




PLAN REVIEW GUIDANCE TO ALASKA AREA AND REGIONAL PLANNERS

“Joint Planning without Joint Plans”: Processes described here ensures interagency consistency around terms used to define how Area and Regional Contingency Plans are created, reviewed and managed.

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GUIDANCE LEGAL NOTICE



PLAN REVIEW DEFINED

June 15, 2022

Plan reviews occur annually per EPA area planning guidance, USCG policy, and/or Alaska State statutes. Plan reviews may include validation that involves checking or proving the accuracy of plan elements, such as contact information and worst-case discharge scenarios. Plan reviews also may include incorporation of lessons learned from exercises or incidents and identification of any gaps in the plan. Plan reviews may trigger plan modifications that follow the plan review process.

Interim Final

Agency	Review Cycle	Public Review/ Outreach Requirements
USCG	Annual Review	Contingency Planning requires invitation for Tribal Coordination
	5-Year National Review Board	Internal metric to USCG, looking for plan progression
EPA	None specified	Engagement of Federally Recognized Tribes per EPA Region 10 Tribal Consultation And Coordination Procedures
ADEC	In accordance with State of Alaska Statutes & Regulations	Mandated public review process when substantive revisions are required to the Regional or Area Contingency Plan.

AGENCY PLAN REVIEW REQUIREMENTS

ACP PLAN REVIEW TERMS AND TIMELINE

Annually **review** the Area Contingency Plan

Validate the plan: identify gaps, new content, lessons learned, review public comments** etc.

Any changes are identified as **proposed modifications**

Proposed modifications are incorporated into the plans via a **review process**

Proposed modifications may come from comments received from other plans

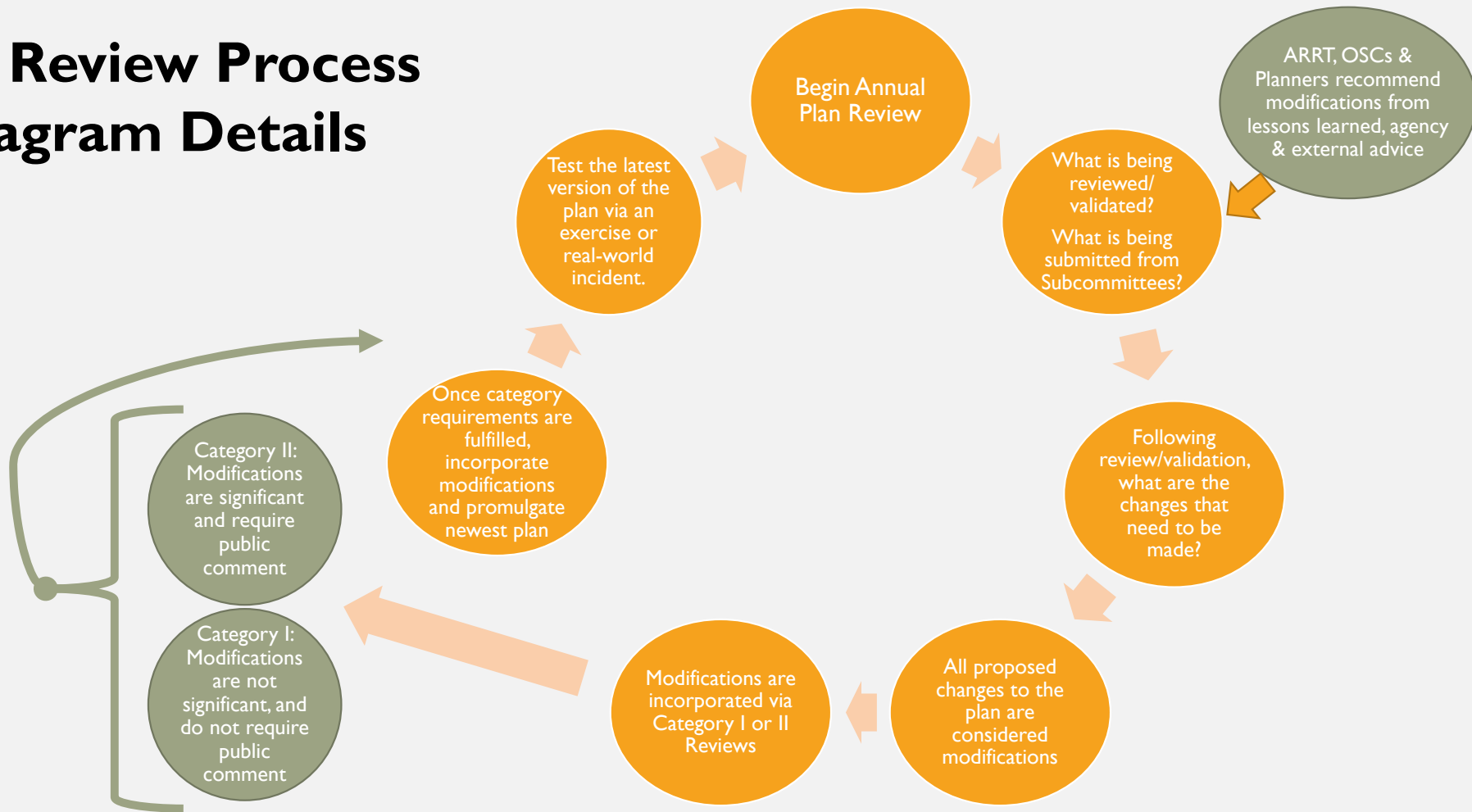
Statewide Planning Committee advises on consistency across the plans statewide

