THE STATE PIPELINE COORDINATOR'S OFFICE

RESPONSE TO PUBLIC COMMENTS
TRANS-ALASKA PIPELINE RIGHT-OF-WAY LEASE RENEWAL

NOVEMBER 2002

Response to Public Comments

The State Pipeline Coordinator's Office (SPCO) accepted written public comment on the Commissioner's Proposed Determination to renew the Trans-Alaska Pipeline System (TAPS) for a period of 30 years from July 5, 2002 until August 20, 2002. In addition, the public was provided the opportunity to comment at public hearings held in Cordova, Valdez, Glennallen, Anchorage, Fairbanks, Minto and Barrow.

This document is comprised of three sections: 1) list of commenters; 2) summarized comment responses and; 3) individual comment responses. The JT1 and JT2 notation on the header of some pages is a sorting tool and has no significance to the report.

Through the public comment and hearing process, 342 people submitted 2,089 separate comments on the Commissioner's Statement of Reasons and Proposed Written Determination. In sorting through the individual comments, SPCO identified nine (9) key issues of broad concern listed below:

1. citizens oversight
2. audits
3. DR&R
4. global warming
5. oil spill response
6. 30-year renewal
7. 45 day comment period
8. subsistence
9. employee concerns

Comments focused on these issues were summarized and responded to as a group. The total number of comments received for each group is noted in the table.

Please note that many of the public comments received actually addressed the federal draft environmental impact statement but the commenter referenced both the federal and state process. We have responded to many of these comments by providing the information supplied by the Bureau of Land Management (BLM).

DNR Commentor List

Name	DateReceived	Title	City	State
<Unknown>				
	8/14/2002			
Acevedo, Kristine				
	8/14/2002		Revere	MA
Ahmaogak, George N				
	8/20/2002	Mayor of Barrow	Barrow	AK
Alegarbes, Hadrian				
	8/13/2002			
Allen, C. Ralston				
	8/13/2002		Charlotte	NC
Alter, Susan				
	8/12/2002		Shoreline	WA
Alvarez-Blackwell,				
	3/18/2002			
Ames, Mark				
	8/6/2002			
Anderson, Jr., Nels				
	8/16/2002		Dillingham	AK
Apgar, DeeAnn				
	8/13/2002		Anchorage	AL
Armstrong, Melissa				
	9/12/2002		Davie	FL
Astley, Beth				
	8/12/2002		Anchorage	AK
Bajwa, Neil				
	8/13/2002		Pittsburgh	PA
Bakri, Maissa				
	8/15/2002		Sao Paulo	
Ballentine, Wanda S				
	8/17/2002		Cleveland Heights	OH
	8/20/2002		Cleveland Heights	OH

Name	DateReceived	Title	City	State
Barnett, Daniel				
	8/12/2002		Bronx	NY
Barrett, Paul				
	8/6/2002	Representative	Fairbanks	AK
Bassett, Linda				
	8/20/2002		Anchorage	AK
Behrens, Daniel				
	8/15/2002		Ottsville	PA
Benbow, Pamela				
	8/12/2002	Dr.	Winston-Salem	NC
Benson, Ph.D., Carl S				
	8/14/2002	Professor of Geology and	Fairbanks	AK
Berger, Glen				
	8/15/2002		New York	NY
Berkowitz, Richard				
	8/19/2002	Pacific Coast Director	Seattle	WA
Bernhardt/Emerson, Judy				
	8/18/2002		Houston	TX
Beverly, Martina				
	8/12/2002		Urbana	IL
Bird / Koplin, Nancy /				
	8/20/2002	Vice Mayor / City Clerk		
Black, Rose				
	8/20/2002		Cordova	AK
Black, William T				
	8/20/2002		Cordova	IL
Blain, Richard				
	8/16/2002		Temecula	CA
Blumberg, Steve				
	8/14/2002		Olive Branch	MI
Boggan, Joel				
	8/15/2002			
Boggan, Ryan				
	8/14/2002		Sterrett	AL

Name	DateReceived	Title	City	State
Boitano, Connie				
	8/13/2002		Seattle	WA
Boldenow, Megan				
	8/16/2002		Fairfax	VA
Boltz, James F				
	8/19/2002	Chief Operating Office	Anchorage	AK
Bond, Julie				
	8/17/2002		Edgertpm	WI
Borokhov, Paul				
	8/13/2002		Chatham	NJ
Bowman / Greenspan,				
	8/17/2002		Arlington	TX
Boyles, Rhonda				
	8/6/2002	Mayor		AK
Brown, Lou				
	8/16/2002		Fairbanks	AK
Brune, Jason W				
	8/20/2002	Projects/AMEREF Coordinator	Anchorage	AK
Bubala, Louis				
	8/12/2002		Eugene	OR
Bunch, Terry				
	8/13/2002		San Diego	CA
Bushey, Joan Marie				
	8/6/2002			AK
Bussell, Brenda				
	8/15/2002		Mastic Beach	NY
Callier, Laura				
	8/13/2002		Denver	CO
Cann, David				
	8/12/2002		Oakland	CA
Carlson, Chris				
	8/13/2002		Wilmington	IL
Caron, John				
	8/14/2002		Girdwood	AK

Name	DateReceived	Title	City	State
Carpenter, Bryan				
	8/19/2002		Keller	TX
Carr, Meta				
	8/15/2002		Washington DC	DC
Carter, Michael E				
	8/20/2002		Anchorage	AK
Charter, Richard				
	8/20/2002		Oakland	CA
	8/20/2002		Oakland	CA
Chianese, George				
	8/12/2002		Stafford	VA
Clausen, Becky				
	8/16/2002		Cordova	AK
Colna, Robin				
	8/15/2002		Mantua	NJ
Conn, Steven				
	8/5/2002	Executive Director		AK
Connell, Howard				
	3/13/2002		San Francisco	CA
Conner, Jack				
	8/13/2002		Billings	MT
Cornelius, Don				
	8/12/2002		Petersburg	AZ
Cosgriff, Mark				
	8/20/2002		Cleveland	OH
Craig, Evan				
	8/15/2002	Chair		
Cummings, Terry				
	8/15/2002		Anchorage	AK
DaSilva, Ena				
	8/12/2002		Sacramento	CA
Deal, Stuart				
	8/13/2002		Cordova	AK
Dean, Betty				

Name	DateReceived	Title	City	State
	8/12/2002		Sterling	AK
DeBadts, Richard				
	8/12/2002		Buffalo	NY
DeLong, Louis F				
	8/20/2002			
Dengel, Dave				
	7/30/2002	City Manager	Valdez	AK
Dengel, David				
	8/16/2002	City Manager	Valdez	AK
Derr, Mary K				
	8/14/2002		Chicago	IL
Dietz, Lisa				
	8/12/2002		Mt Vernon	IN
Dooley, Dennis				
	8/5/2002			
Drake, Sierra				
	8/20/2002		Cordova	AK
Dryden, Dan				
	8/20/2002		Palmer	AK
Dunham, Donald				
	8/5/2002	Asset Manager		AK
Durrett, Paul				
	8/13/2002		Washington	DC
Edwardsen, Charles Etok				
	8/6/2002			
Eidsness, Shelly				
	8/15/2002		Juneau	AK
Erwin, Jennifer				
	8/12/2002		Tuscloosa	AL
Evans, Dinda				
	8/14/2002		San Diego	CA
Evensen, Debra L				
	8/12/2002		Homer	AK
Ewers, Suki				

Name	DateReceived	Title	City	State
	8/12/2002		Los Angelels	CA
Farnan, Mike				
	8/13/2002		Los Angeles	CA
Fineberg, Richard				
	7/26/2002	Consultant	Ester	AK
	7/30/2002	Consultant	Ester	AK
	7/31/2002	Consultant	Ester	AK
	8/5/2002	Consultant		
	8/6/2002	Consultant		
	8/9/2002	Consultant		
	8/20/2002	Consultant		
Fireman, Brian				
	8/12/2002		Asheville	NC
Fireman, JoAnn &				
	8/12/2002		Mars Hill	NC
Fisher, Lawrence				
	8/13/2002		St. Petersburg	FL
Fleischer, David				
	8/13/2002		Maineville	OH
Forman, Tyler				
	8/13/2002		Phoenix	AZ
Foss, Janice				
	8/14/2002		Oakland	CA
Gagnon, Maureen				
	8/19/2002		Hilton	NY
Garber, Julie				
	8/12/2002		Landing	NJ
Garcia, Greg				
	8/15/2002		Chugiak	AK
Geck, Jason				
	8/12/2002		Anchorage	AK
Gibbs, Grant				
	8/12/2002		Anchorage	AK
Gilroy, Keith				
	8/12/2002		Upland	CA

