



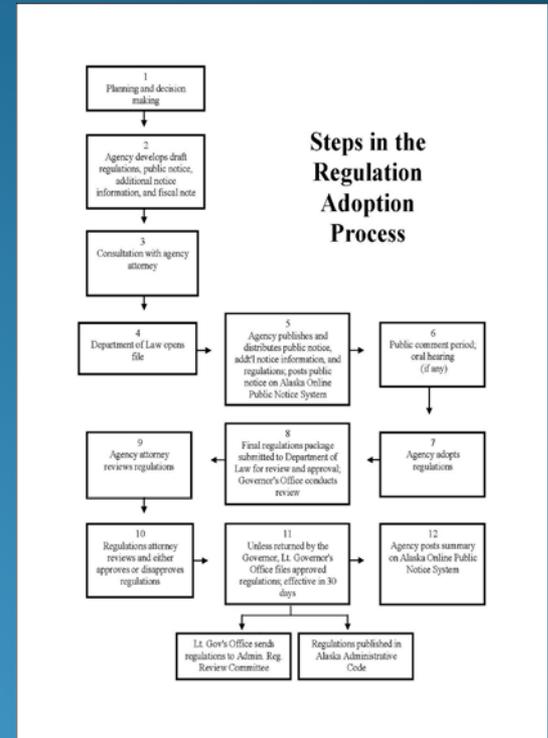
Article 4 Revision Project

Alaska Department of Environmental Conservation
Public Workshop June 2015



Regulation Adoption Process

- Alaska Administrative Procedures Act
- Multiple steps from planning to publication
- Sixty day public comment period
- Workshops in multiple locations in Alaska



Article 4

18 AAC 75 Article 4 Oil Discharge Prevention and Contingency Plans and Nontank Vessel Plans

- This project is part of a multi-year phased project
- 2004 – Updated response plan requirements for Exploration and Production Facilities
- 2006 – Updated prevention plan requirements for all regulated operations
- 2014 – Housekeeping Edits Articles 2 - 5



Article 4

- Current Project:
 - Application procedures
 - Plan Review process
 - Public notice and plan review timelines
- Future phase will address the content of contingency plans



Goals

- Clear and understandable
- Consistent with statutes and related regulations
- Incorporate current technologies including posting of plans on-line



Where to find the documents

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VIEW Notice

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Notice of proposal to adopt regulation changes on dealing with Oil and Other Hazardous Substances Pollution Control

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BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation proposes to change regulations on dealing with Oil and Other Hazardous Substances Pollution Control. The focus is to update the application and review procedures and public notice and plan review timelines for all regulated operations.

The Alaska Department of Environmental Conservation proposes to amend Chapter 18, Title 75 Article 4 and 9, of the Prevention and Contingency Plans, Nontan following:

- (1) amend 18 AAC 75.400 to clarify th
- (2) amend 18 AAC 75.405 to clarify th plan is submitted.
- (3) amend 18 AAC 75.410 to clarify th

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Attachments, History, Details

Attachments
[SPAR Response Plan Article 4 Amendments May 5 2015 Version.pdf](#)
[SPAR Response Plan Article 4 Summary of Changes.pdf](#)

Revision History
Created 5/6/2015 4:02:05 PM by lkbowser
Modified 5/6/2015 4:16:38 PM by lkbowser
Modified 5/6/2015 4:37:40 PM by lkbowser
Modified 5/7/2015 8:26:02 AM by cfishwick

Details
Department: Environmental Conservation
Category: Regulations
Sub-Category: Notice of Proposed Regulations
Location(s): Statewide
Project/Regulation #:

Publish Date: 5/6/2015
Archive Date: 7/7/2015

Events/Deadlines: Public Comment Period Closes 7/6/2015 5:00pm



How to Comment

- Submit comments for the selected sections of Article 4 and 9 in the package
- Be specific and include the citation
- Comment on-line:
<https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=176804>
- Email: dec.cpr@alaska.gov
- Mail: P.O. Box 111800, Juneau AK 99811-1800, Attn: Clare Pavia
- Send a Fax: 907-465-5245
- Questions can be submitted





Division of Spill Prevention and Response Industry Preparedness

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 DEC State of Alaska


State of Alaska > DEC > SPAR > IPP > Regulations Projects

FINANCIAL RESPONSIBILITY AND PREVENTION INITIATIVES UNIT

Updated: June 5, 2015

PREVENTION INITIATIVES



The Prevention, Preparedness, & Response Program (PPR) has a regulation project underway.

The revisions propose to update the regulation language in selected sections of Title 18 Chapter 75, Articles 4 and 9. The updates are to the application and contingency plan review procedures and the public notice and plan review timelines.

PROPOSED REGULATION DOCUMENTS

To review the public notice and draft proposed regulation language please see [the public notice](#)

Questions from the public have been gathered along with the department's responses. Substantially similar questions have been aggregated. To review these please see the [Frequently Asked Questions](#). Be sure to check back for updates.

You may use this form to [submit a question](#). Written questions must be received by 5 p.m. June 26, 2015, which is 10 days before the end of the public comment period on July 6, 2015. DEC may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

PUBLIC INVOLVEMENT

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SPAR Article 4 Response Plan Amendments Frequently Asked Questions

Questions from the public have been gathered along with the department's responses. Substantially similar questions have been aggregated

1. When does removal of a vessel from an approved plan qualify as a routine update?
 - a. If only the vessel operations are covered by the plan, the plan holder can apply for a routine update.
 - b. If an operator proposes to remove a vessel with any spill response role, an amendment application and approval are required prior to the vessel's removal. For example, if a plan states that a non-petroleum cargo barge will provide temporary or interim storage for recovered liquids in the event of a discharge from another covered vessel, removal of that barge from the plan can only be accomplished by amending the plan prior to its removal.
2. Why is the department proposing to repeal the plan holder's ability to submit a revision to a training procedure or course work requirement as a routine update?
 - a. Department staff need to evaluate the proposed revision to training descriptions based on the factors listed in the proposed 18 AAC 75.415(a)(1) - (4) to verify that there aren't substantive changes to prevention or response capabilities or other substantive changes that require public review.
3. What is the practical impact of the proposed public comment timeline revisions?
 - a. Public comments and requests for additional information would be due 30 days after the start of the public comment period. If department staff determine that additional information is required to complete the review, only the additional proposed revisions will be open for public comment during this additional comment period.
4. Why do 18 AAC 75.415 and 18 AAC 75.420 require that proposed additions, revisions, and deletions be identified?
 - a. Identifying the edits or changes in the plan will make the review more efficient for both the public and department staff.
5. Why were some of the references to days updated to working days?
 - a. Specifying working days will allow adequate time for DEC staff to review the documents.
6. What is meant by "a plan submitted in a format specified by the department"?
 - a. This would allow the department to change the electronic format as common document format technology and use change over time without having to amend the regulations.

What happens to Comments?

- All comments collected and considered
- Package sent to Commissioner for adoption
- Sent to the Lt. Governor for consideration
- If approved, regulations effective in 30 days
- Notice of adopted changes are posted on DEC's site
- Email notifications will be sent



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Alaska Department of Environmental Conservation
Spill Prevention & Response Division
Prevention, Preparedness, and Response Program

<http://dec.alaska.gov/spar/ipp/regulation-project.htm>

