Comment Received: 1/22/2020

Dear ADEC (Laura),

Thanks you for the opportunity to provide comments to the record regarding the proposed amendment for noncrude oil tank vessels and barges carrying less than 500 barrel of non crude oil. If you have any questions I can be reached at 907-947-2316 or via the email address above.

Sincerely,
Leslie Pearson
Pearson Consulting LLC

Prevention, Preparedness, and Response Project- Proposed amendment dated January 6, 2020
Chapter 75 Noncrude Oil Tank Vessel and Barge Amendments (Streamlined Plan)
Submitted by: Leslie Pearson, Pearson Consulting LLC
Date: January 21, 2020

Section	Topic	Recommendation/Comment
18 AAC 75.429 (a) (1-5)	***Equipment,*** *training and personnel requirements for noncrude oil tank vessel or barge streamlined plans.*	The expectation that these small vessel operators have deck space and the ability to carry onboard response equipment. The requirement of this equipment could compromise the weight distribution and balance of the vessel. This streamline requirement, in addition to having a contract primary response action contractor is more stringent than what's currently required of tank vessel and barge operators with capacities greater than 500 bbl. The sole reason why Alaska barge operators with higher volumes carry equipment onboard is due to the inability to comply with the **USCG Federal National Planning Criteria** not the State of Alaska response planning standard. See Alaska Petroleum Distributors and Transporters Agreement for Compliance attached.
18 AAC 75.465 (a) (3)	*[VESSEL FUEL]*	An IMT should be capable of supporting a response regardless of vessel fuel classification or region.
18 AAC 75.465 (a)(1)	*"facility owner or operator the original certificate or a true photocopy of the original, approving the oil discharge prevention and contingency plan or streamlined plan"*	A Portable Document Format (PDF) of the current approved plan should also be allowed onboard to satisfy this requirement.
18 AAC 75.465 (b)(2)	*"facility owner or operator the original certificate or a true photocopy of the original, approving the oil discharge prevention and*	A Portable Document Format (PDF) of the current approved plan should also be allowed onboard to satisfy this requirement.

Section	Topic	Recommendation/Comment
	contingency plan or streamlined plan"	
18 AAC 75.465 (f)	*"a **streamlined** plan under AS 46.04.030 **or** [AND] 46.04.055 and approved under 18 AAC 75.456(a) must have the original or true photocopy of the following on board the vessel and available for inspection when operating in state waters"*	A Portable Document Format (PDF) of the current approved plan should also be allowed onboard to satisfy this requirement.
18 AAC 75.485 (a)	Unless an exercise demonstrates, in the department's **judgement,** a plan holder's failure to implement the plan effectively	Please define the word "judgement" as this is subjective. Recommend referencing the elements in the regulations that determine failure to effectively respond or implement a plan.
18 AAC 75.532 (3)	*Table H*	Remove reference to Table H and reference Table G instead. Table H no longer exists or was eliminated in 2017.
18 AAC 75.562 (b) Table G	*Classification C*	Recommend reducing the number of personnel to 10 total and deleting the 1 deputy incident commander and 1 alternate. This requirement is redundant to having 1 alternative incident commander.
18 AAC 75.990 (153)	*Streamlined Plan Incident Management Team*	This definition should be consistent with 990 (150) Incident Management Team. Oil Spill Primary Response Action Contractor should be deleted form the amended language since that is a separate and distinct contracted entity.

Alaska Petroleum Distributors and Transporters

AGREEMENT FOR COMPLIANCE

An Alternative Planning Criteria for Tank Barge Transport of Non-Persistent Oil in Alaska

Submitted in accordance with 33 CFR 155.1065(f) and 33 CFR 155.5067

Revision 4.0
Approved 10 December 2015
Expires 10 May 2020

TABLE OF CONTENTS

LIST OF FIGURES

EXECUTIVE SUMMARY

Discussion

The Oil Pollution Act of 1990 (OPA-90) resulted in a number of significant rulemakings by the U. S. Coast Guard. Not the least of these rulemakings was the Oil or Hazardous Pollution Prevention Regulations for Vessels established in 33 CFR 155. 33 CFR155 Subpart D established oil spill response planning and equipment requirements for certain U.S. and foreign vessels transporting and handling oil. As a result of this rulemaking, numerous oil spill removal organizations (OSRO's) were formed to provide equipment and services to meet these requirements throughout the Lower 48 and Hawaii.

In Alaskan waters, several organizations were formed to address the Federal and State planning requirements for TAPS trade tankers trading into Prince William Sound, crude oil exploration activities on the North Slope, and crude oil exploration, production, and refining in Cook Inlet. These resources were neither economically viable nor commercially available outside of their respective industry segments. An ad hoc group of tank barge non-persistent oil transporters was formed and became the Alaska Petroleum Distributors and Transporters (APD&T), hereinafter referred to as the OPERATORS. The original APD&T group consisted of Crowley Marine Services, Western Pioneer/Delta Western, and Forty-Niner Transportation. Due to the remote operational environment, seasonal operations, and lack of an OSRO's to meet the OPA-90 compliance needs of the OPERATORS, the purpose of APD&T was to develop and implement an oil spill response scheme that would meet the OPA-90 requirements as an Alternative Planning Criteria (APC) acceptable to the USCG in accordance with 33 CFR 155.1065 (f).

Participants in the AGREEMENT

The APD&T AGREEMENT may be utilized by any operator of tank barges carrying only non-persistent cargoes operating in Alaska who is a member in good standing with Alaska Chadux Corporation (CHADUX) and/or the Southeast Alaska Petroleum Resource Organization (SEAPRO). The current signatory operators to this AGREEMENT are:

Crowley Marine Services Inc.
CPD Alaska, LLC
Delta Western Inc.
Harley Marine Services, Inc.
Intrepid Ship Management, Inc.
Island Tug and Barge Ltd.
Kirby Offshore Marine, LLC
Pacific Fishing Assets LLC
Ruby Marine Inc.
Sause Bros. Inc.
Vitus Energy LLC D/B/A Vitus Marine

Implementation

The OPERATORS have implemented these oil spill response and prevention measures to meet OPA-90 requirements for tank barges under 33 CFR 155.1065 (f). Implementation of the response resource requirements in the AGREEMENT has been largely accomplished through the industry's establishment and funding of CHADUX and SEAPRO.

Benefits

- *Spill Prevention, Preparedness, and Response:* The AGREEMENT provides a high level of spill prevention, preparedness and response capability. The spill response equipment and capability carried onboard the barges exceeds Federal requirements, and is intended to maximize the ability of an operator to contain a spill at the source.
- *Protection of Wildlife and Endangered Species:* Federal oil spill response planning requirements address planning for actions that must be taken by an operator *after* a spill has occurred. In addition to response planning, this APC also provides for prevention requirements which we believe will prevent oil from reaching the water in the first place. By keeping oil out of the water, wildlife and endangered species will be protected.
- *Economic Cost Benefit:* The AGREEMENT provides not only a high level of spill prevention, preparedness and response capability, but also a significant economic benefit to the citizens of Alaska. The AGREEMENT can be applied consistently to all regulated barge operators involved in non-persistent oil operations in Alaska. A non-persistent tank barge operator who wishes to operate in Alaska may meet the Federal response planning requirements through membership in CHADUX and/or SEAPRO and by notifying the USCG of their intent to comply with this AGREEMENT, as opposed to developing their own compliance proposal. This has ensured that adequate opportunity and "level playing field" exists for competition in the refined petroleum marketing and transportation trade in Alaska.

Requirements

The fundamental requirements of this AGREEMENT are:

- Require all barge and towing vessel operators to establish and maintain a safety management system certified to ISM, American Waterways Operators (AWO) Responsible Carrier Program, or another acceptable 3rd party-audited standard;
- Maintain on-board the spill response equipment for response to an average most-probable discharge (AMPD) from the barge;
- Maintain a shore-based response capacity at key logistical hubs in select planning regions;
- Maintain spill response and lightering capabilities available that may be mobilized to each planning region within 24 hours; and
- Maintain an adequate number of trained response personnel in each planning region covered by this AGREEMENT.