Once the **proposed modifications** are incorporated into the plan and the plan is signed, the process restarts

****Those taking the time to respond to AK's request for public comment, should be encouraged to help with plan review and write the proposed modifications in the first place via Area Committee, administrative subcommittees**

Plan Review Process

Diagram Details





PLAN REVIEW DETAILS

Interim Final

June 15, 2022



PROPOSED PLAN MODIFICATIONS DEFINED

June 15, 2022

For purposes of regional and area plans in Alaska, all changes, updates, and/or fact corrections to content within the RCP or ACPs shall be defined as modifications to the plan. Modifications are incorporated into the applicable plan via two different modifications categories, Category I and Category II described below. The ARRT established the two modification categories to define the level of effort associated with any plan review, to ensure consistency across agencies and area committees, and to easily identify which plan reviews trigger a State of Alaska 30-day public review requirement.

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WHO DETERMINES
PROPOSED
MODIFICATION
CATEGORIES?

RCP: The Statewide Planning Committee determines the review category for each modification to the RCP.

ACPs: Each Area Committee's Administrative Subcommittee Co-Chairs and Federal and State OSCs collectively determine the review category for proposed ACP modifications.

CATEGORY I MODS DEFINED

Category I Modifications are those proposed modifications to the RCP or ACPs of routine data, format, grammar and/or hyperlinks. These proposed modifications do not automatically trigger a State of Alaska 30-day public review requirement. For example, proposed modifications to contact information, such as telephone numbers and email addresses within the plan, are incorporated as a Category I modification. Additionally, proposed modifications due to new or updated regulations or statutes that have already been subject to a public review are not a significant modification to the plan, and therefore do not trigger a second public review. However, if the statutory or regulatory update to the plan changes response processes in such a way that it becomes a significant modification to the plan as defined in this document, a State of Alaska 30-day public review is required.

CATEGORY II MODS DEFINED

Category II Modifications are defined as a change when substantive revisions are required to the Regional or Area Contingency Plan and trigger a State of Alaska 30-day public review requirement. Examples of significant modifications to the RCP or ACPs include the following:

- a change in response policy or agency guidance established by the plan (and not external policy or guidance changes);
- changes in how agencies conduct a pollution response; and
- logistical changes that increase or decrease agency response resources.

DEFINING PUBLIC COMMENTS ON CATEGORY II MODS

June 15, 2022

As defined in this guidance, ***Category II Modifications*** trigger a State of Alaska public comment period. Public comments are adjudicated by the ACP admin subcommittee, per the proposed modification process, step 3A and B. In order to be properly adjudicated, each individual public comments must include the following three elements:

- Clearly identify and explain the issue within the plan: e.g., incorrect language, outdated information, improper diagram, etc.;
- Propose, in as much detail as possible the appropriate language, corrected diagram, current information, etc.; and
- Provide justification for the proposed modification: e.g., statutory/regulatory citation, appropriate source material, or other verifiable and legitimate source.

