



Alaska Regional Response Team
Valdez City Council Chambers
Valdez, AK
October 28, 2014

MEETING SUMMARY

Members Present:

Mr. Chris Field (USEPA)
Mr. Mark Everett (USCG)
Ms. Kristin Ryan (ADEC)
Mr. Doug Helton (USDOC)
Dr. Philip Johnson (USDOJ)
Mr. Joseph Sarcone (USDHHS)
Mr. Gary Sonnenberg (USDA)
Mr. Eric Bleakney (USDOD)

Members Participating by phone:

None

Member Agencies Not Represented:

USDOE
USDHS FEMA
USDOL
USDOS
USDOT
USDOJ
USGSA

The meeting opened with introductions from the ARRT Tri-Chairs; Mark Everett, Chris Field, and Kristin Ryan.

Mr. Everett provided a review of ARRT actions since the last ARRT meeting, which included the following:

- Participation of USCG Co-Chair and several other ARRT members in the recent SeaRiver Exercise in Valdez.
- Work Continues on the SONS Arctic Logistics Assessment work group. Further info to follow as an agenda item.
- Response to two Freedom of Information Act requests regarding dispersant use policy.

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- Stakeholders were invited to share concerns regarding that process during the public comment portion of the agenda.
- Continuing efforts to develop a Joint ARRT/OSC Steering Committee. The first task that the Steering Committee will take on, is that of updating the Regional Stakeholder Committee guidance as requested by the On-Scene Coordinator (OSC) working group. Further info to follow as an agenda item.
- Delivery of final biological assessment of the AK Unified Plan and SCP's to the federal natural resource trustee agencies/services (USFWS and NMFS), in accordance with Section 7 of the Endangered Species Act, as well as completion of Essential Fish Habitat requirements of the Magnuson-Stevens Fisheries Conservation and Management Act. Subsequent changes to the Unified Plan may be required as a result of mitigation requirements in the forthcoming Biological Opinion documents (BO). Further info to follow as an agenda item.
- Two emergency notifications to ARRT members: Russian Vessel SIMUSHIR, and the Baker drilling platform fire. ARRT Members were reminded to keep after-hours contact information current.
- Mr. Everett recently deployed on the USCG Cutter Healy for R&D work sponsored by NOAA and USCG.
- Mr. Everett acknowledged and recognized Ms. Pamela Bergmann (USDOJ) for her many contributions to the ARRT during her tenure. Ms. Bergmann retired in September of 2014. Further info to follow as an agenda item.

The Tri-Chairs, invited ARRT members to offer any opening remarks or comments. Philip Johnson (USDOJ) stated Department of the Interior's concerns regarding ARRT Charter revisions. His written statement will be appended to the meeting summary, which will be posted to the ARRT website.

Mr. Gary Folley (ADEC) reported the status of the Steering Committee for the Unified Plan Updates. Thus far, a draft mission statement and a draft process flow chart have been developed to describe the update process, including review and comment for draft changes. These will be submitted to ARRT membership prior to the January RRT meeting. Membership is open to any ARRT agency.

Mr. Field provided a briefing on Executive Order 13650, Chemical Safety and Security. The intent of the order is to improve responder training and safety, and to enhance coordination between state and federal agencies with enforcement responsibilities over facilities that store chemicals. In Alaska, this is being addressed by identifying facilities required to maintain risk management plans, and identifying gaps in response capabilities of local responders.

The Federal and State On-Scene Coordinators reported on recent activities within their areas of responsibilities.

