



“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 31, 2017

*Tourism
Group*

Sally Schlichting
Alaska Department of Environmental Conservation
Division of Spill Prevention and Response
410 Willoughby Avenue, Suite 303
P.O. Box 111800
Juneau, AK 99811

*Alaska Native
Group*

*Environmental
Group*

Re: Update and Revision of Regulations Regarding Petroleum Clean Up Levels

Ms. Schlichting:

*Recreational
Group*

I am submitting these comments on behalf of the Cook Inlet Regional Citizens Advisory Council (CIRCAC). CIRCAC is a nonprofit corporation organized exclusively for the oversight, monitoring, assessing and evaluation of oil spill prevention, safety and response plans, terminal and oil tanker operations, and environmental impacts of oil tanker and oil terminal operations in Cook Inlet under the provisions of Section 5002 of the Oil Pollution Act of 1990, (OPA 90). Our mission is to represent the citizens of Cook Inlet in promoting environmentally safe marine transportation and oil facility operations in Cook Inlet.

*Aquaculture
Associations*

*Commercial
Fishing Group*

After reviewing the Notice of Public Scoping, I would like to focus on the first reason the Department cites for considering changes to the regulations: better ways to investigate and clean up petroleum releases.

City of Kodiak

City of Kenai

It is our assertion that the Department of Environmental Conservation should provide a physical presence to investigate all spill incidents. Regulatory presence on scene allows investigators the opportunity to observe the scene, conduct interviews of witnesses, collect physical evidence (samples), and to view the scene with a critical eye. The physical presence of regulators also acts as a deterrent to poor prevention practices and ensures regulatory compliance.

City of Seldovia

City of Homer

CIRCAC understands that the State is under great budgetary strain. However much of the costs associated with investigation and response can be deferred to the responsible party. One benefit to this cost recovery approach is that Prevention, Preparedness and Response personnel will benefit from the field experience gained on active investigations. As you are aware, the Division of Spill Prevention and Response has undergone an extensive re-organization in 2015 and 2016, along with a tremendous loss of experienced personnel through attrition. These circumstances have on the one hand positioned the division to round out the training and experience of personnel, and on the other hand left the division with personnel experienced in one or two areas but inexperienced in others.

*Kodiak Island
Borough*

*Kenai Peninsula
Borough*

*Municipality of
Anchorage*

CIRCAC urges the Department to physically attend every spill incident that can be accessed through conventional means, and to take advantage of every opportunity for on-the-job training opportunities for Prevention and Response personnel by allowing them the opportunity to actively investigate incidents. We further urge the department to look for areas within regulation that changes can be made to charge investigators with the responsibility to provide an on-scene presence to verify, observe, and interview.

We believe these actions will compliment every investigation, cleanup effort, and metric of cleanup level.

As always, if you have any questions or wish to discuss this even further, I can be reached at (907) 283-7222.

Sincerely,

A handwritten signature in black ink, appearing to read 'Munger', with a long horizontal stroke extending to the right.

Michael Munger
Executive Director