

Marilyn Heiman

I am very concerned that the state of Alaska is seeking to weaken oil spill prevention and response laws and regulations adopted in 1990 after the Exxon Valdez Oil Spill. At the time of the Exxon Spill, the Governor appointed the nonpartisan Exxon Valdez Oil Spill Commission. I was staff to that commission. I also worked for the AK House Resources Committee in 1990 to implement the recommendations of the Commission. At that time republicans and democrats worked together to make sure a spill like the Exxon spill never happened again. The legislature passed several bills including the law to require a response planning standard.

When the Exxon Valdez Oil Spill occurred, it took weeks before there was equipment available to even begin cleaning up the spill. We lost critical time and because of the delay, the spill spread thousands of miles and contaminated hundreds of beaches. Oil still can be found in certain spill contaminated beaches and many species are still recovering or have not yet recovered from the spill including orca whales, herring, and sea birds.

The Response Planning Standards passed by the legislature require a company that wants to produce, store, or transport oil to demonstrate that they have the capability to contain and remove any oil spilled in a set amount of time. Other regulatory jurisdictions only require that a company have a certain amount of equipment and personnel but not require that it be cleaned up in a certain period of time. This is an important distinction that is critical especially in a remote place like Alaska where if the equipment were not stored on site or nearby it could take weeks for the equipment to get to Alaska.

A potential spiller must demonstrate through a plan and exercises that they have all the things necessary (equipment, trained personnel, logistics, command, etc.) to rapidly mobilize and effectively contain and remove a spill. The regulations require the oil discharge prevention and contingency plan holders to demonstrate that they can achieve the response planning standards that apply to their operations through realistic scenarios that show how much equipment they have, where it is, how many responders are available, how they will be mobilized, what tactics will be utilized, how recovered materials will be transported and stored, how impacted wildlife will be treated, how the whole system is controlled, among other things. The oil industry has done fine financially over the last 30 years despite the regulations. These requirements are a small price to pay to ensure we keep oil out of our marine and fresh water that Alaskans rely on.

The standards in our laws and regulations have led to the best oil spill prevention and response system in the country and the world. These regulations have been remarkable in their effectiveness. Now 30 years since the spill it would be a travesty to forget the lessons we learned. The costs of being prepared are definitely worth it. The prevention and response capacity in Prince William Sound has prevented another spill from occurring and fishermen can sleep at night knowing world class equipment is stored nearby in an amount to clean up a large spill. That is not something that should be undone without great thought about the consequences.

Thank you for the opportunity to give comments on this important topic. Please contact me if you have any questions.

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