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#Content

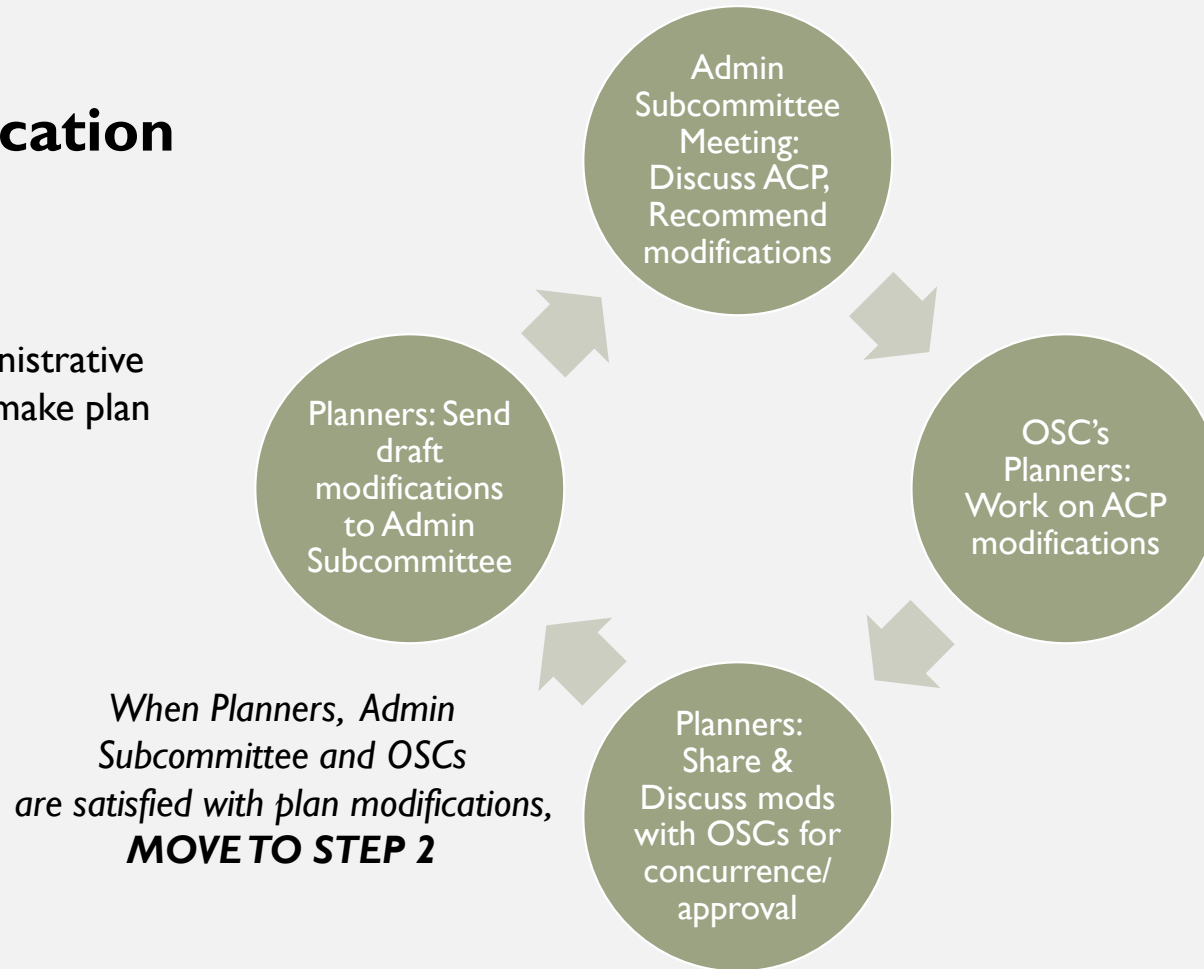
HOW DOES THE PLAN REVIEW PROCESS WORK?