Name	DateReceived	Title	City	State
Godduhn, Anna	8/6/2002			
Graham, Alastair	8/5/2002	Commercial Manager		
Granade, Chris	8/12/2002		Eagle River	AK
Green, Peter	8/13/2002		San Mateo	CA
Grimes, David	8/20/2002		Cordova	AK
Grimm, Bill H	8/14/2002		Mesa	AZ
Grove, Jr., Ralph F	8/14/2002		Harrisonburg	VA
Grubert, Amy	8/12/2002		Saint Louis	MO
Hagwood, Jr., Talbott B	8/13/2002		Clover	VA
Hanley, Mark	8/5/2002	Public Affairs Manager		AK
Hargrove, Christopher H	8/13/2002		Knoxville	TN
Harman, Dale	8/17/2002		Bedford	TX
Harman, Dotty	8/17/2002		Bedford	TX
Hart, Eric	8/14/2002		Pomeroy	OH
Hawkins, Jacquelyn	8/14/2002		Fayetteville	NC
Helmericks, Mark	8/9/2002	President	Prudtke Bay	AK
Hoberg, Matthew	8/12/2002		Kennett Square	PA

Name	DateReceived	Title	City	State
Hogg, Sallie				
	8/20/2002		Anchorage	AK
Holloway, Megan				
	8/12/2002		Palmer	AK
Hopson, Kliff				
	8/12/2002		Fairbanks	AK
Horowitz, Tina				
	8/12/2002		Philadelphia	PA
Horwitz, Knute				
	8/15/2002		Chicago	IL
Howden, Michael				
	8/13/2002		Milwaukee	WI
Hoyer, Eric				
	8/15/2002		Lees Summit	MO
Huang, Alice				
	8/20/2002		Philadelphia	PA
Jackson, Tom				
	8/14/2002		Denver	CO
Jacobson, Jeff				
	8/6/2002	Mayor		
Jeakins, Steven				
	8/15/2002		Normal	IL
Jenkins, W				
	8/20/2002			
Johnson, Jim				
	8/13/2002		Brighton	MI
Joly, Kyle				
	8/12/2002		Anchorage	AK
Jones, Andrew				
	8/15/2002		Burlington	VT
Jones, Steve				
	8/6/2002	Manager		
Jones, W. Steven				
	8/20/2002	TAPS ROW Renewal Project	Anchorage	AK

Name	DateReceived	Title	City	State
	8/20/2002		Anchorage	AK
Kanner, Richard				
	8/12/2002		Salt Lake City	UT
Kaplan, Phil and Susie				
	8/12/2002		Santa Cruz	CA
Kaser, Doug				
	8/13/2002		West Chester	OH
Kelly, Wayne				
	8/13/2002		Ashland	OR
Kirby, Michael				
	8/14/2002		Northfield	MN
Kirschenbaum, Marc				
	8/19/2002		Shaker Heights	OH
Kitka, Julie				
	8/20/2002	President	Anchorage	AK
Kjer, Autumn				
	8/13/2002		Bristolville	OH
Kleppin, Daryl				
	8/5/2002	Employee		AK
Knowlton, Stephen R				
	8/14/2002		Fair Haven	NJ
Koivisto, Ellen				
	8/17/2002			
Kompkoff, Jr, Pete A				
	8/5/2002	Vice President	Chenega Bay	AK
Kopchak, R. J.				
	8/12/2002		Cordovav	AK
Korn, Thomas				
	8/13/2002		Valdez	AK
Kovalik, Ron				
	8/20/2002		Fairbanks	AK
Kratzert, David				
	8/12/2002		Olympia	WA
Kroll, Caroline				

Name	DateReceived	Title	City	State
	8/18/2002		Los Altos	CA
Kuckertz, Tom				
	7/30/2002		Valdez	AK
	7/31/2002		Valdez	AK
	8/5/2002			
Kugler,, Tony				
	8/15/2002	Ph.D	Madison	WI
Ladd, Kelly				
	8/14/2002		Orlando	FL
Laffey, Kevin				
	8/13/2002		Los Angeles	CA
Laiti, Jim				
	8/6/2002			AK
Lakosh, Tom				
	8/5/2002		Anchorage	AK
	8/20/2002			
	8/20/2002		Anchorage	AK
Lakota-Ryan, Maggie				
	8/12/2002		Chicago Heights	IL
Larimore, Richard				
	8/13/2002		Burbank	CA
Lee, Tammi				
	8/12/2002		Spfld	MA
Lewis Barr, Laura J				
	8/14/2002		Roselle	IL
Lilly, Terry				
	8/19/2002		Hollywood	CA
Lloyd, Laurel				
	8/14/2002		Anchorage	AK
Lowe, Kim				
	8/13/2002		New York	NY
Lowry, Donald				
	8/6/2002	Field Representative		
Lynch, John				
	8/15/2002		Kailua Kona	HI

Name	DateReceived	Title	City	State
Ma, Jessica				
	8/12/2002		Princeton	NJ
Maahs, Lisa				
	8/13/2002		Anchorage	AK
Mahony, Micheal				
	8/20/2002		Cordova	AL
Maia, Aaron				
	8/12/2002		Great Barrington	MA
Mangio, Michelle				
	8/12/2002		East Weymouth	MA
Markowitz, Jonathan				
	8/14/2002		Lahaska	PA
Marshall, Lisa				
	8/12/2002		Houston	TX
Massarello, Tony				
	8/12/2002		Oak Park	IL
Mathies, David K				
	8/12/2002		Malden	MA
Matsuno, David				
	8/12/2002		Anchorage	AK
Mauer, Fran				
	8/14/2002		Fairbanks	AK
Mays, Sandra				
	8/12/2002		Lancaster	PA
McGuire, Matthew				
	8/18/2002		Cheshire	CT
McGuire, Sean				
	8/6/2002			
McHenry, Ruth				
	8/20/2002		Copper Center	AK
McLaughlin, Sherry L				
	8/20/2002		Durango	CO
McLean, Dan				
	8/6/2002			

Name	DateReceived	Title	City	State
McLearon, Eric				
	8/16/2002		East Lansing	MI
Mehalik, Geno				
	8/18/2002		Orlando	FL
Meyers / Yaege, Kevin O.				
	8/20/2002	President / President	Anchorage	AK
Meyers, Kevin				
	8/5/2002	President		
Mickelson, Ph.D., Pete				
	8/20/2002		Cordova	AK
Miles, Dae				
	8/6/2002			AK
Mitchell, Amy				
	8/13/2002		Rindge	NH
Mittlestadt, Cindy				
	8/6/2002	Communications Manager		
Molyneux, Val				
	8/5/2002	President and Regional		
Moomaw, Anna				
	8/16/2002		Cartersville	GA
Moore, Deb				
	8/20/2002	Arctic Coordinator	Fairbanks	AK
Moravitz, Stefanie				
	8/14/2002		Tucson	AZ
Moriarty, Kara				
	8/6/2002	President and CEO		
	8/19/2002		Fairbanks	AK
Morresi, Gian A				
	8/15/2002		Fairfield	CT
Mullins, Ross				
	7/26/2002		Cordova	AK
Nordhoff, Henry				
	8/12/2002		Anchorage	AK
Nordlund, James M				

Name	DateReceived	Title	City	State
	8/14/2002		Lakin	KS
O'Donnell, Paul				
	8/12/2002		Lowell	OH
Odsather, Richard				
	8/6/2002			
Okakok, Sr., Rex A				
	8/9/2002	Dir of Plan &Comm Serv; Land		AK
Olson, Jane				
	8/12/2002		Sidney	MT
Olzenak, Debi				
	8/19/2002		Cordova	AK
Oman, Maryellen				
	8/13/2002		Anchorage	AK
O'Neil, Jim				
	8/13/2002		Corvallis	OR
Orrick, Dana				
	8/12/2002		Fort Collins	CO
Ott, Dr. Riki				
	8/5/2002	Member of Board	Cordova	AK
Ott, Riki				
	8/5/2002		Cordova	AK
	8/20/2002	Ph.D.	Cordova	AK
Owen, Dean M				
	8/15/2002	Executive Director	Fairbanks	AK
Ozment, Jack				
	8/13/2002		Sitka	AZ
Padawer, Lauren				
	8/19/2002		Cordova	AK
Parker, Walter				
	7/30/2002	Board Member	Anchorage	AK
	7/31/2002			
Parks, Michael				
	8/12/2002		Homer	AK
Pascoe, Kira				
	8/13/2002		Evanston	IL

