

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.

Below are questions added on May 22, 2015

7. Will comments be accepted and considered for other sections of 18 AAC 75 Article 4 and 9 that are not included in this package?

- a. Selected parts of 18 AAC 75 Article 4 and 9 are currently out for public comment. Comments received for sections not covered in this regulatory package will not be considered.
8. Will the in-person workshops be teleconferenced?
- a. No, there will not be a teleconference component for the in-person workshops. There will be a teleconference on June 23, 2015 from 1:00 - 2:00 p.m. Please see our website for further details: [Division of Spill Prevention and Response](#)