DRAFT

December 12, 2018

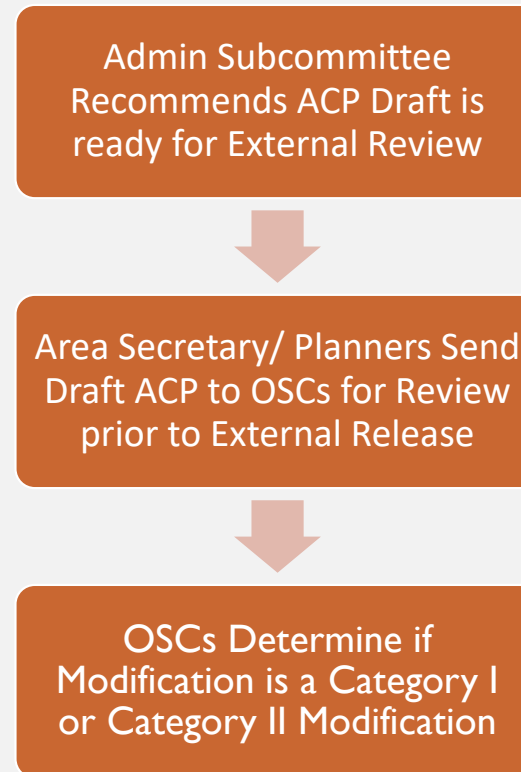
Proposed Modification Process

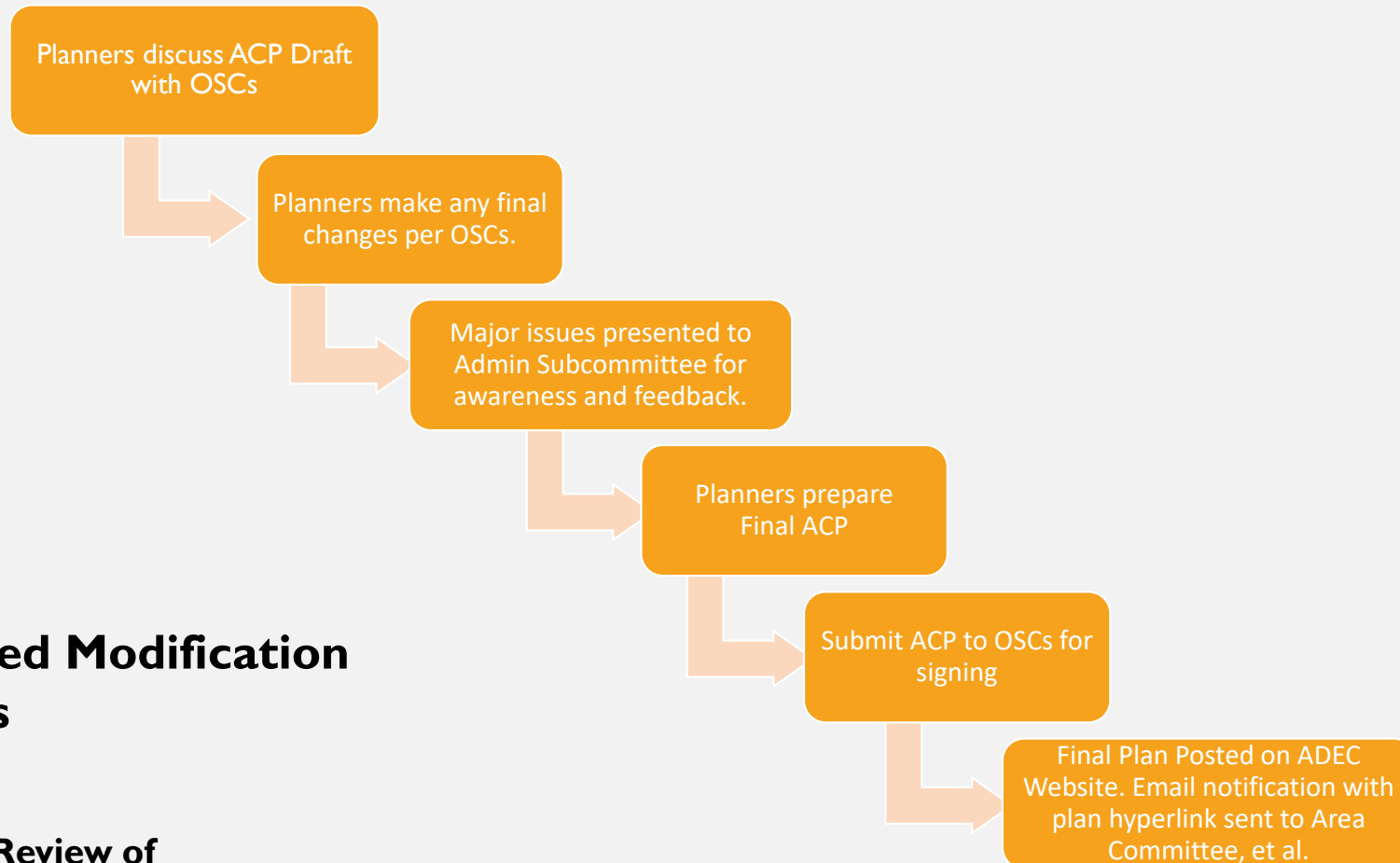
Step 1:
Planners work with the Administrative Subcommittee and OSCs to make plan modifications