The planning criteria and compliance strategy presented in this AGREEMENT have been developed through the partnership and efforts of the tank barge industry and the USCG. The APC is submitted by the signatory operators to USCG Headquarters (CG-CVC) via the appropriate USCG Sector Commander(s) for the Captain of the Port zones covered by the APC.

The APC requires each company that elects to operate under the terms and conditions of the approved APC to submit certification of compliance with the APC to the USCG vessel response plan review team with their VRP submission. By agreeing to participate in these alternative planning criteria, each operator also agrees to abide by the Memorandum of Understanding Regarding the Use of Tank Barges of Opportunity (Tank Barge MOU) included as Attachment 3. Each operator is also required to comply with Alaska Dept. of Environmental Conservation (ADEC) regulations for oil spill prevention, response planning, and emergency response. As ADEC separately and independently approves these State plans to meet Alaska statutory

requirements, ADEC does not review or approve these Federal alternative planning criteria, but the operators have worked closely with ADEC to ensure that this APC is consistent with the Alaska state contingency planning requirements.

Response System Improvements

As provided for in 33 CFR 155.1065 (f) and 33 CFR 155.5067, this AGREEMENT demonstrates compliance with OPA-90 planning requirements, as modified by this AGREEMENT. As this AGREEMENT has matured, the OPERATORS have continued to demonstrate "continuous improvement" in response capabilities and resources, ***without stipulated requirements on a firm schedule***. This has allowed the OPERATORS and their oil spill removal organizations (OSROs) to make reasoned, effective, and financially viable improvements to the response system, as determined by assessment of risk, availability of technology, availability of financial resources, and the operating profile of the tank barge industry in the areas covered by this APC. The improvements made over the past 5 year approval period are identified throughout this APC.

1. Preamble

The signatory non-persistent tank barge operators (OPERATORS) have prepared and submitted this AGREEMENT for Compliance for Tank Barge Transport of Non-Persistent Oil in Alaska (AGREEMENT) as an alternative planning criteria for compliance with the Oil Pollution Act of 1990 (OPA 90) and applicable Federal vessel response plan regulations in Alaska waters.

Each OPERATOR will indicate its acceptance of the AGREEMENT by executing the Certification of Acceptance of AGREEMENT prescribed in Attachment 1. The OPERATOR will transmit this signed acceptance to USCG Headquarters (CG-CVC) as part of their vessel response plan (VRP) approval process when requesting addition of the Alaska Captain of the Port zones to their approved geographic appendices in their VRP.

By signing and acceptance of this AGREEMENT, each OPERATOR is also accepting the terms of, and becomes signatory to, the Tank Barge MOU, as provided in Attachment 3.

Each OPERATOR who is signatory to the AGREEMENT will provide to USCG Headquarters (CG-CVC) proof of a contract or other approved means certifying membership in good standing with the CHADUX and SEAPRO as applicable to their areas of VRP approval.

All parties to the AGREEMENT agree that this is the full and complete AGREEMENT for compliance with Federal oil spill planning regulations contained in 33 CFR 155 for tank barges carrying non-persistent Group I oil cargoes operating in Alaska and that the AGREEMENT may only be amended by the consent of a majority of all signatory OPERATORS and approval of the amendment by the USCG. The AGREEMENT will remain valid for a period of 5 years from the date of USCG approval. On an annual basis, the OPERATORS, representatives of their respective OSRO's, representatives of the USCG, and other interested parties will meet to review any concerns or issues regarding the AGREEMENT. Any proposed changes or revisions to the AGREEMENT may be addressed at the Annual Meeting, or at any time that a party to the AGREEMENT wishes to call a Special Meeting.

2. Geographical Area Covered by this Agreement

This AGREEMENT covers all non-persistent tank barge operations in the Southeast Alaska, Prince William Sound, and Western Alaska Captain of the Port (COTP) zones. This area includes all navigable waters of the State of Alaska to the limits of the U.S. Exclusive Economic Zone. Please see the map at Figure 1.

This geographical area may be further divided into the contingency planning regions as defined in 18 AAC 75.495, and as used by the Alaska Regional Response Team in the *Alaska Federal/State Preparedness Plan for Response to Oil & Hazardous Substance Discharges/Releases (Unified Plan, Volume I).*

Southeast Alaska
Prince William Sound
Cook Inlet
Kodiak Island
Aleutians
Bristol Bay
Western Alaska
Northwest Arctic
North Slope

Figure 1 Alaska EEZ Map

2.1 OPA 90 ALTERNATIVE COMPLIANCE HISTORY

Recognizing the unique difficulties that face the oil spill response planning for oil transportation industry in Alaska, the OPERATORS presented an Alternative Compliance Proposal to the USCG for operations in Alaska (APD&T, 1991). A number of spill prevention and preparedness measures were adopted by the OPERATORS as conditions of the USCG-approved "OPA-90 Alternative Compliance Program for Non-persistent Tank Barges in Alaskan Waters". To meet the intent of the OPA-90 VRP requirements, the ADP&T group proposed three areas which would reduce the potential for spills in the marine environment and increase response capability: (1) reducing the risk of a worst case spill, (2) increasing the immediate onboard response capability, and (3) developing increased shore-based response capability. Specific planning measures adopted to fulfill an alternate compliance to the standards set forth in 33 CFR §155 include:

- Reduction of the Risk for a Worst Case Discharge
  - Use of twin screw tugs to tow tank barges
  - Barge retrieval systems on all coastwise tugs and training for lost barge recovery
  - Strict tow wire maintenance and replacement standards
- Increased Immediate Onboard Response Capability
  - All barges carry sufficient equipment to meet, to maximum extent practicable, the response-planning standard for the Average Most Probable Discharge (AMPD).
  - As a minimum, boom approximately three times the length of the barge, sufficient to allow for skimming operations.
  - Skimmers with an Effective Daily Recovery Capacity (EDRC) of 50% of the Maximum Most Probable Discharge (MMPD).
  - Self-contained, portable lightering pumps for moving product from damaged tanks.
  - Training of all tow vessel crews to deploy all onboard response equipment.
- Increased Shore-based Response Capability
  - The 1991 OPERATORS agreed to participate in the SEAPRO, the regional industry-sponsored and supported oil spill removal organization (OSRO) for COTP zone Southeast Alaska.
  - The OPERATORS agreed to increase their shore based capabilities outside of SE Alaska through several avenues, including pre-staging of equipment in Anchorage, Kenai, Kodiak, Dutch Harbor, Valdez and Cordova. As a result of this initiative, the OPERATORS formed the Alaska Chadux Corporation as an OSRO serving COTP zones Prince William Sound and Western Alaska.

The AGREEMENT was re-approved by the USCG in 1995. At the time of re-approval, the USCG required the OPERATORS to continue to increase their response capabilities. The increased response capabilities for the OPERATORS led to annual increases in the expenditures and operating costs of CHADUX through the addition of equipment, facilities, training, and personnel. A substantial effort also was put into the development of an enhanced wildlife response capability. The wildlife program included otter pens, hazing kits, bird capture and rehabilitation equipment and trailer, and a team of trained wildlife specialists.

In 2002, the third alternative planning criteria, which was the first "Agreement for Compliance for Tank Barge Transport of Non-Persistent Oil in Alaska", was approved by the USCG. This

document continued the prevention and onboard capability provisions of previous APCs, and expanded the shore-based response capabilities through establishment of a system of logistics hubs in planning regions where equipment caches were not already present. These hubs were subsequently funded by industry, installed and exercised by CHADUX, and remain an integral part of the response system today.

The 2010 AGREEMENT reflected continued development of the shore-based response system, with response/logistics hubs strategically located throughout central and western Alaska, with ongoing support of SEAPRO and CHADUX, who now are not only able and available to respond to their primary membership in the non-persistent fuel distribution industries, but also non-member vessels in other industry segments both directly and through State and Federal government ordering agreements. Also, the 2010 AGREEMENT, at the direction of the USCG, was placed on a 5-year cycle of review and approval, consistent with the requirements of 33 CFR 155.