- USCG, Prince William Sound FOSC: CDR Joe Lally gave a presentation on recent USCG responses in Prince William Sound, the 2014 Sea River Maritime exercise, upcoming training events and exercises, and the status of the PWS Subarea Contingency Plan revision (Change 3).
- USCG, Southeast Alaska FOSC: CAPT Shannan Greene reviewed recent responses in Southeast Alaska, upcoming exercises and meetings, and recommendations for potential ARRT action. She recommended that a Dixon Entrance Risk Assessment be prepared; that plans should be enhanced to include existing technology; and that state and federal volunteer management resources, including exercising volunteer management, be developed. She highlighted the response to the M/V Simushir, October 17-19, 2014, a container vessel that lost propulsion in rough seas with a high risk of grounding and fuel release. She also noted high vessel traffic in Dixon Entrance and out of Port of Prince Rupert and further expected increases in traffic
- USCG, Western Alaska FOSC: CAPT Paul Mehler highlighted the spill from the M/V Devon in the Nushagak River, in the Bristol Bay region, and the Baker Platform fire in Cook Inlet. He, along with Matt Melton of Alaska Chadux, reviewed an oil spill response drill held with the USCG, ADEC, Alaska Chadux and local industry partners in Nome and Teller, Alaska. He also presented best practices and lessons learned from the Aleutian Islands NPREP drill in Dutch Harbor, Alaska in September 2014, including the importance of the Regional Stakeholder Committee, and that involvement of a cultural resources specialist was valuable during the exercise.
- EPA FOSC: Mr. Matt Carr presented on recent EPA activities including SPCC and FRP Inspections; recent spill responses, and capacity building activities held in Fairbanks and Cordova to enhance the training of local spill responders.
- ADEC SOSC: Mr. Steve Russell presented on recent spill responses and exercises conducted by the State, including what constitutes success, when evaluating the potential use of chemical dispersants, and the importance of adhering to Annex O of the Unified Plan, when evaluating places of refuge. Mr. Gary Folley also provided an update on the status of the Aleutian Island Risk Assessment.

During the OSC Updates, ARRT members and alternates who had submitted cell phone numbers with text authorization received notification texts received a notification test of USCG system to external partners. This was the first time the notification system had been exercised and the test was successful.

Ms. Marcia Combes (USEPA) provided an update on activities of the Science and Technology Committee (STC) . Three of the five committee positions are vacant due to job changes and retirement of STC members. STC is awaiting appointment of new members. Mr. Mark Swanson with the Prince William Sound Regional Citizens Advisory Committee asked if there are any plans for stakeholder involvement on the STC. Ms. Combes responded that the charter has been revised to identify and include stakeholders in the STC on an *ad hoc* basis.

Dr. Johnson briefed the ARRT on activities of the Cultural Resources and Wildlife Protection Committees. There have been no specific activities from the Cultural Resources Protection Committee since the last

meeting. The Wildlife Protection Committee completed Revision 8 to the Pribilof Island Wildlife Protection plan in July 2014 and it has been posted on the ARRT website.

Mr. Everett reported on the Arctic SONS Logistics Working Group. A project overview will be posted on the ARRT website under ARRT Meetings.

Ms. Combes provided an update on the ESA Working Group. Receipt of final ESA BO from the Services is expected in December 2014 and February 2015, respectively. Recommendations contained in the final BO may result in updates to the Unified Plan. The Working Group also completed an assessment of Essential Fish Habitat IAW the Magnuson-Stevens Act has also been prepared and submitted to NOAA Fisheries.

Dr. Rick Bernhardt (ADEC) provided an overview of the status of Unified Plan and Subarea Contingency Plan (SCP) updates. The Unified Plan draft revision is expected in June 2015, however, the revision schedule and requirements are dependent upon the timing of receipt of the BO. Change 2 revisions to the Aleutian Islands SCP are in progress. The Interior SCP update is almost ready for review and the public review period is expected to be completed in December 2014. Prince William Sound SCP is being administratively reformatted and is expected to undergo final internal review and signature soon. Upcoming SCP revisions include Cook Inlet in 2015, followed by Northwest Arctic and Kodiak in 2016. He also provided an overview of the status of new Geographical Response Strategies (GRS) and validation of existing GRS's. Stakeholders may email additional information to help validate or bolster an exiting GRS to dec.spar.grs@alaska.gov.

CDR Paul Stocklin presented an update on activities the Dispersant Guidelines Task Force. As with the remainder of Unified Plan, the process is pending receipt of final BO. He also spoke on the status of adjudicating comments received on the draft guidelines, received last winter. The task force has reviewed all of the comments, but final resolution of comments is pending receipt of the BO. Once completed, a summary of the comments received and resultant adjudication will be made public. Mr. Everett noted that approximately 55 comment letters, containing approximately 500 individual comments have been received. As a final step, organizational and legal review will follow drafting of any changes to the existing policy, prior to finalization and implementation.

