

# Public Comment Summary

## Public Scoping of Possible Updates to 18 AAC Chapters 75

### Introduction

The Alaska Department of Environmental Conservation’s Prevention, Preparedness, and Response Program is considering revising the boundaries for the state Regional Master Prevention and Contingency Plan Boundary regulations. Specifically, the department is considering consolidating the current structure of 10 regions into four regions. This change is being considered concurrently with scoping conducted by the Area Planning Workgroup that is made up of the department, U.S. Coast Guard and EPA. The workgroup is considering changes to the multi-agency response planning structure currently housed in the Unified Plan and 10 Subarea Plans. One of the outcomes of this potential change is that the State and its federal partners would have four regional Area Plans that contain specific geographic annexes with sub-region detail. Regulatory changes being considered are to the boundary designations in 18 AAC 75.495 and 18 AAC 75.496, and related definition “subarea contingency plan” under 18 AAC 75.990 (164).

### Summary of Comments

The table below provides a summary of the public comments received during the public scoping period from September 2, 2016 through November 15, 2016.

<p><b>Comment:</b> One commenter submitted a comment in support of reducing the number of subareas (which corresponds to the regional master contingency plan boundaries set out in 18 AAC 75.495).</p>
<p><b>Comment:</b> The Department of Natural Resources provided a copy of their regional boundaries for reference in case aligning the boundaries would be beneficial for the planning process.</p>
<p><b>Comment:</b> A commenter provided comments to the Alaska Regional Response Team through the DEC public notice. While most comments were related to implementation of new boundaries, they did comment that 18 AAC 75.438 requires tank vessels and barges to “maintain or have under contract within its <b>region of operation</b>”. The region of operation by definition is determined by regional boundaries described in 18 AAC 75.495. The commenter expressed concern that reducing the number of regions would reduce preparedness in Cook Inlet and recommended reviewing regulations for references to “regional” and “area”. They also expressed concern that the two new proposed areas for Western Alaska and the Arctic are large and that it may be challenging to engage the diverse communities and industries in these regions.</p>
<p><b>Comment:</b> A commenter provided comments; most of which were directed towards the Alaska Regional Response Team. They did question the size of the proposed Western Alaska region and expressed concern that the large size would dilute opportunities for meaningful community participation. Additionally, they stated that Kodiak Island and Cook Inlet were unique enough to warrant separation from the Western Alaska region and recommended that regions be considered based on response capacity, spill risks, oceanography, Alaska Native concerns, or other considerations.</p>