This 2015 AGREEMENT demonstrates the continued improvement of response resources and readiness by the OPERATORS and their OSRO's, CHADUX and SEAPRO. An additional hub was established at Whittier, and the hub at Dutch Harbor was upgraded to an "enhanced" hub in 2010, by adding a CHADUX-owned landing craft and establishing a full-time office/warehouse with a dedicated year-round CHADUX employee. In 2013-2014, a formal Vessel of Opportunity (VOO) program was established by CHADUX to recruit and manage suitable vessels in certain hub locations which are capable of assisting with response operations.

3. Regional Risk Factors and Analysis

3.1 OIL VOLUMES AND TRANSFERS

The number and volume of fuel transfers completed in any given year will vary according to fuel market conditions, fishing seasons, and other economic factors.

Earlier APCs contained an exhaustive examination of number of transfers and transfer locations throughout Alaska. This AGREEMENT acknowledges this work and incorporates these documents by reference into this AGREEMENT:

- A.D. Little report (1991)
- "Barge Transport of Non-Persistent Oil in Alaska" (TEAMS and APD&T, 1997)

The TEAMS report was a key input to the Joint Industry/Agency Work Group for recognizing 1997 response capabilities and requirements applicable to non-persistent tank barge operations throughout Alaska. The study reviewed current practices and operations of the non-persistent tank barges in context of the A.D. Little report (1991) that was used as a basis for the approved OPA-90 Alternative Compliance criteria applied by the USCG. The most significant differences between the TEAMS/APD&T study and the A.D. Little report are: (1) the former study addresses only barge operations whereas the latter included both tank vessels and barges, (2) the former study pertains only to non-persistent oil whereas the latter report dealt with all non-crude oil (i.e., diesel through residual and bunkers), and (3) the statistics for the former report are from only four barge operators.

The transport and distribution network for refined petroleum products in Alaska has remained stable since the inception of the APC's. Delivery volumes vary from year to year depending on market and economic conditions, which includes fishing, oil exploration, and mining activities. An analysis of barge worst-case discharge volumes used in the development of the gap analysis is included in Attachment 4.

3.2 PHYSICAL AND ENVIRONMENTAL CONSIDERATIONS

Physical considerations in fuel transport operations include weather, currents, wave conditions, navigational hazards, and ice. These factors may contribute to a discharge or threat of discharge. Routes into and north of Bristol Bay are seasonal, based on ice conditions, and generally oil barge transits and transfer operations occur only between May and October. Ice is also a factor in operations within Cook Inlet.

Operations in the Northwest Arctic and the North Slope regions are of a limited and seasonal nature. Operations north of Pt. Hope are generally limited to July and August due to ice conditions.

Although vast areas of Alaska are considered environmentally sensitive, Federal and State agencies have attempted to identify those areas of greatest consideration for planning purposes. Shoreline areas are the focus of environmental considerations given that the greatest impacts from a spill are in this setting. A total of 68 Most Environmentally Sensitive Areas (MESA's) have been identified throughout Alaska. These MESA maps and an extensive listing of other prevention and emergency response Subarea Plan maps are available at: http://www.asgdc.state.ak.us/maps/cplans/subareas.html.

The OPERATORS have identified 55 MESAs that are within 5 nautical miles (nm) of normal operations and which may be threatened by a discharge from a barge. Cook Inlet has the highest number of MESAs within the 5nm criteria, followed by the Aleutians, Bristol Bay, and North Slope. Tug and barge routing varies according to the delivery schedule, weather, and

size of the tug/barge unit. Each member company is responsible for developing voyage plans and routing for their respective vessels. These routes take into account the need to limit unnecessary exposure of MESA's to fuel transport and transfer operations.

3.3 SPILL HISTORY

The TEAMS/APD&T study reviewed all non-persistent oil spills that originated from barges, as noted in the AD Little report, and from the Industry Group barge operations as identified in each OPERATOR's vessel response (contingency) plan. The AD Little data from 1978 through 1989 shows a total of 15 spills in Alaska, all of which exceeded 1000 gallons. From 1989 to 2002, five spills occurred from the OPERATORS' barges of which three were more than 1000 gallons.

During the period January 2002 through January 2009, approximately 59 non-persistent oil cargo spill incidents occurred from APD&T operator barges in Alaska[1], with a total of 128 gals of oil cargo spilled to water.

During the period from January 2010 to October 2014, covered by the most recent AGREEMENT, approximately 18 spills of non-persistent cargo from barges occurred in Alaska waters. The details related to these spills, obtained from the USCG NRC database[2], are not definitive as to whether or not the barge OPERATOR was a signatory to the AGREEMENT, and the quantity spilled could not be determined from the information.

This significant reduction in cargo spills to water as compared to previous years is a direct reflection on the success of the prevention measures specified in the AGREEMENT.

Significant consideration is also given to the effects of the OPA-90 single hull phase out requirements on barges servicing Alaska. The use of double hull barges significantly reduces the likelihood of a spill due to a collision or grounding incident. Most of the major OPERATORS have already made a significant investment in new barges to service Alaska, well in advance of the January 1, 2015 deadline. Even with the Western Alaska exception[3] to OPA-90 single hull phase out requirements, it is anticipated that this exception will result in only a handful of remaining single hull barges of relatively small capacity operating in River and Inland environments.

3.4 SPILL RESPONSE EQUIPMENT

The OPERATORS have continued to increase their available response resources since 1990. The most notable aspects of this capability are the formation and concentration of resources, expertise, and planning placed in two classified OSROs: CHADUX and SEAPRO.

CHADUX provides spill response services throughout Alaska based on a central cache of air freight-ready resources in Anchorage and additional hubs in Cook Inlet, Kodiak, Prince William Sound and Western Alaska.

---

[1] From the USCG National Response Center database

[2] The USCG NRC database is not operating properly, and currently provides its information in Excel spreadsheet by reporting CY.

[3] 46USC3703a (b) (5) provides that a barge of less than 1,500 gross tons carrying refined petroleum product in bulk as cargo in or adjacent to waters of the Bering Sea, Chukchi Sea, and Arctic Ocean and waters tributary thereto and in the waters of the Aleutian Islands and the Alaskan Peninsula west of 155 degrees west longitude is exempt from the tank vessel construction standards of OPA 90 (double hull requirements).

SEAPRO provides coverage in Southeast Alaska on the basis of nine zones throughout that region. The SEAPRO capability also may be augmented by the CHADUX fly away equipment from Anchorage, and vice-versa.

Equipment hubs for both are identified as indicated in figures (1) and (2). Based on historical records and the existing equipment inventories today, the following demonstrates the growth in containment and recovery capability of the OPERATORS shore-based response capability in Alaska that has occurred over the life of the AGREEMENTS:

1991 pre-AGREEMENT- Boom = 11,000 ft; Skimmers = 16; EDRC = N/A

2002 AGREEMENT- Boom = 54,000 ft; Skimmers = 50; EDRC = 26,000 bbl/day

2010 AGREEMENT- Boom = 86,960 ft; Skimmers = 59; EDRC = 79,076 bbl/day

2015 AGREEMENT- Boom = 108,190 ft; Skimmers = 71; EDRC = 90,260 bbl/day

Note: The foregoing is intended to illustrate the industry commitment to acquisition of resources over the course of these agreements, and is not necessarily representative of the resources that could be brought to bear for any one incident.

Each operator also continues to provide a higher level of onboard response equipment to meet AMPD requirements than is required by OPA-90 regulations. Response equipment for each vessel is detailed in the respective plan holder's vessel-specific appendix as provided in their approved vessel response plan.