Name	DateReceived	Title	City	State
Pendleton, Craig	8/12/2002		Kingston	WA
Pendleton, Saundra	8/12/2002		Kingston	WA
Porter, Patricia	8/12/2002		Yardley	PA
Postik, Diana	8/13/2002		Long Beach	CA
Power, M	8/12/2002		Portland	OR
Power, Max	8/12/2002		Everett	WA
Price, Mitchell	8/14/2002		Saegertown	PA
Prioste, Jerry	8/14/2002		Scottsdale	AZ
Purrington, Ginna	8/12/2002		Anchorage	AK
Quakenbush, Jay	8/6/2002	Representative		
Quam, Leah	8/16/2002		Woodstock	GA
Radcliffe, Cynthia	8/18/2002		Ann Arbor	MI
Rahmanian, Sharghi	8/12/2002		Knoxville	TN
Ralls, Jane	8/13/2002		Minneapolis	MN
Randall, Bob	8/20/2002	Staff Attorney	Anchorage	AL
Rapp, Jeff	8/13/2002		Winnetka	IL
Raymond-Yakoubian,	8/20/2002		Chugiak	AK

Name	DateReceived	Title	City	State
Reif, Mark	8/12/2002		Winchester	VA
Reitze, Brent	8/12/2002		Fairfax	VA
Rhian, Marisa	8/12/2002		Tampa	FL
Rodriguez, Jasmine	8/14/2002		Kahului	HI
Roesbery, Carolyn	8/20/2002		Cordova	AK
Rosenberg, Ronnie	8/6/2002		Fairbanks	AK
Rosenfeld, Cheryl	8/12/2002		Columbia	MO
Roth, Barbara	8/12/2002		Las Vegas	NV
Rue, Frank	8/20/2002	Commissioner	Juneau	AK
Russell, Paul	8/14/2002		Rosendale	NY
Rutkowski, Abram	8/13/2002		Bremen	IN
Ryan, Curtis	3/13/2002		Brooklyn	NY
Ryan, Tom	8/6/2002	VP and General Counsel	Houston	TX
Ryder, Scot	8/12/2002		Silver Spring	MD
Sam, Ella	7/30/2002	First Chief	Hughes	AK
Sandoval, Peter	8/15/2002		Brooklyn	NY
Sands, Kristin	8/19/2002		Wylie	TX

Name	DateReceived	Title	City	State
Santasania, Carmen	8/12/2002		State College	PA
Savett, Adam	2/13/2002		Chevy Chase	MD
Scarborough, Marilyn	8/12/2002		Anchorage	AK
Schultz, Osa	8/20/2002		Cordova	AK
Schwartz, Jeremy	8/12/2002		East Meadow	NY
Schwartz, Norman C	8/14/2002		Saugerties	NY
Scott, Gabriel	7/26/2002		Cordova	AK
Seegert, Alan	8/12/2002		Denali Park	AK
Sevetson, Erika	8/12/2002		Madison	WI
Shavelson, Bob	8/15/2002		Homer	AK
Siegfried, Brad	8/12/2002		Wisconsin Rapids	WI
Simon, Philip	8/12/2002		San Rafael	CA
Sinnett, D. William	8/12/2002		Maryland Heights	MO
Skibo, Bobbie Jo	8/13/2002		Anchorage	AK
Slepetski, Lisa	8/13/2002		Novi	MI
Slider, Frank D	1/14/2002		Middlebourne	WV
Smallen, William	8/12/2002		Oakland	CA

Name	DateReceived	Title	City	State
Smith, Carol				
	8/12/2002		Winnetka	CA
Somalwar, Sunil				
	8/13/2002		Highland Park	NJ
Spears, Nancy				
	8/13/2002		Bossier City	LA
Spector, Helena				
	8/13/2002		Anchorage	AK
Spence, Jeremiah				
	8/12/2002		Austin	TX
Spencer, Shawn				
	8/14/2002		New York	NY
St. John, Jeanine				
	8/7/2002	Vice President	Anchorage	AK
Stanbro, T. L.				
	8/12/2002		Anchorage	AK
Starkes, Carole				
	8/13/2002		San Francisco	CA
Starkweather, Andy				
	8/13/2002		San Francisco	CA
Steen, Karl O				
	8/20/2002		Cordova	AK
Steen, Mark				
	8/20/2002		Cordova	AK
Stensaas, Suzanne				
	8/12/2002		Salt Lake City	UT
Stephen, Mike				
	8/12/2002		St. Joe	AZ
Stephens, Stan				
	7/30/2002		Valdez	AK
	8/5/2002	Representative		
Stockert, Clare				
	8/12/2002		Anchorage	AK
Strawder-Bubala, Jill				

Name	DateReceived	Title	City	State
	8/13/2002		Central Point	OR
Sturdevant, Mike				
	8/13/2002		Concord Twp	OH
Swanson, Christy				
	8/12/2002		Dade City	FL
Sweeney, Tara				
	8/5/2002	Government Affairs Officer		
Talbot, Helen L				
	8/18/2002		Fort Worth	TX
Taylor, Timothy				
	8/13/2002		Denver	CO
Thiemann, Peter				
	8/14/2002		Wasilla	AK
Thomas, Mark				
	8/14/2002		Norman	OK
Thompson, Steve M				
	8/6/2002	Mayor		
Thoumi, Gabriel A				
	8/13/2002		Minneapolis	MN
Tomson, Amy				
	8/16/2002		Anchorage	AL
Troyer, Eric				
	8/12/2002		Fairbanks	AK
Ulrich, Rani				
	8/14/2002		Kailua Kona	HI
Unsal, Cenap E				
	8/13/2002		Istanbul	
Van Lith, Francisca				
	8/12/2002		Novato	CA
Vincent, Pamela				
	8/14/2002		Annchorage	AK
Virgin, Randy				
	8/13/2002		Anchorage	AK
Visci, Gina				

Name	DateReceived	Title	City	State
	8/12/2002		Honesdale	PA
Vogt, Nathaniel				
	8/13/2002		Columbus	OH
Ward, James				
	8/12/2002		South Point	OH
Warner, Karen				
	8/12/2002		Chicago	IL
Warnock, Stephanie				
	8/18/2002		Anchorage	AL
Wassilie, Sandra P				
	8/20/2002		Seward	AK
Werner, Danielle				
	8/12/2002		Eugene	OR
Weum, Kristoffer L				
	8/17/2002		Ely	MN
Whitehead, John				
	8/6/2002	Vice President		
Whittaker, Jed				
	8/5/2002			
Williams, Bonnie				
	8/6/2002			
Williams, Jack				
	8/5/2002	Alaska Production Manager		
Williams, Paul				
	8/12/2002		Atlantic City	NJ
Williams, Paula				
	8/12/2002		Anchorage	AK
Williams, Sufi				
	8/12/2002		Wet Linn	OR
Winholtz, Angela				
	8/14/2002		Blue Springs	MO
Winter, Warren				
	8/12/2002		Doraville	GA
Witman, Keilly				

Name	DateReceived	Title	City	State
	8/13/2002		Cincinnati	OH
	8/13/2002		Cincinnati	OH
Wood, Randy				
	8/6/2002	Greater Alaska Division		
Woodward, Johnathan				
	8/12/2002		Anchorage	AK
Wozniak, Owen				
	8/13/2002		Silverton	OR
Wright, Steve				
	8/5/2002	Project Development Advisor		
Yarmak, Edward				
	8/12/2002		Anchorage	AK
Yates, Casey P				
	8/20/2002		2108 Dawson St.	IL
Young, Lowell				
	8/12/2002		Mariposa	CA
Zadis, Peter				
	8/15/2002		Jamaica	NY
Zurcher, Randy				
	8/13/2002		San Francisco	CA

Public Comment Response Summary

Category	Category	Comment Summary	Response Summary
30-Year Renewal	302	Many commenters suggested that the lease should be renewed for a term of less than the requested 30 years. The Prince William Sound Regional Citizens' Advisory Council (PWS RCAC) specifically had questions about the Lessees' commitment to implementation of the Reliability Centered Maintenance II (RCM) process and to continue use of RCM or an equivalent maintenance process for the 30-year renewal term.	A long-term commitment to the continued operation of TAPS is important on both state and national levels. TAPS is a major physical asset important to national security and local and national economies. As such, it receives significant attention from state and federal regulators, citizens groups and elected officials representing local, state, and national governments. Proper maintenance and, by extension, the extended useful life of TAPS, is critical to any future oil development in northern Alaska, and the Lessees' ability to rely on a longer lease renewal term is an important factor in their consideration of the economic justification for substantial additional expenditures on maintenance and facility upgrades.