Proposed Modification Process

Step 2:
Planners, Administrative Subcommittee and OSCs:
Internal and External Review and Approval of Modifications

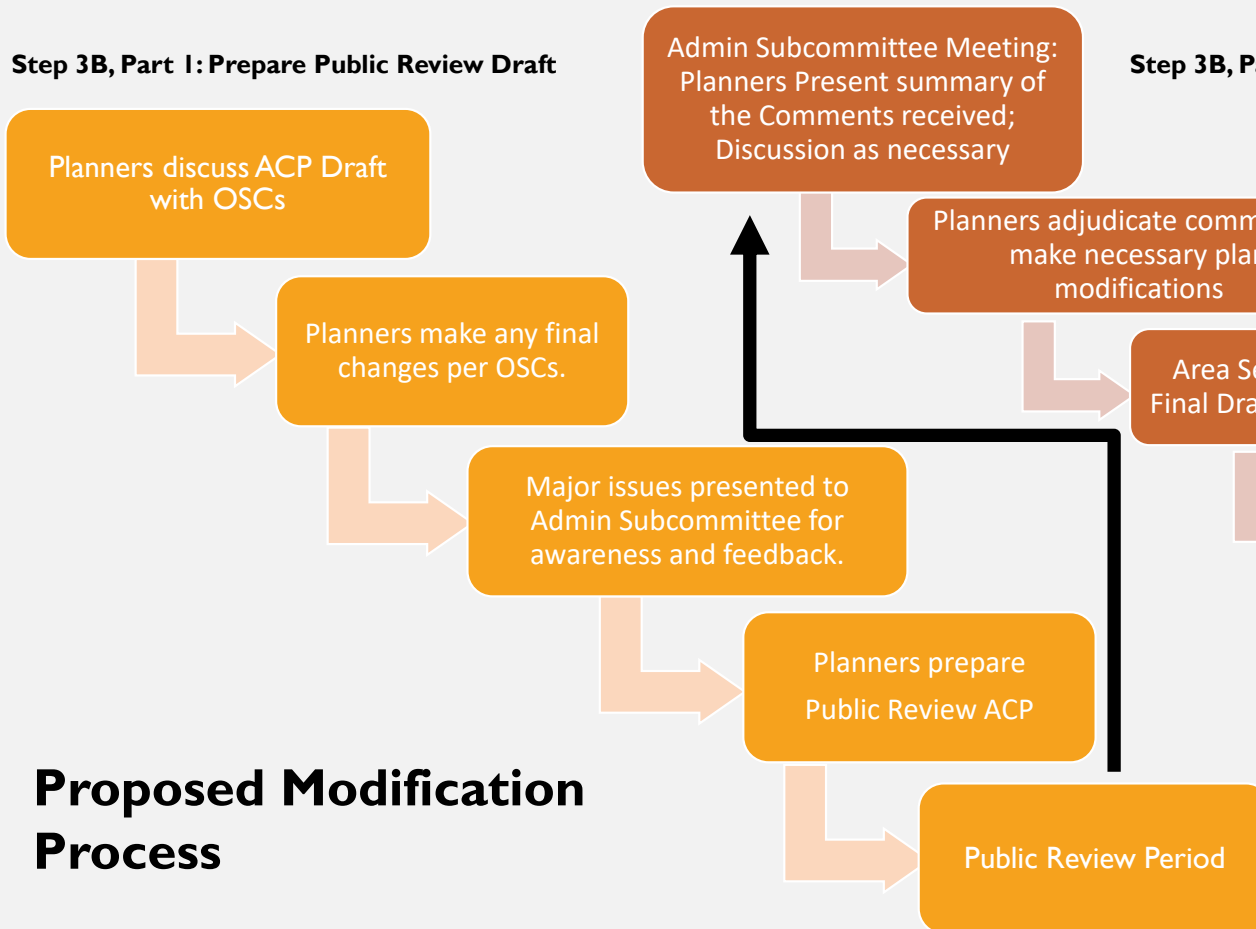




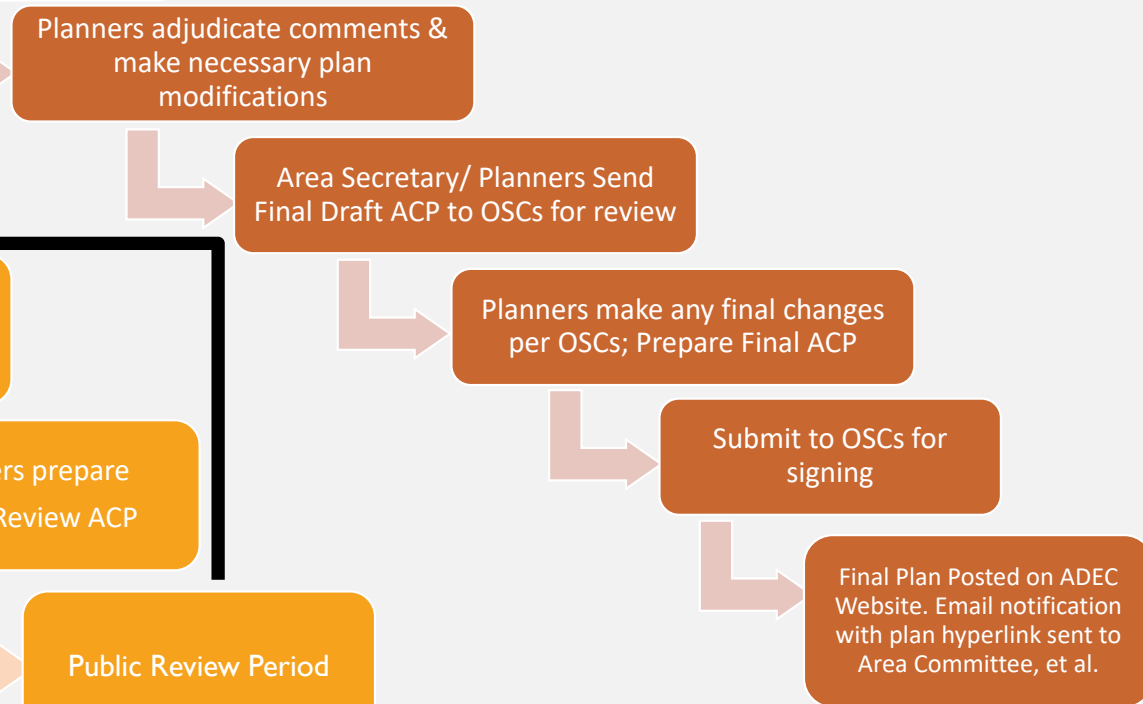
Proposed Modification Process

Step 3A: External Review of Category I Modifications

Step 3B, Part 1: Prepare Public Review Draft




Step 3B, Part 2: Address Public Comments, Prepare Final ACP



Proposed Modification Process

Step 3B: External Review of Category II Modifications (A 2-part Process)

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