Figure 2 Chadux Hub Locations Map

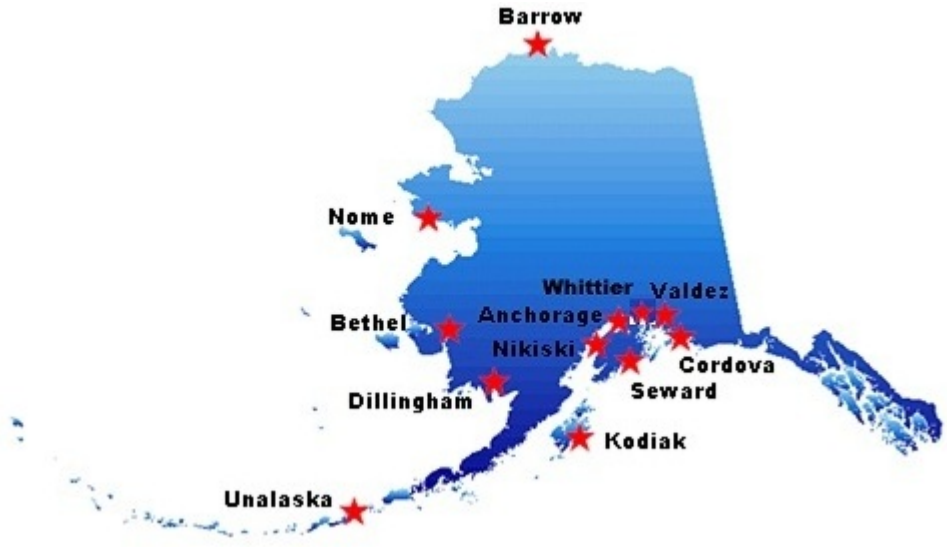

Figure 3 SEAPRO Hub Locations Map

3.5 Oil Spill Removal Organization (OSRO) Classification

Both Chadux and SEAPRO participate in the USCG National Strike Force OSRO Classification Program and their respective classifications are maintained in the USCG OSRO classification database.

3.5.1 SEAPRO

The current OSRO classification for SEAPRO meets all response tier requirements for Group I oils handled and transported within the Inland operating environment, as well as the MMPD, WCD1, and WCD2 response tiers for the Nearshore operating environment of Southeast Alaska. Nearly all tank barge transfer and transportation activity in the Southeast Alaska COTP zone takes place within the Inland operating environment. Barge transportation of Group I oils outside the Inland boundaries is primarily in the coastwise transit routes (offshore and open ocean operating areas) greater than 12 nm offshore and does not have a planning requirement under OPA-90 as provided in 33 CFR 155.

The following table is the OSRO Classification report, showing only the operating environments applicable to tank barges carrying Group I non-persistent oil cargoes in the SEAK COTP zone, for SEAPRO as of October 17, 2014.

Figure 4 SEAPRO OSRO CLASSIFICATIONS

COTP Zone:	Operating Environment	Vessel MMPD	Vessel WCD1	Vessel WCD2	Vessel WCD3
Southeast Alaska - DISTRICT 17	Inland	Yes	Yes	Yes	Yes
Southeast Alaska - DISTRICT 17	Near Shore	Yes	Yes	Yes	No*
Southeast Alaska(Ketchikan) - DISTRICT 17	Inland	Yes	Yes	Yes	Yes
Southeast Alaska(Ketchikan) - DISTRICT 17	Near Shore	Yes	Yes	Yes	No*
Southeast Alaska(Sitka) - DISTRICT 17	Inland	Yes	Yes	Yes	Yes
Southeast Alaska(Sitka) - DISTRICT 17	Near Shore	Yes	Yes	No*	No*

*"No" indicates the "gap" in OSRO rating to meet OPA-90 planning criteria.

3.5.2 CHADUX

The current CHADUX OSRO classification meets response tier requirements for Group l oils handled and transported on tank barges within the Inland and Nearshore operating environments, as detailed in the following table for the Prince William Sound and Western Alaska COTP zones, as of October 17, 2014.

Figure 5 CHADUX OSRO Classifications

COTP Zone:	Operating Environment	Vessel MMPD	Vessel WCD1	Vessel WCD2	Vessel WCD3
Prince William Sound - DISTRICT 17	Inland	Yes	Yes	Yes	No*
Prince William Sound - DISTRICT 17	Near Shore	Yes	Yes	No*	No*
Western Alaska - DISTRICT 17	Inland	Yes	Yes	Yes	No*
Western Alaska - DISTRICT 17	Near Shore	Yes	Yes	No*	No*
Western Alaska(Adak) - DISTRICT 17	Inland	Yes	Yes	Yes	No*
Western Alaska(Adak) - DISTRICT 17	Near Shore	Yes	Yes	No*	No*
Western Alaska(Kodiak) - DISTRICT 17	Inland	Yes	Yes	Yes	No*
Western Alaska(Kodiak) - DISTRICT 17	Near Shore	Yes	Yes	No*	No*
Western Alaska(Nome) - DISTRICT 17	Inland	Yes	Yes	Yes	No*
Western Alaska(Nome) - DISTRICT 17	Near Shore	Yes	Yes	No*	No*
Western Alaska(Prudhoe Bay) - DISTRICT 17	Inland	Yes	Yes	Yes	No*
Western Alaska(Prudhoe Bay) - DISTRICT 17	Near Shore	Yes	Yes	No*	No*
Western Alaska(Unalaska) - DISTRICT 17	Inland	Yes	Yes	Yes	No*
Western Alaska(Unalaska) - DISTRICT 17	Near Shore	Yes	Yes	No*	No*

*"No" indicates the "gap" in OSRO rating to meet OPA-90 planning criteria.

4. Definitions and General Provisions

4.1 DEFINITIONS

Beach cleanup kit- Kit of beach cleaning tools as detailed in Attachment 2.

Cargo Capacity- The volume of cargo authorized for carriage on a barge as listed on its USCG Certificate of Inspection.

Group I oil (non-persistent oil)- A petroleum based oil that consists of hydrocarbon fractions: at least 50% of which by volume, distill at a temperature of 340°C (645°F); and at least 95% of which by volume, distill at a temperature of 370°C (700°F).

Harbor boom- Generally implies boom with ≤20 inches in overall height. In some cases, river boom may be accounted within this category.

Level 1- The planned spill response capability that resides in-region and is capable of being on-scene within 24 hours of activation or as soon as possible thereafter given incident-specific conditions, provided it is safe to do so.

Level 2- The planned spill response capability that resides in or outside of a region and is capable of being delivered to a logistical hub within 24 hours of activation.

Level 3- The planned spill response capability that resides in or outside of a region and is capable of being delivered to a logistical hub within 72 hours of activation.

Lightering system- A complete package of fendering equipment, transfer hoses and connection equipment, portable high capacity pumps, trained personnel, and ancillary equipment that will enable lightering or transferring half of the barge's cargo capacity within twenty four (24) hours of continuous operation [Note: this is in *excess* of the requirements stipulated in 33 CFR §155.1050(l)].

Logistical hub- A strategic location for storage of spill response resources and equipment within a region. Hubs are located based on available infrastructure, vessel traffic, location to MESAs, and capability to support air delivery of equipment or cascading of out-of-region resources.

Region- Planning regions as defined in 18 AAC 75.495, Regional Master Discharge Prevention and Contingency Plan Boundaries.

Staging Area- Sites ancillary to logistical hubs that are used to position equipment and resources near actual deployment locations.

Sorbent sweep- A continuous sorbent material that is attached to a rope or line and deployable on the water surface.

Support vessel- Any vessel, which has been identified as being potentially available, capable of providing a work platform for personnel and equipment, generally implied as being ≥ 24 feet in overall length.

Trained responders- Personnel with a minimum of 24-hour Level HAZWOPER and spill response training.

Work boat- Any vessel that provides a safe means to deploy and maneuver equipment on water. Generally implied as being <24 feet in overall length.