The comments questioning the 30-year renewal term are centered on concerns with the continuing physical integrity of the TAPS facilities, and thus pipeline safety. The state's authority to regulate pipeline safety is subordinate to the federal regulatory authority -- the primary jurisdiction for pipeline safety resides with the U.S. Department of Transportation/Office of Pipeline Safety (USDOT/OPS). Title 49 of the Code of Federal Regulations, Parts 190-199 specify the requirements for design, construction, inspection, testing, operation, and maintenance of TAPS, and the USDOT/OPS is responsible for enforcement of these detailed technical requirements. Those federal regulations thus provide the technical framework for the State lease provisions on pipeline safety.

The current federal pipeline safety regulations at 49 CFR 195.452, require that a pipeline operator such as Alyeska develop and adopt an Integrity Management Program ("IMP") that integrates and asesses all available information concerning safety issues and consequences of potential failures of the regulated facility, and identifies and evaluates preventive and mitigative measures to address those issues and maintain pipeline integrity. While several current maintenance planning processes (ex.: "Fitness for Purpose", "Risk Management", "Reliability Centered Maintenance" (RCM), ASME B-31) could be utilized as a framework for compliance with the federal regulatory requirements, Alyeska began using the RCM process on various physical assets in 1998, and has chosen to now incorporate RCM into its overall maintenance planning. In 2002, Alyeska revised their system Maintenance Manual MP-167 to reflect the corporate decision to incorporate the RCM process into their maintenance program. To date Alyeska has completed 48 RCM based analyses that encompass 60 critical sub-systems.

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		The state lease incorporates by reference Parts 192 and 195 of the USDOT/OPS pipeline safety regulations. Under the state lease and AS 38.35, the Commissioner has the authority to evaluate and monitor Alyeska's implementation of its' maintenance program to ensure the protection of public health and safety, prevent damage to natural resources, prevent erosion, and maintain pipeline integrity. The lease specifies that Alyeska must conduct their maintenance program using sound engineering practices, to the extent allowed by the state of the art and development of technology. Thus, while the state lease (like the USDOT/OPS regulations) does not specifically endorse or require one maintenance strategy over another, it does require that Alyeska utilize a contemporary risk analysis based maintenance planning process, of which RCM is one current example. Finally, while use of a risk analysis based maintenance process is an important element in assuring the continued integrity and safety of the TAPS facilities for the 30 year renewal term, it is only one of several important elements, that include: (a) The comprehensive JPO regulatory and lease compliance oversight of the Alyeska maintenance program, and of all phases of TAPS operations, as described in the June 2002 SPCO Report and the June 2002 TAPS Maintenance & Sustained Useful Life Report; (b) The TAPS corrosion control management plan, developed by Alyeska in conjunction with JPO, that is considered the state-of-the-art model in the pipeline industry [concepts from this program were incorporated into the USDOT/OPS pipeline integrity management regulations that went into effect nationwide March 31, 2002]; (c) Cutting edge use of smart pig technology [pigs are mechanical devices that travel through the pipe collecting data to assess corrosion, curvature, elevation, cracks and other features that affect pipeline integrity]; and (d) The recent evolution of USDOT/OPS regulatory focus from prescriptive to process-based pipeline Integrity Management Programming (as described above), and Alyeska's resulting adoption of the RCM process is central to development of an to meet these regulations. In combination, reliance on these maintenance, inspection and management programs, which are monitored and enforced by state and federal agencies, provides a sound basis for the finding that the useful life of the pipeline, maintained in accordance with these requirements and standards, is in excess of 30 years. Considering the ongoing economic

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			and strategic importance of the pipeline to the state and nation, there is certainly a reasonable basis for a determination to renew the TAPS lease for a term of 30 years.
45 Day Comment	235	The commenters suggested that 45 days was not adequate to respond to a document of this size and magnitude. These comments were primarily addressed to the federal Draft Environmental Impact Statement (DEIS) process, but could also apply to the state lease renewal process since the timelines were the same.	DNR regulation, 11 AAC 80.085, requires that the public be provided at least 30 days to submit written comments on a Commissioner's proposed determination on a pipeline lease renewal, and leaves to the Commissioner's discretion whether to schedule one or more public hearings. Because of the scope and importance of this project, and the clear public interest in the renewal review, the Commissioner provided for an extended public comment period of 45 days. DNR made significant efforts to advise the public on the TAPS renewal schedule well in advance of the public comment period, and through publication of the June 2002 SPCO Report, provided a fairly concise (22 page) -- though comprehensive -- overview and analysis of (a) the statutory renewal requirements; (b) the ongoing State/Federal (JPO) monitoring and oversight program for TAPS; (c) documentation and findings on Lessees' compliance with renewal requirements; and (d) clear citation to the voluminous documentary record that is basis of the SPCO's renewal review. Additionally, the public was provided the opportunity to comment at public hearings held in Cordova, Valdez, Glennallen, Anchorage, Fairbanks, Minto and Barrow.

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Audit	313	Several comments suggested that independent audits of the pipeline operations should be carried out periodically, such as every 5 years.	Audits of are one of the tools regularly used by the agencies of the Joint Pipeline Office to evaluate and regulate TAPS operations and maintenance. Examples of audits conducted over the past 10 years on TAPS facilities and management systems include: a 1993 Quality Technology Corporation audit of TAPS; BLM's 1993 audit of TAPS Employee Concerns Program; a 1994 TAPS Owner sponsored Arthur D. Little Audit of TAPS compliance with state and federal laws, lease and grant requirements, and internal Alyeska requirements; a 1994 AKOSH electrical systems audit; the 1997 JPO audit of Section 29 compliance; and the 2001 Det Norske Veritas comprehensive audit of Alyeska's compliance with all terms of the state lease. Audits are usually targeted on specific projects, activities, or operations that the JPO determines have had insufficient information developed from the regular JPO monitoring program. Audits are most useful and justified to provide supplementary information on the adequacy of the conduct of specific operations. As discussed at length in the June 2002 SPCO Report, and in the response to the 30 year renewal term issue, the regulation, oversight, monitoring and enforcement of the TAPS operations consist of several layers of overlapping jurisdiction and regulation by the JPO, numerous state agencies, and the USDOT/OPS. Some examples of the periodic targeted reviews of TAPS operations and maintenance by member agencies of JPO include: - On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), by the Alaska Department of Environmental Conservation; - Annual JPO field surveillance and project monitoring; - JPO Comprehensive Monitoring Program Reports (12 published since 1996), and Finally, Alyeska's recent adoption of the RCM risk analysis based maintenance process, in compliance with USDOT/OPS regulations and state lease maintenance standards, will provide the JPO with a continuing assessment and analysis of TAPS critical systems and mitigation/preparedness measures. RCM is essentially an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. We anticipate that implementation of the RCM process will enhance the JPO's ability to more efficiently monitor Alyeska's critical operations. More efficient internal monitoring may actually reduce the need for supplementary audit investigations.

