



2005 Market Street, Suite 1700  
Philadelphia, PA 19103-7077

215.575.9050 Phone  
215.575.4939 Fax

901 E Street NW, 10th Floor  
Washington, DC 20004  
[www.pewtrusts.org](http://www.pewtrusts.org)

202.552.2000 Phone  
202.552.2299 Fax

Seth Robinson  
Alaska Department of Environmental Conservation  
Division of Spill Prevention and Response, Prevention, Preparedness, and Response Program  
610 University Avenue  
Fairbanks, AK 99709  
[dec.cpr@alaska.gov](mailto:dec.cpr@alaska.gov)

March 13, 2020

**Re: Oil Discharge Prevention and Contingency Plan Public Scoping**

Mr. Robinson,

The Pew Charitable Trusts is responding to the Alaska Department of Environmental Conservation's Supplemental Oil Discharge Prevention and Contingency Plan Public Scoping Notice and appreciates the additional time to comment. The authorities set in Alaska Statutes 46.04 and the implementing regulations found in 18 AAC 75 Article 4 are a strong basis for spill prevention and timely regionally-based spill response. There are some areas where these regulations may be strengthened further.


Alaska's statutory authorities in Chapter 4, "Oil and Hazardous Substance Pollution Control" include known practices for effective spill response including time-based response standards, utilizing best available technology, trained personnel, and the ability to demonstrate compliance. The implementing regulations approve upon the statutes by further requiring plan holders to utilize spill prevention methods, identify and mitigate response gaps, and prepare for adverse weather scenarios.

While the technology and methods used to respond to oil spills has not changed significantly since these statutes and regulations were put in place, what has changed is an increase in vessel traffic through the region with more vessels going farther north, and a growth in lightering operations. Climate change and warmer temperatures are thawing permafrost, putting local fuel storage tanks and infrastructure at risk. Communities in western and northern Alaska need additional resources to ensure their people are prepared to address a spill whether from a local storage facility or vessel. The Department of Environmental Conservation should strengthen current requirements and create new regulations that account for these developments, including but not limited to:

- Considering the effects of climate change on oil storage infrastructure in small communities and including prevention measures and state assistance for facilities at risk from permafrost thaw or erosion;
- Improving geographic response strategies that reflect community knowledge and priorities;
- Adding requirements for "in-region" equipment and personnel to also include spill response caches and trained personnel dispersed along known vessel routes or lightering locations;

- For vessel response plans, requiring plan holders to demonstrate their ability to meet the response planning standard in remote areas with sparse coastal infrastructure;
- Dedicating funding to improve emergency planning and preparedness for local communities, and;
- Enhancing communication and outreach with local communities.

Thank you for considering our comments.

A handwritten signature in black ink, appearing to read 'Ela Huf', written in a cursive style.

Eleanor Huffines  
Senior Officer, U.S. Arctic  
The Pew Charitable Trusts