4.2 GENERAL PROVISIONS

The following General Provisions are applicable to this AGREEMENT:

1. This AGREEMENT is intended to meet the requirements for alternative planning criteria as provided for by in 33CFR155.1065 (f) and 33 CFR 155.5067.
2. Approval of this AGREEMENT and adherence to the implementation schedule requirements, if any, constitute full compliance with OPA-90 planning requirements for a period of five years from the date of USCG approval of the AGREEMENT.
3. Planning strategies are based on practical response operations in the inland and nearshore environments. Because this AGREEMENT only applies to barges carrying Group I, non-persistent oil products such as gasoline and diesel, and the reality that open water and exposed location response would not result in any quantifiable amount of recovered oil, no significant ocean-capable resources or open water skimming capability are required by this AGREEMENT.
4. Any additional requirements in the approved AGREEMENT will be phased from the date of approval as dictated in the implementation schedule for the AGREEMENT.
5. Air mobilization is planned only for locations in which sufficient logistical support is capable of handling a significant influx of response personnel (>50 people).
6. Out-of-region or out-of-State equipment is capable of being air transported into Alaska and can be considered to supplement Level 2 capability and meet or supplement Level 3 capability.
7. Response priorities for use of spill response resources, other than on-board equipment, are established during a response by the Unified Command.

5. Prevention Measures

An OPERATOR signatory to this AGREEMENT is required to adhere to the ***"American Waterways Operators/Pacific Region Recommendations for Towing Tank Barges Carrying Bulk Non-Crude Petroleum Products in Alaskan Waters" (1993)*** which include, in part, the following requirements:

a. Only twin screw tugs with a minimum tug/barge ratio of 4 lbs of bollard pull per deadweight ton of cargo carried may be used to tow tank barges.

b. Both single and double hull barges will be fitted with an emergency control system meeting the requirements of 33 CFR 155.230 (b) (2).

c. In addition to b. above, tugs hawser towing tank barges seaward of the Boundary Lines described in 46 CFR 7 will maintain onboard a barge recovery system, such as an "Orville" hook or equivalent that allows for the recovery of a lost and drifting barge without the need to place personnel on the barge.

d. Articulating tug-barge (ATB) barges are not normally equipped with chain towing bridles, rendering use of a retrieval hook an inappropriate recovery method. ATB units will normally employ a system of connection of the emergency tow hawser on the tug to the emergency towing system on the barge, which is maintained at all times when underway in the ATB mode. In the unlikely event that the ATB tug must intentionally disengage, or otherwise becomes disengaged from the barge connection at sea, this connection will allow the ATB tug to maintain control of the barge on the emergency towing system.

e. Towing vessel crews must be trained in the use of the lost barge recovery system applicable to the vessel.

f. Tow wire maintenance and replacement standards which exceed the requirements of USCG NVIC 5-92 "Guidelines for Wire Rope Towing Hawsers"

As part of this AGREEMENT, a signatory OPERATOR must be certified as compliant with the American Waterways Operators Responsible Carrier Program, the ISM Code, or an equivalent safety management program with a 3rd party audit requirement. These programs establish operational, personnel, management, and technological standards adopted by vessel operators to ensure safe operations and prevent unsafe practices that could result in an accidental discharge of oil.

6. Response Strategy

The response strategy proposed by this AGREEMENT builds upon the existing, immediately available onboard response capability of each barge and upon the contracted resources. The agreement strategy will concentrate spill response resources in equipment depots located at logistical hubs in each planning region, except Interior, of the Western Alaska, Prince William Sound, and Southeast Alaska COTP zones. These logistical hubs will be supported by the significant caches of equipment and manpower available from a centralized in-State location and from out-of-State. An essential element in this strategy is the ability to mobilize quickly to staging areas throughout Alaska. Numerous staging areas capable of receiving air cargo aircraft have already been identified by Chadux and SEAPRO. The following provides details of the planning levels and logistical infrastructure development considerations for each region and the State of Alaska.

6.1 RESPONSE LEVELS

6.1.1 On Board Resources

6.1.1.1 Barges

Each OPERATOR'S barge in Alaska carries containment and protection boom, a skimmer, separate pumps for lightering and skimming operations, sorbents, and a skiff. A complete listing of spill response equipment carried on each tug/barge unit is found in each OPERATOR's respective VRP. These resources provide for a first strike response and exceed the USCG requirements for an average most-probable discharge (AMPD). This first strike capability consists of the following:

- Transfer hoses and portable pumps sufficient to off-load the largest cargo tank in 24 hours of continuous operation,
- Containment boom in a quantity equal to three times the vessel length (compared to twice the vessel length as specified for the AMPD in 33 CFR §155),
- Oil recovery devices with an effective daily recovery capacity (EDRC) equal to 50% of the MMPD (the lesser of 1250 barrels per day or 5% of the cargo capacity), and
- Temporary storage reserved in the barge capacity or through use of voids and ballast tanks equal to 10% of the two largest cargo compartments.

For the purposes of this AGREEMENT, multiple barges operating as one tow in the rivers environment shall be considered as one unit requiring one set of onboard response gear based on the largest capacity barge in the tow, if the tow is not separated to perform separate fuel transfers.

6.1.2 Level 1- In Region Resources (24 Hours)

In region resources will be available either through Chadux or SEAPRO, owned by the OPERATORS, or secured through other contractual arrangements. This in-region equipment will be located at a region's logistical hub, regardless of ownership, mobilized as soon as possible after called upon, and will supplement the on-board equipment to assist with a first strike capability. Personnel resources identified in the tables are OSRO employees, OSRO-member employees available under to the OSRO under an agreement or contract, contracted personnel, or other personnel who have been identified and trained by the OSRO for labor during a response. The level of training required will be determined, and a training plan developed and executed by the OSRO in accordance with 29CFR1910.120 (HAZWOPER training requirements).

6.1.3 Level 2- Cascaded Resources (24 Hours)

Level 2 resources will be the equipment and personnel planned for delivery to a spill response logistical hub within 24 hours of activation. These resources may be cascaded in from Anchorage or other locations within Alaska. As with Level 1 resources, Level 2 resources will be available either through Chadux or SEAPRO, owned by the OPERATORS, or secured through other contractual arrangements. Personnel resources identified in the tables are as per section 6.1.2 above.

6.1.4 Level 3- Cascaded Resources (72 hours)

Level 3 resources will be the equipment and personnel planned for delivery to a spill response logistical hub within 72 hours of activation and deployed as soon as possible. These resources may be cascaded in from Anchorage, other locations in Alaska, or from outside of Alaska. As

with Level 1 and 2 resources, Level 3 resources will be available either through Chadux or SEAPRO, owned by the OPERATORS, or secured through other contractual arrangements.

6.2 REGIONAL PLANNING STANDARDS

The proposed response strategy will be implemented through development of three key aspects for spill preparedness: in-region and cascadable resources to meet regional planning standards, personnel and infrastructure, and training and exercise programs to utilize, test, and refine the capabilities of these response strategies. Sections 6.2.1 through 6.2.8 present the response planning levels agreed upon by the OPERATORS and USCG.

As part of this AGREEMENT, each OPERATOR will ensure that the resources listed in Sections 6.2.1 through 6.2.9 will be available through contract or other approved means for the OPERATOR's oil operations in that region.

6.2.1 Southeast Alaska

SEAPRO is classified by the U.S. Coast Guard as a MMPD, WCD1, WCD2 and WCD3 Oil Spill Removal Organization (OSRO) for the Rivers/Canals/Inland operating environment. Additionally, SEAPRO is rated MMPD, WCD1, and WCD2 for vessels in the Nearshore, Ocean, and Offshore operating environments.

This classification meets all OPA-90 requirements for tank barges carrying Group I non-persistent oils in the SEAK COTP zone in the Inland operating area. Nearly all tank barge transfer and transportation activity in the Southeast Alaska COTP zone takes place within this area. Barge transportation of group I oils outside the boundary line in the Nearshore operating area is limited, and occurs primarily in the coastwise transit routes greater than 12 nm offshore (offshore and open ocean operating areas) and does not have a planning requirement under OPA-90.