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Citizens	324	Numerous comments were received reflecting both support and opposition to creation of a new citizens oversight group to monitor	The proposed formation of an independent Citizen's Oversight Group, to be funded by the Lessees at an estimated cost of more than one million dollars a year would require a substantive amendment to the TAPS lease that is not provided for within the scope of the AS 38.35.110 lease renewal authorities. DNR has reviewed the concept of a citizen's oversight group and has determined that it would not appreciably improve existing regulatory oversight of the pipeline because: 1) the JPO monitors all aspects of pipeline operation from engineering to impact on fish and wildlife with the power to issue work orders to the pipeline's six oil company owners and; 2) is not cost effective. However, a process to encourage the public's involvement and information exchange with the Joint Pipeline Office's regulatory agencies is supported. The Commissioner, in his Final Determination, will be taking action to re-energize the JPO Executive Council.
DR&R	21	Many commenters recommended that an escrow fund be established for the dismantling, removing and restoration of the line when operations are terminated.	The TAPS Owner Companies have signed guaranties obligating the companies to comply with the dismantling, removing and restoration (DR&R) requirements of the Lease. DNR has reviewed company financial statements to ensure sufficient resources are available to meet the anticipated obligation and determined that the guaranties provide reasonable assurance that DR&R requirements will be fulfilled.

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Employee	201	A number of commenters stated that industry employees need to be allowed to do their jobs free of harassment and intimidation and need to be able to report maintenance problems without fear of reprisal.	Section 11(c) of the Occupational Safety & Health Act of 1970 discrimination complaints are investigated by the State of Alaska Department of Labor & Workplace Development, Labor Standards & Safety Division, Occupational Safety and Health Section. Any adverse action that results from an employee's efforts to improve safety and health on the job or the environment is considered discrimination which includes: - Dismissal - Demotion - Assignment to an undesirable job or shift - Loss of seniority - Denial of a promotion you other wise would have received - Denial of benefits earned such as sick leave or vacation time - Harassment - Blacklist with other employers - Taking away company housing - Damaging your credit at banks or credit unions - Reducing pay or hours A complaint must be filed with OSH within 30 days of the adverse action where it will be investigated. If the evidence shows that the employee has been punished for exercising their safety health rights, OSH will ask the employer to restore everything lost due to the discrimination. If the employer does not agree to a voluntary settlement, OSH can take the company to court. Employees can report unsafe working conditions or equipment to OSH in the form of a complaint, which is investigated by an enforcement officer. If the complaint is substantiated, the employer is cited for violation of a specific standard. Authority AS 18.60.089 Prohibition Against Retribution 08 AAC 61.500 Filing Discrimination Complaints 08 AAC 61.520 Arbitration or Other Proceeding 08 AAC 61.530 Review Procedures The U.S. Department of Labor/OSHA investigates complaints related to the following Acts: Section 31105 of the Surface Transportation & Assistance Acts of 1982 Section 211 of the Asbestos Hazard Emergency Response Act of 1986 Section 7 of the International Safety Container Act of 1977

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		Section 1450 of the Safe Drinking Water Act of 1974 Section 507 of the Federal Water Pollution Control Act Amendments of 1972 Section 23 of the Toxic Substance Control Act of 1976 Section 7001 of the Solid Waste Disposal Act of 1976 Section 312 of the Clean Air Act Amendments of 1977 Section 110 of the Comprehensive Environmental Response Compensation, and Liability act of 1980 Section 211 of the Energy Reorganization Act of 1978 Section 519 of the Wendell H. Ford Aviation Investment and Reform act for the 21st Century Other discrimination complaints can be pursued through: Human Rights Commission Equal Rights Commission National Labor Relations Board Equal Employment Opportunity Commission National Labor Relations Board Civil Rights Commission In addition, the JPO, is monitoring the Alyeska employee concerns program. The JPO expects to continue to evaluate the effectiveness of Alyeska's ECP through confidential survey that will seek input from all TAPS employees. Like the three prior surveys, this effort can provide broad measures of the confidence that TAPS workers have in Alyeska's ECP and can suggest areas needing improvement. The JPO also notes that a confidential hotline (1-800-764-5070) currently exists for employees or members of the public report issues and concerns about TAPS. Recorded messages are checked daily by BLM-Alaska Special Agent's office. The purpose of the hotline is to identify issues relating to pipeline integrity, public safety, environmental protection and regulatory compliance for incorporation into the JPO work program. The BLM also refers employees seeking personal relief (e.g., restoration of employment or lost compensation) to the U.S. Department of Labor or other appropriate authorities for further investigation.

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Global Warming	57	Commenters expressed concern about the possible impact of global warming on pipeline integrity. Of particular concern was the effect of warmer soil on the stability of the aboveground vertical support members as well as the condition of the heat exchangers.	Role of Global Climate Change on Permafrost and the Trans-Alaska Pipeline (TAPS) In order to understand the role global climate change plays in the context of its possible affect on TAPS and permafrost, it is necessary to understand some basic design concepts of TAPS and the distribution of different types of permafrost along the route of TAPS. Permafrost north of Atigun Pass in the Brooks Range Mountains is called cold permafrost because its annual mean temperature is sufficiently below freezing that it can not be affected by any increase in soil temperature due to climate change. South of Atigun Pass, permafrost is considered warm because its mean annual temperature is very close to freezing (30.5° to 32.0° F). Warm permafrost is potentially more susceptible to thermal changes in the soil. The 800 mile TAPS pipeline was designed to accommodate permafrost conditions in Alaska by burying pipe in those areas that are thaw stable. Thaw stable means that even if the permafrost thawed, the soils would remain stable and the buried pipe would remain in a stable condition. Where soils are unstable if thawed, the design of the pipeline required that in general the pipe be elevated aboveground. That portion of the aboveground pipe system that is north of Atigun Pass would be unaffected by any slight increases in soil temperatures due to effects of climate change. The aboveground pipe system was also designed with an added feature to ensure the steel pipe remained firmly in contact with the soil. The added feature is the presence of what are known as heat pipes. The heat pipes removed heat from the soil during the winter season, and thereby maintain an Adfreeze bond between the steel of the vertical support members (VSM) and the soil. There are two heat pipes per VSM in general, and the heat removing capacity of these heat pipes if fully functional and efficient is more than sufficient to accommodate any slight soil temperature increases due to thermal soil environmental changes as a function of climate change. Maintaining the heat pipes at a high level of efficiency will ensure the soil around the VSMs remains frozen regardless of slight soil temperature increases due to climate change. Alyeska has a maintenance program to refresh inefficient heat pipes through the installation of a small valve at the top of the heat pipes, evacuating the old ammonia gas and re-injecting new ammonia gas.

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Oil Spill	366	Comments were received expressing general concern about Alyeska's oil spill response capabilities with an emphasis on the ability to respond to a spill in the Copper River drainage.	The State Pipeline Coordinator defers to the Department of Environmental Conservation (ADEC) on issues related to oil spill planning and response. ADEC has the primary statutory responsibility and authority for oversight of TAPS oil pollution prevention and response planning under AS Chapter 46.03, Environmental Conservation, and Alaska Administrative Code Title 18, Chapter 75, Oil and Other Hazardous Substances Pollution Control. ADEC reviews Alyeska's Oil Discharge Prevention and Contingency Plans (C-Plans) for TAPS and the Valdez Marine Terminal on a triennial schedule. Following review of the two C-plans, ADEC issues Findings Documents that discuss actions taken to address various issues identified by agencies and public stakeholders during the plan review. ADEC publishes a public notice prior to the start of each C-plan review and actively solicits input from the public as well as interested organizations and communities that have a stake in pipeline and terminal oil spill prevention and response. The Copper River drainage is one of several traversed by the TAPS pipeline. As part of the oil spill planning process, risks of pipeline spills are analyzed line wide. The most recent analysis was completed in November 2001. Factors considered in the analysis include internal corrosion data, vulnerability of above ground sections to sabotage, seismic information, TAPS leak data and pipeline industry historical data. A detailed ADEC response to oil spill planning and response issues is included with to this report.

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Subsistence	8	There are concerns that the subsistence impact (both social and environment) from pipeline operations on the neighboring communities has not been adequately studied or addressed. Specifically, that the impact on caribou migration has not been properly studied. Also raised as a concern was the competition for fish and wildlife resources created by access associated with the pipeline.	State statutes and regulations clearly establish the requirements to renew the Trans-Alaska Pipeline System lease. The Commissioner of DNR has found that the TAPS Owner Companies meet the requirements necessary to renew the lease, including compliance with state law. The Alaska Department of Fish and Game regulates the taking of fish and wildlife pursuant to direction from the Boards of Fish and Game. Therefore, allocation related issues need to be brought before the Boards of Fish and Game. For example, the Board of Game limited hunting activities within 5 miles of the pipeline corridor for certain sections of the pipeline. DNR supports a project to collect subsistence data in the TAPS corridor communities, so that information will be available to assess what, if any, impacts to subsistence uses are associated with continued operation of the pipeline. If studies are funded, specific subsistence research and data collection activities should be performed in consultation with the Alaska Department of Fish and Game, Subsistence Division. The issue of the impact of oil and gas activities on subsistence activities, notably caribou migration, has been considered since serious exploration activity began in the 1960's. Additional studies have been conducted since then. There is no conclusive evidence on the impact of these activities on caribou migration. Please note, the state lease specifically provides the Commissioner of DNR the authority to address fish and wildlife related issues through stipulation 2.5, Fish and Wildlife Protection. Sub-stipulations include 2.5.1-Passage of Fish, 2.5.2-Fish Spawning and Rearing Areas, 2.5.3-Zones of Restricted Activities, 2.5.4-Big Game Movements.