Ms. Combes offered an overview of recent Arctic Policy update initiatives and activities. In May 2015, the United States will take chairmanship of the Arctic Council. Admiral Robert Papp (USCG, Ret.) has been appointed Special Representative to the Council. He has identified three priorities: Arctic Ocean stewardship and governance, mitigation of and adaptation to climate change, and economic opportunities for people of the north. In 2013, the administration prepared the National Strategy for the Arctic Region and an implementation plan. Issuance of a Presidential Executive Order on coordination of arctic policy is expected this winter. The State has also formed an Arctic Policy Commission to coordinate and communicate Alaska's arctic priorities with the Federal government, and provide a roadmap for State government.

Ms. Ryan reported on the strategy of the ADEC Division of Spill Prevention and Response to adapt to significant budget reductions. The division will reorganize with the Response and Prevention programs combined into one program, and likely will be structured to reflect geographic areas of responsibility. She presented a draft proposed organizational chart.

Dr. Sarah Allan (NOAA) reviewed the Ephemeral Data Collection Guidelines for the Natural Resource Damage Assessment (NRDA) process. The guidelines, were field tested, and are undergoing a final quality assurance review and will be made publicly available online soon. A presentation regarding NRDA may be viewed on the ARRT website.

Mr. Helton presented considerations regarding protection of fisheries and seafood safety during a spill response. NOAA has prepared a document entitled "Managing Seafood Safety after an Oil Spill." A presentation is available on the ARRT website. Mr. Helton noted that over 50% of U.S. seafood comes from Alaska, a large portion of which comes from the Bering Sea. He then closed his presentation with the question to the ARRT as to whether this issue is a matter for the ARRT to address. Mr. Everett responded that the issue is not directly addressed in the Unified Plan, but that it should be explored further as part of the ARRT's planned future priorities.

Mr. Everett reported on his deployment aboard USCG Cutter Healy which looked at oil and ice interactions, and tested methods for detecting oil on the water's surface in icy conditions. He reviewed some of the technologies and methods tested. A presentation is available on the ARRT website.

The meeting closed with member agency comments followed by public comments. Six individuals, on behalf of four organizations offered public comments. Issues raised in public comments included:

- Concerns with the process used to adopt a new ARRT charter;
- Concern that there is no safe or reasonable use of chemical dispersants.
- Concern about mining activities in Canada, upstream from southeast Alaska.
- Concern about a lack of transparency in the ARRT.
- Planned semi-annual meetings of the five Oil Spill Response Organizations (OSRO) to discuss coordination in preparations for a response.
- New Alaska Chadux equipment has been contracted by the Maritime Prevention Network (press release on Chadux website).
- Alaska Inter-Tribal Council raised concerns regarding the new Tribal Engagement Standard Operating Guidelines, and the tribal consultation process employed during their formulation. They also desire a seat on the ARRT.

In his closing remarks, Mr. Field noted that he and Mr. Everett will be presenting at the Alaska Forum on the Environment (AFE) conference, in a session on tribal involvement in the ARRT. He also noted that the next meeting will be in Juneau on January 29, 2015. That meeting has been designated as an "All Hands" meeting and all ARRT members are expected to participate.

Mr. Field addressed concerns regarding the recent ARRT charter revision. He noted that the National Contingency Plan (40 CFR 300), addresses the fact that consensus decision making is not always effective, or possible. The National Response Team (NRT), USCG and EPA senior officials, and EPA and USCG legal staff were consulted, regarding the inability of the ARRT to make timely decisions on important matters due to the requirement of consensus decision making. There was agreement among those consulted that the ARRT co-chairs could, and should take necessary steps to remedy the situation. Subsequently, the ARRT Charter was revised IAW procedures in the existing charter. He further addressed the view that charter revisions were not made in a transparent manner, stating that charter changes were discussed at two previous ARRT meetings, both of which were open to the public. ARRT members that did not participate in the discussions at the meetings were contacted by phone.

Mr. Everett addressed the Change Oil Spill Response Global Alliance and Lawrence Anthony Earth Organization's data package. The majority of information in the data packet addressed national-level policy issues, and was not appropriate for action by the ARRT. The data package was forwarded to the NRT. Regarding the absence of tribal members on the ARRT, he noted that federally-recognized tribes may have a seat on the ARRT, and that there are multiple avenues for tribal involvement. The tribal involvement guidance document was developed in consultation with legal staff, submitted for tribal consultation and ARRT member review and has been adopted by the ARRT. It may be viewed on the Tribal Outreach page of the ARRT website. He reiterated that the ARRT is eager to include federally recognized tribes on the ARRT.

The meeting was adjourned at 4:30 pm.