6.2.2 Prince William Sound

Region 2 **Hub Location: Valdez**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	4,000	-	4,000
Support vessel(s) ≥ 24ft	0	-	0
Workboats = 14ft-18ft	1	4	5
Trained responders	8	12	20
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
Lightering system		1	1

Level 3- An additional 6,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

Region 2 **Hub Location: Cordova**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	3,000	-	3,000
Support vessel(s) ≥ 24ft	0	-	0
Workboats = 14ft-18ft	1	4	5
Trained responders	8	12	20
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
Lightering system		1	1

Level 3- An additional 7,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

Region 2 **Hub Location: Whittier**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	800	-	800
Support vessel(s) ≥ 24ft	1	-	1
Workboats = 14ft-18ft	0	3	3
Trained responders	8	12	20
VOSS package	1	-	1

Level 3- An additional 9,200 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

6.2.3 Cook Inlet

Region 3 **Hub Location: Nikiski**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	5,000	-	5,000
Support vessel(s) ≥ 24ft	2	-	2
Workboats = 14ft-18ft	2	3	5
Trained responders	8	12	20
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
Lightering system		1	1

Level 3- An additional 5,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

Region 3 **Hub Location: Seward**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	1,000	4,000	5,000
Support vessel(s) ≥ 24ft	0	-	0
Workboats = 14ft-18ft	1 (on barge)	4	5
Trained responders	4	6	10
Sorbent sweep (feet)	500	2,500	3,000
Beach cleanup tool kit	1	-	1
Lightering system		1	1

Level 3- An additional 5,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

6.2.4 Kodiak

Region 4 **Hub Location: Kodiak**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	6,000	-	6,000
Support vessel(s) ≥ 24ft	2	-	2
Workboats = 14ft-18ft	2	3	5
Trained responders	8	12	20
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
Lightering system		1	1

Level 3- An additional 4,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

6.2.5 Aleutians

Chadux maintains an office and full-time employee at the Dutch Harbor/Unalaska hub.

Region 5 **Hub Location: Dutch Harbor**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	8,000	-	8,000
Ocean Boom (feet)	1,200	-	1,200
Support vessel(s) ≥ 24ft	2	-	2
Workboats = 14ft-18ft	2	3	5
Trained responders	8	12	20
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
VOSS package	1	-	1
Lightering system		1	1

Level 3- An additional 2,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

6.2.6 Bristol Bay

Region 6 **Hub Location: Dillingham**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	4,000	-	4,000
Support vessel(s) ≥ 24ft	2	-	2
Workboats = 14ft-18ft	2	3	5
Trained responders	8	12	20
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
Lightering system		1	1

Level 3- An additional 6,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

6.2.7 Western Alaska

Region 7 **Hub Location: Bethel**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	3,000	-	3,000
Support vessel(s) ≥ 24ft	1	-	1
Workboats = 14ft-18ft	1	1	2
Trained responders	6 (logistical)	12 (responders)	18
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
Lightering system		1	1

Level 3- An additional 7,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

6.2.8 Northwest Arctic

Region 8 **Hub Location: Nome**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	3,000	-	3,000
Support vessel(s) ≥ 24ft	1	-	1
Workboats = 14ft-18ft	2	-	2
Trained responders	6	4	10
Sorbent sweep (feet)	2,500	2,500	5,000
Beach cleanup tool kit	1	-	1
Lightering system		1	1

Level 3- An additional 7,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

6.2.9 North Slope

Region 9 **Hub Location: Barrow**	Level 1 (in region)	Level 2 (cascaded to hub within 24 hrs)	Total at 24 hours
Harbor Boom (feet)	3,000	0	3,000
Support vessel(s) ≥ 24ft	1	-	1
Workboats = 14ft-18ft	1 (on board)	1	2
Trained responders	-	10	10
Sorbent sweep (feet)	-	5,000	5,000
Beach cleanup tool kit	1	-	1
Lightering system		1	1

Level 3- An additional 7,000 ft of boom may be cascaded to the region's logistical hub within 72 hours, for a total of 10,000 ft.

6.2.10 Cascaded Resources

The in-region equipment that is available for Level 1 response will be augmented, as needed, within the first 24 hours after notification. These Level 2 resources will be cascaded to the region's logistical hub or alternate staging area(s). Included in this Level 2 category is lightering equipment capable of off-loading half the barge cargo capacity within 24 hours of continuous operation.

Level 3 represents additional response capability that can be cascaded to the hub within 72 hours of activation. For each hub location, Chadux maintains the capability to cascade additional boom from Anchorage to the hub so that a total of 10,000 feet of boom is available at the hub within 72 hours.

6.3 LOGISTICAL HUBS

6.3.1 Hub Locations

The hub locations described in 6.22 through 6.28 above were selected on the basis of their accessibility and available infrastructure to serve the applicable planning region. For each location, Chadux maintains a listing of infrastructure and facilities which may be used to support a response. This listing generally includes:

- facilities for warehousing and staging
- airstrip capabilities
- aircraft loading
- water access/deployment capabilities
- vessel loading capabilities
- hotel/accommodation services
- labor pool
- transportation services (land, water, air)
- local communications
- temporary storage capacity.

6.3.2 Exercising Hubs

Equipment deployment exercises consistent with the National Preparedness for Response Exercise Program (NPREP) guidelines will be conducted in up to three (3) hub locations every year. The schedule will ensure that each hub is exercised at least once every five years.

6.4 TEMPORARY STORAGE

Two critical aspects of temporary storage are recognized as part of this AGREEMENT: storage for emergency lightering operations and storage for recovered oil and oily debris. Temporary storage for lightering operations is perceived as primarily on-water storage. Because most recovery operations of non-persistent oil are expected to take place along the shoreline, temporary storage for recovered oil operations will comprise limited on-water and mostly onshore storage. The OPERATORS propose addressing these two aspects as follows.

6.4.1 Lightering & Temporary Storage

Each OPERATOR will certify that lightering resources (see Section 6.2.9) are available for Level 2 response, through contract or other approved means. Each OPERATOR will also certify that adequate cargo tank space will be provided at all times on all barges for storage of at least ten (10) percent of the two (2) largest cargo tanks, which may be used for storing recovered or transferred product. Additional temporary storage capacity, beyond the dedicated capacity on board the barge, may be required when lightering is necessary in the course of a response.

In addition, each OPERATOR will make available to other OPERATORS, on an as-available basis, tank barges for temporary storage. This “Tank Barge MOU” is provided as Attachment 3 to this AGREEMENT. As a signatory to this AGREEMENT, each OPERATOR agrees to the terms of and is a party to this MOU.

6.4.2 Temporary Storage of Recovered Product

On behalf of the OPERATORS, Chadux has identified temporary storage capacity that may be available for response and recovery operations in each hub location. Chadux also maintains portable equipment, such as bladders and tanks which are fly-away capable for mobilization to hub locations. Chadux maintains a written MOU with all member-company barge operators for access to tank barges that may be available for temporary storage during a response.

7. AGREEMENT ADMINISTRATION

7.1 CUSTODIAN OF THE AGREEMENT

For administrative purposes only, the Alaska Chadux Corp. is the custodian of the AGREEMENT. Chadux will maintain a current copy of the AGREEMENT and can provide copies to Chadux and SEAPRO members, and other interested parties on request.

The technical aspects of the AGREEMENT, including maintenance, updates, and approval are the responsibility of the Tank Barge Operators Sub-Committee of Chadux.

7.2 PROCEDURES FOR AMENDMENTS

The AGREEMENT may only be amended by the consent of a majority of the OPERATORS who are signatory to the AGREEMENT, and with approval of the USCG. Proposed amendments will be presented in writing to all signatories and may be introduced as new business at a duly convened meeting of the OPERATORS, or via mail, courier, or electronic transmission of documents. Amendments will be deemed accepted by a majority of the Operators by voting in-person, voice vote by teleconference, or written acceptance via mail, courier, or electronic transmission of acceptance To amend the AGREEMENT, the OPERATORS, through the Tank Barge Operators Sub-Committee of Chadux, will prepare a letter request for approval of the proposed amendment to USCG Headquarters via the Captain of the Port of the affected Alaska COTP zones. When accepted and approved by USCG Headquarters, the AGREEMENT will stand as amended.