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00009009	The vapor recovery system at the tanker terminal didn't work for decades——since startup until 1998 when vapor controls were built into two of the four berthing docks. When it didn't work it dumped literally tons of benzene into the air and jeopardized public and worker health and safety in violation of the federal grant, state lease, and operating permits.	Potential health impacts associated with ambient concentrations of benzene, toluene, ethyl benzene, and xylene (BTEX) in Valdez area under the proposed action (at the crude oil throughput levels of 0.3, 1.1 and 2.1 million bbl/day) and other alternatives were estimated on the basis of conservatively high ambient concentration estimates of BTEX and other toxic air pollutants emitted from the BWTF and other sources at the Valdez Marine Terminal (EIS Sections 4.3.13, 4.5.2.13, and 4.6.2.13). These ambient concentration estimates are based on the ambient BTEX concentrations monitored during the 1990-1991 personal and ambient monitoring studies and the tracer studies conducted in the Valdez area when both the vapor emissions from tankers and the BWTF were released. Exposures to these concentrations during the 1977-2003 period were factored into estimating the lifetime residential cancer risks EIS Table 4.3-4).
00045002	There is ample justification, based on past poor performance of Alyeska Pipeline Co. for additional provisions to assure safety, environmental integrity and fair treatment of workers. Over the years there have been repeated instances of irresponsible behavior on the part of Alyeska. We all remember the bungled delays on the part of Alyeska to respond to the Valdez oil spill. Last year it took an inordinate amount of time to get the proper equipment in place to seal off the bullet hole, resulting in a huge volume of oil sprayed out on the ground. What will it be next time there is a problem? We are not confident that things will be any different in the future unless better monitoring and controls are placed as a result of this action.	The entire Milepost 400 ("bullet hole") incident response was the subject of an inter-agency (including industry) report "Joint After-Action Report For The TAPS Bullet Hole Response" dated February 8, 2002. Major findings include: quick detection of the leak by Alyeska's security force; apprehension of the alleged shooter by the State Troopers within hours; activation in Fairbanks of the State/Federal/Industry Unified Command with several hours; rapid isolation of the affected pipe section and appropriate pressure relief actions; containment of the spilled oil was effectively achieved with trenches, berms and pits; safety concerns were appropriately the paramount consideration throughout the incident; and permanent repairs were effected as soon as the situation permitted. A number of recommendations to improve future responses were made. Generally, the applicable State oil spill regulations (18 AAC 75.430) requires control or containment and clean up within 72 hours. The oil leak was controlled in about half this time. The DNR and member agencies of JPO in close cooperation with Alyeska have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The DNR and member agencies of JPO are committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is widely used in the airline and other industries as the standard tool for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.

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00075004	Grant and Lease may not be renewed where no authorized regulatory or oversight agency of government is willing to enforce these applicable provisions of law, Grant and Lease. The records of the litigation and administrative appeals that I have incorporated into my comments clearly establish the following un-refuted material issues of law and fact: 1) DNR has deferred to DEC its obligation to enforce Lease provisions regulating oil spill contingency planning; 2) The Alaska Supreme Court, Case No. S-09619, has determented that DEC has never properly interpreted its obligation under law to deny approval of oil spill contingency plan permits that do not utilize the best technology available at the time permits are submitted or renewed. 3) DEC has never enforced the quality standards for spill response equipment under any and all law codified to date. 4) The Alaska Legislature and the Alaska Supreme Court have determined that oil spills present a imminent threat to Alaska's natural resources: "In 1980 the Alaska legislature, finding that it is a matter of the highest urgency and priority to protect Alaska's coastal and inside water, estuaries, wetlands, beaches, and land from the damage which may be occasioned by the discharge of oil, enacted Alaska's Oil Pollution Control Act.1", Alaska Supreme Court Opinion 5589 at p.1, Lakosh vs DEC Case # S-09619. 5) Given this imminent threat from oil spills, all potentially affected natural resource users must be provided due process and due compensation prior to effective divestment of their interests pursuant to Article VIII, Section 16 of the Constitution of Alaska. 6) I still have active due process adjudications which must be fully resolved prior to any additional state or federal action, such as Grant, Lease and contingency plan approval, that could constitute an effective divestment of my interests.	1) DNR has taken affirmative action to ensure the Lessee's compliance with applicable law and lease requirements in its spill contingency planning. DNR properly exercises its authority under the lease by deferring spill contingency planning to the State agency with statutory authority and oversight over this program. The issue of DEC oversight and implementation of best available technology was resolved with passage of SB 343. Commenter's characterization of DEC as "derelict in its duties" is unfounded. Further, in addition to the DEC administered C-Plan, in compliance with the provisions of the ROW Lease(s) the lessee also has adopted an SPCC Plan and an Operations Manual that address spill prevention and response measures. 2) The Alaska Supreme Court's decision in Lakosh, supra., ruled that the definition of "best available technology" contained in the DEC's oil spill prevention and cleanup regulations (18 AAC 75.445(k)(1) and (2)) was contrary to the legislative intent expressed in AS 46.04.030(e). The Court therefore declared that regulation invalid. In direct response to the Lakosh decision, the 22nd Alaska Legislature enacted SB 343, which amended AS 46.04.030(e) for the express purpose of overruling the Lakosh decision. SB 343 expressly validated and reinstated the "best available technology" regulations that the Lakosh decision had invalidated, and expressly approved/ratified all outstanding Oil Discharge and Prevention Contingency Plans that had been approved by the DEC under the challenged regulations. The Governor signed SB 343 (ch. 9, SLA 2002) into law on April 17, 2002. In summary, the Alaska Legislature and Governor have reinstated and ratified the DEC's use of the regulations at issue in Lakosh, supra., and have thus expressly determined that DEC's application of those regulations in review and issuance of oil spill contingency plans fully satisfies the legislative intent of AS 43.04.030(e). 3) See response 2. 4) Thank you for your comment. 5) The Commissioner has properly evaluated the Lessee's ability to provide for reasonable concurrent uses of the potentially affected natural resources, consistent with his obligation under the Alaska Constitution, throughout the history of the lease, including review of the renewal application. The lease was issued in compliance with, and under the authority of the State of Alaska Right-of-Way Leasing Act (AS 38.35). AS 38.35 incorporates the terms and requirements of Article VIII, Section 8 of the Alaska State Constitution, and was in fact enacted for the purpose of implementing those broad constitutional requirements of Article VIII, Section 8. The lease provides remedies in the event of any breach of its terms, or any impact or degradation to natural resources. The lessee has provided the State adequate proof of financial guaranty to cover any costs or damages that could occur during operations over

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		the life of the lease. To date, no issues have arisen from leasehold operations that have, or had the potential, to impact concurrent uses of natural resources. 6) Thank you for your comment.
00075005	The DEIS presents two mutually exclusive statements: APSC is in compliance with all Lease and Grant provisions, and; the Alaska Supreme Court, Case No. S-09619, has determined that DEC has never properly interpreted AS 46.04.030(e). Both the Grant and Lease require that APSC be in compliance with applicable law as a primary condition of compliance with the Grant and Lease. No assertion of compliance may be proffered where, as a matter of law, DEC has not enforced applicable statutory or regulatory compliance. A lack of compliance, in fact, must be presumed where the defect in enforcement is established as a matter of law. The instant DEIS must be rejected and redone where it contains such false and misleading statements, indeed, Argonne National Laboratory, JPO personnel and any other persons authorizing the distribution of these false statements should be prosecuted under state and federal law for providing false statements in federal and state investigations. Such false statements and disregard of my comments on EIS scoping are likewise, a violation of my rights to fair and just treatment in executive investigations pursuant to Article I, Section 7 of the Alaska Constitutuion.	The Alaska Supreme Court's decision in Lakosh, supra., ruled that the definition of "best available technology" contained in the DEC's oil spill prevention and cleanup regulations (18 AAC 75.445(k)(1) and (2)) was contrary to the legislative intent expressed in AS 46.04.030(e). The Court therefore declared that regulation invalid. In direct response to the Lakosh decision, the 22nd Alaska Legislature enacted SB 343, which amended AS 46.04.030(e) for the express purpose of overruling the Lakosh decision. SB 343 expressly validated and reinstated the "best available technology" regulations that the Lakosh decision had invalidated, and expressly approved/ratified all outstanding Oil Discharge and Prevention Contingency Plans that had been approved by the DEC under the challenged regulations. The Governor signed SB 343 (ch. 9, SLA 2002) into law on April 17, 2002. In summary, the Alaska Legislature and Governor have reinstated and ratified the DEC's use of the regulations at issue in Lakosh, supra., and have thus expressly determined that DEC's application of those regulations in review and issuance of oil spill contingency plans fully satisfies the legislative intent of AS 43.04.030(e).

