STATE OF ALASKA

SARAH PALIN, GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

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DIVISION OF SPILL PREVENTION AND RESPONSE
INDUSTRY PREPAREDNESS PROGRAM

May 9, 2008

OIL DISCHARGE PREVENTION
AND CONTINGENCY PLAN AMENDMENT APPROVAL

Mr. Joseph Robertson
JPO Executive Liaison
Alyeska Pipeline Service Company
P. O. Box 196660
Anchorage, AK 99519

Subject: Valdez Marine Terminal (VMT) Oil Discharge Prevention and Contingency Plan (C-Plan), dated June 5, 2007, as revised. ADEC Plan No. 08-CP-4049

Dear Mr. Robertson:

The Alaska Department of Environmental Conservation (Department) has completed its review of the June 5, 2007 application for approval of the following Oil Discharge Prevention and Contingency Plan No. 08-CP-4049.

Plan Name & Dates: **Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan, June 5, 2007, as amended August 20, 2007, January 11, 2008, and February 14, 2008.**

Plan Holder: **Alyeska Pipeline Service Company (APSC)**
P. O. Box 196660
Anchorage, AK 99519

Covered Facilities: **Valdez Marine Terminal,**
P. O. Box 300, Valdez, AK

PLAN APPROVAL: The Department has determined that the referenced plan satisfies minimum planning standards and other requirements established under applicable statutes and regulations. Therefore, the Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan is hereby approved effective May 9, 2008. This approval supersedes the previous plan approval and certificate of approval issued by the Department, dated March 3, 2008 for the facility covered by this plan. A certificate of approval stating that the contingency plan has been approved by the Department is enclosed.

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This approval is subject to the following terms and conditions:

TERMS AND CONDITIONS:

Condition of Approval No. 1: Requirement to Make Corrections Prior to Publication.
Prior to publication of the approved C-Plan, APSC is required to make the following corrections:

- Ensure that all references to Tank 81 as an in-service recovered crude oil tank have been removed from the C-Plan.
- Modify the "Note" on Table 2-9, Valdez Terminal tankage database report to indicate that as tank inspections are changed and agreed to by the Department they will be updated in the VMT C-Plan as well as in APSC's document MP-166-3.20.
- Make a minor modification to Tactic W-4, Bird and Otter Capture and Transportation to state that otter capture nets (tangle nets) "....are checked *continuously* for otters...." to ensure consistency with the same tactic recently revised in the PWS Tanker C-Plan.

Condition of Approval No. 2: Requirement to Include List of Piping Source Control Sleeves and Clamps in Part 3, SID 1, Section 1, Response Equipment.
APSC is required to submit an amendment application to the Department that incorporates the available piping source control sleeves and clamps into Part 3, SID 1, Response Equipment of the VMT C-Plan. The list must identify the quantity and availability of various sizes of sleeves and clamps available for piping source control as stated in Part 4, Table 4-2, Source control procedures for a leak – piping. This amendment must be submitted to the Department no later than June 30, 2008.

Condition of Approval No. 3: Requirement to Include the Solomon Gulch Hatchery and Valdez Duck Flats conex inventories in the VMT C-Plan.
The inventory of equipment that is stored in the Solomon Gulch Hatchery and Valdez Duck Flats storage vans as described in Section 1.13.2 of the prior plan must be placed back into the VMT C-Plan prior to publication. However, if there are any changes to the inventory from the previously approved plan, an amendment must be submitted to the Department prior to publication.

Condition of Approval No. 4: Requirement to Update Historical Discharge Analysis.
APSC must update Part 3, SID 1, Section 10.2, Historical Discharge Analysis. The update must include data on spills over 55 gallons that have occurred on the VMT through December 31, 2007. An amendment application for the updated plan section must be submitted to the Department no later than June 30, 2008.

PUBLICATION OF AMENDMENT: The VMT C-Plan must be published, with the required edits, within 45 days of this approval.

ADJUDICATORY HEARING: Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. Informal review requests must be delivered to the Spill Prevention and Response Division Director, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99801, within 15 days of the permit decision. Adjudicatory hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, Juneau, Alaska 99801, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived. A copy of the hearing request must also be served on the undersigned and the permit applicant as required by 18 AAC 15.200(c). A copy of the request must also be provided to the Department in an electronic format, unless the Department waives this requirement because the requestor lacks a readily accessible means or the capability to provide items in an electronic format.

If you have any questions, please contact Becky Spiegel at (907) 257-1374.

Sincerely,

Betty Schorr

Betty Schorr
Program Manager

Enclosures: Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan, Final Findings Document, May 9, 2008

State of Alaska Certificate of Approval, Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan, dated May 9, 2008, Certificate Number 08CER-019

cc: Kathy Zinn, APSC
Tony Parkin, APSC/SERVS
Gail Colby, APSC/SERVS
Sue Britt, APSC
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