7.3 CITATION AND USE OF THE AGREEMENT IN VESSEL RESPONSE PLANS

This AGREEMENT may be cited and utilized by any member in good standing of either the Alaska Chadux Corp. or SEAPRO. The AGREEMENT may only be cited for coverage of tank barges carrying non-persistent oil.

In citing this AGREEMENT to the USCG, the member company should include a copy of their current contract with Chadux and/or SEAPRO, and the Certificate of Acceptance described in 9.1.

7.4 MEETINGS

7.4.1 ANNUAL MEETING

The signatories to the AGREEMENT will meet annually to review any concerns or issues related to the AGREEMENT. The date, time, and place of the next annual meeting will be set at the end of each annual meeting.

7.4.2 SPECIAL MEETINGS

Special meetings of the signatories to the AGREEMENT may be called by a majority of the signatories. Notice of the meeting will be sent to all signatories at least ten days prior to the meeting date. The notice of special meetings must state the time, date, place, and purpose of the special meeting. The business conducted at the special meeting will be limited to the purpose stated in the notice.

7.4.3 RECORDS

It will be the responsibility of the OPERATORS to keep a record of each meeting.

7.4.4 QUORUM

Two-thirds of the signatories of the AGREEMENT are required for a quorum for any meeting where action is taken or revisions to the AGREEMENT are proposed.

7.5 REFERENCES

AEIOC/VA, 1983. Alaska Marine Ice Atlas.

Arthur D. Little, Inc. (ADLittle), 1991. *Study of Non-crude Tank Vessels and Barges*. Prepared for the Alaska Department of Environmental Conservation.

Alaska Department of Environmental Conservation (ADEC), 1995. *Spill Planning Guidance Non-Crude Vessel Planning Standard*. (Feb. 27, 1995)

American Waterways Operators (AWO), 1993. *Response Planning Requirements for Barges Transporting Non-Persistent Petroleum Products in Alaska: A Proposal for Alternative Compliance*, Report submitted to the U.S. Coast Guard, January 1993.

Taylor Environmental and Marine Services, Inc. (TEAMS) and Alaska Petroleum Distributors and Transporters (APD&T), 1997. *Barge Transport of Non-Persistent Oil in Alaska*. Draft report prepared for the Joint Industry/Agency Response Planning Standards Work Group. October 1997.

8. Implementation Schedule

Hub Location	Equipment and Infrastructure	Exercise	Status
Prince William Sound Valdez Cordova Whittier	 2009[4] 2009[5] 2010[6]	Schedule per 6.3.2	Completed/In Service Completed/In Service Completed/In Service
Cook Inlet Nikiski Seward	 2000 2009[7]	Schedule per 6.3.2	Completed/In Service Completed/In Service
Kodiak	2000	Schedule per 6.3.2	Completed/In Service
Aleutians	2001	Schedule per 6.3.2	Completed/In Service
Bristol Bay	2001	Schedule per 6.3.2	Completed/In Service
Western Alaska	2002	Schedule per 6.3.2	Completed/In Service
Northwest Arctic	2002	Schedule per 6.3.2	Completed/In Service
North Slope	2003	Schedule per 6.3.2	Completed/In Service

[4] Added as an APD&T APC hub in 2009
[5] Added as an APD&T APC hub in 2009
[6] Added as an APD&T APC hub in 2010
[7] Added as an APD&T APC hub in 2009

9. Attachments

9.1 ATTACHMENT 1 -- CERTIFICATION OF ACCEPTANCE OF AGREEMENT

We, the undersigned OPERATOR, hereby accept and agree to be bound by the terms of this Agreement for Compliance for Tank Barge Transport of Non-Persistent Oil in Alaska. We also accept and agree to be bound by all attachments, enclosures, references, or other instruments that may be legally subscribed to this AGREEMENT.

.

Company Name: HARLEY MARINE SERVICES

Authorized Signature: 

Printed Name/Title of Signer: SVEN CHRISTENSEN - GENERAL MANAGER-OIB

Date: 10/31/2016

9.2 ATTACHMENT 2 -- RESPONSE KITS

BEACH CLEANING KIT*

Description	Quantity
Pitchforks	12
Rakes	12
Shovels (pointed)	12
Shovels (flat)	12
Survey stakes	2 bundles
Barrier tape	12 rolls
Waste bags (50 per box)	5 boxes
Wire ties	300
Visquene	3 rolls
Duct tape	12 rolls

*to be located in each region

9.3 ATTACHMENT 3 – TANK BARGE MEMORANDUM OF UNDERSTANDING

MEMORANDUM OF UNDERSTANDING

REGARDING THE USE OF TANK BARGES OF OPPORTUNITY TO PROVIDE TEMPORARY STORAGE

IN SUPPORT OF AN OIL SPILL RESPONSE IN ALASKA

WHEREAS a tank barge casualty or oil spill incident in Alaska could require the use of a tank barge for storage of lightered and/or recovered oil, and

WHEREAS a number of barges operate in Alaska and could provide such assistance, and

WHEREAS these tank barges are owned or chartered by a number of different parties, and

WHEREAS such a need could arise on an urgent basis requiring the use of an available tank barges suitable for the purpose(s) indicated above, regardless of ownership or chartering arrangements:

NOW THEREFORE the signatory party (PARTY) to the Agreement for Compliance (AGREEMENT), representing a tank barge owner, operator, or charterer agrees as follows:

1. Each PARTY to the AGREEMENT will make its owned, operated, or chartered tank barge (the “Assist Barge”), suitable for lightering and/or recovered oil storage, that operates in Alaska available to any other PARTY (the “User”) in the event that a tank barge (the “Distressed Vessel”), in Alaska, suffers an accident or oil spill in which the response to that spill or accident would be facilitated by making available for storage the nearest feasible tank barge that is covered by this MOU. The User accepts the Assist vessel on an “as-is, where-is” basis, and such use is subject to, availability, and safety considerations as indicated in Number 2 below.

2. The PARTY agrees to make the Assist Barge available for lightering and/or recovered oil storage in Alaska subject to operational availability, and safety considerations including, but not limited to, all conditions present at the time of the incident and thereafter such as commercial commitments, weather, sea state, location of the Distressed Barge or spill, and other factors that may affect the safety of the Assist Barge and the Distressed Barge and their crews, as determined solely by the Assist Barge’s owner or operator.

3. The charter terms for the use of any Assist Barge under this MOU (including compensation and clean-up cost for such use) shall be negotiated in advance or at the time the User desires the Assist Barge. The User remains solely responsible for the disposition of cargo or other material loaded on the Assist Barge.

4. This MOU (and future revisions) will be Attachment 3 to the AGREEMENT and by signing the AGREEMENT each PARTY agrees with the presented MOU terms and conditions.

9.4 ATTACHMENT 4- PLANNING VOLUMES AND GAP ANALYSIS

In accordance with USCG CG-543 Policy Letter 09-02, this proposal is required to include a Gap Analysis, to show the variance between the required resources and the actual resources available from the OSRO.

This AGREEMENT is intended to cover all tank barges operated by a signatory company, carrying non-persistent Group 1 products in all regions of Alaska, regardless of the capacity of the vessel.

In order to determine the resources required to meet the response planning standards, a WCD volume based on vessel capacity must be determined. In the case of this AGREEMENT, the largest vessels which may be covered by this AGREEMENT call on Alaska rarely, or on an infrequent basis. Therefore, we have analyzed vessel capacities and operations across all, and within each COTP zone to determine the average vessel capacity on which to base our calculations.

A listing of all barges operated by signatory companies that were capable of operating in Alaska was developed from Federal and State VRP listings. The listing was further refined with actual operations information from the 2014 season. Barges were characterized as being operated year-round, seasonal, infrequently, and rarely. For the purposes of this analysis, we have considered the characteristics of year-round and seasonal barges only.