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00113006	The environmental impact of inadequate maintenance programs has not been considered in depth.	The depth of analysis in the EIS was sufficient to identify the potential impacts of inadequate system maintenance. Important impacting factors directly related to inadequate maintenance as well as impacting factors associated with the maintenance activities themselves are introduced in EIS Section 4.1, including a discussion on how system maintenance, monitoring, and surveillance can serve to mitigate environmental impacts from TAPS operations. The existing TAPS operating record provides a unique opportunity to use empirical data to evaluate the environmental impacts from TAPS operations, including system failures due to inadequate maintenance as well as other factors. These empirical data were incorporated into analyses of environmental impacts in order to replace, to the greatest extent possible, speculation and theory with actual observation and measurement. Likewise, the operating record formed the basis for the impacts associated with waste generation and management associated with normal and off-normal TAPS conditions, as well as accidental spills and releases. Finally, JPO's oversight activities are now focused strongly on monitoring and surveillance for system integrity and on the adequacy of APSC's response to data collected through such activities. The EIS also discusses the adaptive nature of the JPO oversight authority and the various JPO directives that have been issued, some of which require modifications to extant maintenance programs to improve system reliability or the ability to track system performance. Further, in recognition of the potential adverse consequences to public health and the environment that can result from system or component failures, APSC has recently introduced a new maintenance paradigm: Reliability-Centered Maintenance (RCM). RCM will continue to place focus on maintenance for system integrity and reliability and ensure that maintenance resources are applied to those system components whose failure represents the greatest safety, health and environmental consequences.
00113024	Issues summarily excluded from the scope of the DEIS may have significant environmental impact. For example, the ownership model is important because owners control use of resources devoted to minimizing environmental impact. Impacts of various ownership models should be examined. In particular, the decision making practices under the current ownership model appear to allow the owners committee a considerable role in management of operations having potentially significant environmental impacts. Recently, the owners directed that the maintenance budget be cut by 10% to 25% "without decreasing scope." How can tens of millions of dollars worth of maintenance be eliminated with out lessening the scope and what is the environmental impact?	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges of the applicant. DNR has no authority under the renewal process to assign ownership to another party.

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00113040	Alyeska's historical business model is to make operational changes and to defer maintenance based upon bottom line priorities. The increased risk associated with deferred maintenance, including that of catastrophic failure due to corrosion, needs to have its environmental impact considered.	The impacts of a catastrophic failure, that is, a guillotine break in the pipeline, is referenced in the federal EIS (See Section 4.4). Corrosion is not expected to result in a catastrophic failure. The mechanisms that are in place, for example, the monitoring of the pipeline using smart pigs, are expected to detect corrosion thinning in the pipeline. If the data indicate thinning and deterioration in the pipeline, the pipeline would be repaired or rerouted to prevent catastrophic failures. Existing Lease Stipulations already require Alyeska to carefully monitor for corrosion. As discussed in Section 4.1.1.7, Alyeska is in the process of applying Reliability-Centered Maintenance (RCM) protocols to all TAPS systems. Under the RCM process, a decision to defer maintenance would result only for systems or subsystems for which the consequence of their failure would be insignificant. Mainline pipe corrosion would obviously not fit that category. RCM evaluation of failure consequence would require very proactive maintenance of mainline pipe to avert the consequences of wholesale failure due to corrosion.
00113044	Assigning probabilities for very unlikely catastrophic events is more qualitative than quantitative. The potential impact of such events is cited as minimal because a low, perhaps unrealistic, probability is driving the potential impact. For example, an Exxon Valdez type incident is predicted to occur no more than once every 1000 years, but we know that such a incident has occurred once in the first 25 years of TAPS operations. What justifies the use of a now much reduced probability for this kind of incident? Have the hidden risks all been identified, quantified, and ultimately reduced?	Oil spill contingency planning and permitting processes are conducted in a separate public forum by the Alaska Department of Environmental Conservation (ADEC). ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. See also the general response to oil
00113046	On page 4.4-3 (section 4.4.1.1 Pipeline and Valdez Marine Terminal Spill Scenarios and Locations) it is stated that data from small to moderate spills considered to be in the "anticipated to likely" category were examined from the 25 years of TAPS operations. Were data on large spills that actually occurred (but were statistically considered to be "unlikely to very unlikely") excluded from the analysis? If so, the DEIS should explicitly stated that although larger spills have occurred in the past, they were not included in the analysis of spill impacts that would occur from large but unlikely or very unlikely spills in future.	Oil spill contingency planning and permitting processes are conducted in a separate public forum by the Alaska Department of Environmental Conservation (ADEC). ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. See also the general response to oil
00113053	On page 4.4-10, scenario 5 is described as a crack in a cargo tank of a vessel loading Alaskan North Slope crude oil. It is improbable that the oil could be contained within the boom surrounding the tanker, as the volume released would depend on the amount of oil in the tanker relative to the position of the crack in the vessel.	Oil spill contingency planning and permitting processes are conducted in a separate public forum by the Alaska Department of Environmental Conservation (ADEC). ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. See also the general response to oil

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ID	Comment	StateResponse
00113070	On page 4.4-53 there is an acknowledgement that impacts to rivers and creeks under high flow conditions for the postulated guillotine break scenarios would be major. Subsequent cleanup could take considerable time and effort because it was unlikely that a significant portion of the spilled oil could be captured. These high flow scenario impacts are not quantified in the DEIS.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113096	On page ES-4 the risks to human health from inhalation of airborne emissions are significantly understated, and the potential for human exposure to PAH by ingestion of fish and shellfish ignores the potential transport and effects of the BWTF diffuser discharges to Port Valdez as identified by Payne et al. (2001, 2002). Also, air quality concerns in Table 2-1 completely ignore benzene and other VOC emissions in Port Valdez due to the Dissolved Air Floatation (DAF) tanks and biological treatment system associated with the BWTF at the Alyeska Marine Terminal. Payne et al. (2002) estimated that approximately 580 pounds per day (or a 105 tons per year) of BTEX compounds are released to the atmosphere in Port Valdez assuming an average 12 MGD flow of treated ballast water. The DEIS should explicitly consider the impacts of these emissions.	The State Department of Environmental Conservation reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113102	When evaluating the economic impacts of oil spill the DEIS should consider the loss of revenues to the fishing community caused by fisheries closures to prevent oil-contaminated or tainted fish from reaching the world's markets.	It is clear that the costs of the spill measured in terms of losses to the recreation, tourism and fishing industries have been significant. There were also additional offsetting economic benefits from compensation claims as it is likely that a portion of the cash from compensation payments has been spent in local communities directly affected by the spill and in the state as whole. The long-term effects of the spill on the environment in Prince William Sound have yet to be fully established and the potential costs of compensatory claims for additional environmental damages may still significantly increase the overall monetary cost of the spill. The spill response capability in Prince William Sound developed after the Exxon Valdez accident means that it is unlikely that a spill of the same magnitude would occur again, and that the local and state economic benefits associated with spill response and clean-up activities for any spill would be as significant. The possibility of compensatory claims following any long-term damage to the environment resulting from a spill, however, may still increase the monetary cost of even a relatively small spill, although there may be offsetting economic benefits depending on the extent to which cash from compensation payments is spent inside the state.

