet. CIRCAC is also one of two non-governmental entities named in the State regulations (under review here) as having the opportunity to review and comment on Oil Spill Discharge and Contingency Plans (ODPCP), per 18 AAC 75.408(c)(4). We take this responsibility seriously and have reviewed hundreds of contingency plan submittals, renewals, and amendments since 1992. In doing so, CIRCAC strives to provide comments that will enhance the clarity, accuracy, and utility of the documents and support compliance with Alaska regulations. In most cases, contingency plans represent the only way that our constituent communities and stakeholders can be assured of the measures in place to prevent or respond to a spill from a company's Cook Inlet operations.

**Commercial
Fishing
Organizations**

City of Kodiak

CIRCAC submits these comments to the Alaska Department of Environmental Conservation (ADEC) in response to the request for comments on proposed regulation changes dated November 1, 2022. Many of the proposed revisions provide useful clarification or improve the organization of the regulations.

City of Kenai

City of Seldovia

Within the attached comments we identify some additional items that we believe will further support the consistent implementation of the regulations for diverse operators. I wish to highlight the following items of particular importance to us: (1) ensuring that the Regional Citizens Advisory Councils remain specifically identified within regulation to receive any notifications of relevant plan documents under review, (2) clearly stating within Article 4 that plan holders should also comply with all relevant state and federal laws; (3) ensuring an opportunity for Alaska regulators and regulated industry to keep up to date on best available technology for oil spill prevention and response, and (4) revising the treatment of prevention credits in the regulations to incentivize meaningful prevention measures that enhance regulatory requirements.

City of Homer

**Kodiak Island
Borough**

**Kenai Peninsula
Borough**

Given the significance of the changes proposed within these regulations and the potential scope of the comments ADEC may receive, CIRCAC requests that ADEC develop and share a comment matrix that includes whether and how the comments were addressed. CIRCAC also requests a second public comment opportunity to allow us the chance to review any changes made in response to the comments received.

**Municipality
of Anchorage**

*Cook Inlet Regional Citizens Advisory Council * 8195 Kenai Spur Hwy, Kenai, AK 99611-8033
Phone: (907) 283-7222 * Fax (907) 283-6102*

www.circac.org

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We appreciate ADEC providing a 90-day comment period for this review and would strongly recommend a 30-day comment period for a second round review. This should allow the public and industry sufficient time to thoroughly review the results of this review and comment period.

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

Sincerely,



Michael Munger
Executive Director