9.4.1 Barge Capacity Analysis

Barge Capacities- All Alaska COTP Zones

Number of Barges Working Year-Round and Seasonally in AK=	36
Total Capacity of All Barges Working Year-Round and Seasonally in AK (bbl)=	2,073,821
Average Capacity of All Barges Working Year-Round and Seasonally in AK=	**57,606**

Barge Capacities- Southeast Alaska (SEAK) COTP Zone

Number of Barges Working Year-Round and Seasonally in SEAK COTP=	7
Total Capacity of Barges Working Year-Round and Seasonally in SEAK=	510,103
Average Capacity of Barges Working Year-Round and Seasonally in SEAK=	**72,872**

Barge Capacities- Prince William Sound (PWS) COTP Zone

Number of Barges Working Year-Round and Seasonally in PWS COTP=	9
Total Capacity of Barges Working Year-Round and Seasonally in PWS=	591,301
Average Capacity of Barges Working Year-Round and Seasonally in PWS=	**65,700**

Barge Capacities- Western Alaska (WAK) COTP Zone

Number of Barges Working Year-Round and Seasonally in WAK COTP=	36
Total Capacity of Barges Working Year-Round and Seasonally in WAK=	834,490
Average Capacity of Barges Working Year-Round and Seasonally in WAK=	**23,180**

*Note: All capacity volumes shown in section 9.4.1 above are provided in barrels (BBL).

9.4.2 Gap Analysis- Southeast Alaska COTP Zone

Planning Volumes:

Average tank barge cargo capacity is 64,380 bbl. Product carried is Group 1 non-persistent oil. The operating environments applicable to the SEAK COTP Zone are Inland and Nearshore. Group 1 oil has no on-water recovery requirement for the Offshore and Open Ocean operating environments.

On Water Planning Volumes (bbl)	
Barge Capacity (bbl)	**Inland/Nearshore**
Average 72,872	14,574
Largest 167,059	33,412

Required resources: Based on the requirements of 33 CFR Part 155.1050, the necessary response resources are tabulated below. On-water recovery resource mobilization factors are given in Effective Daily Recovery Capacity (EDRC, bbl/day).

		Inland			Nearshore		
Barge Capacity (bbl)	**MMPD**	**Tier 1**	**Tier 2**	**Tier 3**	**Tier 1**	**Tier 2**	**Tier 3**
Average 72,872	2,500	2,186	3,644	5,830	2,186	3,644	5,830
Largest 167,059	2,500	5,012	8,353	13,365	5,012	8,353	13,365

SEAPRO, the OSRO contracted by tank barges operating in Southeast (SE) Alaska, has the following OSRO classifications for vessels in Southeast Alaska. This information was taken from the National Strike Force Coordination Center's OSRO classification tables.

OSRO Name: SEAPRO – OSRO No. 88				
OSRO Classification and Rated EDRC By Operating Environment				
Operating area	**Vessel MMPD**	**Vessel WCD1**	**Vessel WCD2**	**Vessel WCD3**
Inland	Yes 1,200	Yes 12,500	Yes 25,000	Yes 50,000
Nearshore	Yes 1,200	Yes 12,500	Yes 25,000	No 0

Nearly all oil transport and transfer activity takes place in the Inland operating environment. **SEAPRO's OSRO classification in Southeast Alaska meets the rating requirement for both the average and largest capacity barges approved for Southeast Alaska in the Inland operating environment, with the exception of MMPD.** The resources to make up the difference in EDRC between the MMPD rating and the MMPD resources requirement are carried onboard the barge.

9.4.3 Gap Analysis- Prince William Sound COTP Zone

Planning Volumes:

Average tank barge cargo capacity is 61,069 bbl. Product carried is Group 1 non-persistent oil. Group 1 oil has no on-water recovery requirement for the Offshore and Open Ocean operating environments.

On Water Planning Volumes (bbl)	
Barge Capacity (bbl)	**Inland/Nearshore**
Average 65,700	13,140
Largest 189,242	37,848

Required resources: Based on the requirements of 33 CFR Part 155.1050, the necessary response resources are tabulated below. On-water recovery resource mobilization factors are given in Effective Daily Recovery Capacity (EDRC, bbl/day).

		Inland			Nearshore		
Barge Capacity (bbl)	**MMPD**	**Tier 1**	**Tier 2**	**Tier 3**	**Tier 1**	**Tier 2**	**Tier 3**
Average 65,700	2,500	1,971	3,285	5,256	1,971	3,285	5,256
Largest 189,242	2,500	5,577	9,462	15,139	5,577	9,462	15,139

Alaska Chadux Corp., the OSRO contracted by tank barges operating in the Prince William Sound COTP zone, has the following OSRO classifications for vessels in PWS. This information was taken from the National Strike Force Coordination Center's OSRO classification tables.

OSRO Name: Alaska Chadux Corp. – OSRO No. 93				
OSRO Rating and Rated EDRC By Operating Environment				
Operating area	**Vessel MMPD**	**Vessel WCD1**	**Vessel WCD2**	**Vessel WCD3**
Inland	Yes 1,200	Yes 12,500	Yes 25,000	No 0
Nearshore	Yes 1,200	Yes 12,500	No 0	No 0

Nearly all oil transport and transfer activity takes place in the Inland operating environment. **Chadux's OSRO classification in PWS meets the MMPD, WCD1, and WCD2 classification requirements for both the average and largest capacity barges approved for PWS in the Inland operating environment.** The skimming resources to make up the difference in EDRC between OSRO MMPD rating and the MMPD resources requirement are carried onboard the barge. Additional preventive and operational procedures to mitigate the lack of a rating for Inland WCD3 response resources are specified in the AGREEMENT.

9.4.4 Gap Analysis- Western Alaska COTP Zone

Planning Volumes:

Average tank barge cargo capacity is 23,180 bbl. Product carried is Group 1 non-persistent oil. Group 1 oil has no on-water recovery requirement for the Offshore and Open Ocean operating environments.

On Water Planning Volumes (bbl)		
Barge Capacity (bbl)	**River**	**Inland/Nearshore**
Average 23,180	2,318	4,636
Largest 189,242	18,924	37,848

Required resources: Based on the requirements of 33 CFR Part 155.1050, the necessary response resources are tabulated below. On-water recovery resource mobilization factors are given in Effective Daily Recovery Capacity (EDRC, bbl/day).

	MMPD	River			Inland			Nearshore		
Barge Capacity (bbl)	**M**	**Tier 1**	**Tier 2**	**Tier 3**	**Tier 1**	**Tier 2**	**Tier 3**	**Tier 1**	**Tier 2**	**Tier 3**
Average 23,180	2,318	695	927	1,391	695	1,159	1,854	695	1,159	1,854
Largest 189,242	2,500	5,677	7,570	11,355	5,677	9,462	15,139	5,677	9,462	15,139

CHADUX has the following OSRO classifications for vessels in Western AK. This information was taken from the National Strike Force Coordination Center's OSRO classification tables.

OSRO Name: Alaska Chadux Corp. – OSRO No. 93				
OSRO Rating and Rated EDRC By Operating Environment				
Operating area	**Vessel M**	**Vessel WCD1**	**Vessel WCD2**	**Vessel WCD3**
Rivers	Yes 1,200	Yes 1,875	Yes 3,750	Yes 7,500
Inland	Yes 1,200	Yes 12,500	Yes 25,000	No 0
Nearshore	Yes 1,200	Yes 12,500	No 0	No 0

Nearly all oil transport and transfer activity takes place in the Rivers and Inland operating environments. **CHADUX's OSRO classification in Western AK meets the MMPD, WCD1, and WCD2 rating requirements for the average and largest capacity barges in the Rivers and Inland operating environments, and MMPD and WCD1 in the Nearshore operating environment** The skimming resources to make up the difference in EDRC between OSRO MMPD rating and the MMPD resources requirement are carried onboard the barge. Additional preventive and operational procedures to mitigate the lack of a rating for WCD3 in the Inland and WCD2 and WCD3 in the Nearshore operating environments are specified in the AGREEMENT.