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00113104	Under Mitigation Measures (page ES-7) the earthquake protection designed for the aboveground pipeline is discussed, but nothing is mentioned about design considerations or other mitigating factors for underground or buried pipelines. Earthquake impacts to the Valdez Marine Terminal are not considered.	To the greatest extent possible, the pipeline route was selected to avoid seismically active areas or soils that would be subject to liquifaction. The potential impacts to pipeline integrity from seismic events are discussed in EIS Section 4.3.3 and 4.3.2. Section 4.1.3.2 discusses monitoring for seismic events that is required by Lease Stipulation 3.4.1.2. Seismic monitors will send signals to the control center at VMT that will initiate pipeline shutdown proceudres when warranted. Potential spills along the pipeline due to seismic events are discussed in Section 4.4.1.3.1.
00113114	Off-normal operations needs consideration in the DEIS. For example, during July 2002 the staff of PWS RCAC became aware of an ongoing problem in the operation of the Ballast Water Treatment Facility. The first stage of the treatment process is designed such that oil floats to the top of the water in the gravity separation tanks and is skimmed to the recovered crude tanks. In recent years, large accumulations of paraffin-like solids have interfered with operation of the skimmers and have resulted in considerably greater accumulation of oil being retained in the 90s tanks than that allowed by the design. Alyeska is evaluating increased risks of fire and pollutant discharge. JPO has recently requested an action plan for correcting the problem. Additionally, Alyeska has taken one of the three 90s Tanks out of service to inspect for, repair, and prevent corrosion damage. Consequently, the gravity separation process is operating at less than 50% of design. The risk of environmental impact from fire is greatly increased because the fire protection assets in place for the task have not been designed for the greatly increased fuel loading now present in the tanks. Because more oil is likely entering the secondary stage of processing, the risk of increased pollutant discharge may also have increased. However, measurements regarding this risk appear not to have been taken. How does the DEIS address issues of off-normal operation?	The issue of increased fire and pollutant discharge risk due to waxy build-up and subsequent greater accumulation of crude oil in the 90s tanks has been the subject of JPO's oversight. As the commenter noted, JPO has specifically asked APSC to develop an action plan to address the management problems resulting from waxy build-up. Also, it is important to note that the 90s tanks have not exceeded their design limits as a result of this condition and there is no evidence that this off-normal condition within the 90s tanks has resulted directly in adverse environmental impact (i.e., exceeding permit discharge levels).
00113115	The 1994 Eastern Lion oil spill (Jones 1994; KLI 1994) and 1997 BWTF overflow (Jones 1997; KLI 1997) were significant environmental events within Port Valdez. These were not mentioned in assessing cumulative impacts. The DEIS should address the impact of these and other significant spills as part of its consideration of off-normal operations.	Oil spill contingency planning and permitting processes are conducted in a separate public forum by the Alaska Department of Environmental Conservation (ADEC). ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. See also the general response to oil

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00113171	In the same inset (on page 4.3-35), the DEIS states that human health risks from inhalation of TAPS associated emissions are below EPA levels of concern. That conclusion is based on data reported by Goldstein et al. (1992) in a Alyeska-sponsored monitoring study at four locations in Valdez. In that study, elevated levels of BTEX were measured in a gradient away from the Valdez Marine Terminal, however, the authors concluded from a gas tracer study (which was not described in any detail in the DEIS) that no more than 10 percent of the measured BTEX could have come from the terminal. With that caveat the cancer risk from exposure to HAPs was calculated to be between 1 in 10,000 (10-4) and 1 in 100,000 (10-5), which is that the high end of the range considered to be acceptable by EPA. More recent air quality studies, literature, and data such as those reported and summarized in Harvey (2002) should have also been consulted in the preparation of the DEIS.	Harvey 2002 (Valdez Marine Terminal Air Quality Oversight Project Phase I), reviews the permitted emissions from the VMT. An 86% decrease in hazardous air pollutant emissions since the installation of vapor emission controls for the marine vessel loading facilities in the mid-1990s is reported in Harvey (2002). This information is in agreement with information on emissions reported in the DEIS (see Section 3.13.2.2). For the DEIS, the risk results of the Goldstein et al. 1992 VAHS were not used to draw conclusions on risk levels. The DEIS used only data from the VAHS on maximum measured ambient concentrations of the most hazardous VOCs at the VMT fenceline and in Valdez residential areas. These data were used as input for independent risk calculations using conservative (i.e., high) exposure assumptions. For example, it was assumed that exposure would be 24 hours per day for a 70 year lifetime, and that a residence could be located at the VMT fenceline. The estimated risk in Valdez residential areas of 3 x 10-5, based on 1991 data, was only very slightly linked to the findings of the tracer study. In the Valdez Air Health Study (VAHS) by Goldstein et al. (1992), the annual average ambient benzene concentration at 3 Valdez residential area monitoring locations ranged from 4 to 5 ug/m3 (based on hourly sampling for one year from Nov 1990 through Oct 1991). Because the VAHS concluded that only 10% of the residential area benzene concentration was contributed by Valdez Marine Terminal emissions, only 10% of the ambient level was scaled with projected future throughputs. Therefore, the actual range of residential area benzene concentrations assumed for varying throughputs in the risk calculations was very narrow, from 4.6 to 5.1 ug/m3 (corresponding to increased cancer risks of from 3.0 to 3.2 x 10-5, see Table 4.3-4). The Valdez ambient air benzene value is similar to, but on the high side of, current ambient benzene values in large U.S. metropolitan areas. For example, the 2001 ambient benzene values in Anchorage, Portland, Chicago, and New York ranged from about 1 to 3.5 ug/m3; the values for Los Angeles ranged from 1 to 5 ug/m3. Ambient benzene concentrations have been decreasing in major cities in the past decade; an EPA study shows a 47% decrease at 95 urban monitoring sites between 1994 and 2000 (http://www.epa.gov/airtrends/toxic.html). EPA attributes the decrease to stricter car emissions standards, required use of cleaner burning gasoline, and standards requiring emission reductions at oil refineries and chemical plants. Based on these data, it is likely that ambient benzene levels in Valdez have also decreased in the time since the 1990/91 air monitoring effort. However, no new ambient air benzene data are available at this time; such data would be useful in estimating potential long term health impacts.

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00113186	Section 3.7.1.5 (page 3.7-5) lists the rivers and streams between Glennallen and Valdez. This region is within the Copper River drainage, and all these streams and rivers eventually discharge into Prince William Sound. From the Lowe River crossing (MP 780) to the Valdez Marine Terminal, nearly all tributaries, streams, and creeks are considered to be anadromous fish habitat. They are critically sensitive from late summer into the winter in conjunction with fish spawning and overwintering. Other than listing the rivers streams and creeks, and stating that they are critically sensitive, very little discussion on the impact of an oil spill from a pipeline rupture to any these habitats is presented in the DEIS.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113197	Specific strategies potentially available to respond to an oil spill are listed, including: containment and control, dispersants, and in situ burning. More than a single paragraph should be used to address these critical response options. The descriptions for each are incomplete. It is unrealistic to think that booms could contain a large spill.	Oil spill contingency planning and permitting processes are conducted in a separate public forum by the Alaska Department of Environmental Conservation (ADEC). ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. See also the general response to oil
00113253	On page 4.7-53 (in section 4.7.4.10.4 Prince William Sound and North Slope Spill Scenarios) the DEIS states that there have been 180 documented crude oil spills into Prince William Sound in the last 25 years and 70 diesel fuel spills over the same period. On average, that is 10 spills per year. How do those historical frequencies compare to the hypothetical spill frequencies using the various scenarios presented in Table 4.7-6 (on page 4.7-54)? In that table there are only two small crude oil spills and two small diesel spills anticipated per year. The next highest spill frequency is one moderate (60 barrel) crude oil spill and one moderate (12 barrel) diesel spill every 33 years. After that, all the other spills and the table are in the "unlikely" (one every 33 to 1000 years) or "very unlikely" (one every 1000 to one million years) frequency ranges. These hypothetical spills used for the cumulative impact analysis clearly don't reconcile with the historical record over the first 25 years of TAPS operations. Why not?	Oil spill contingency planning and permitting processes are conducted in a separate public forum by the Alaska Department of Environmental Conservation (ADEC). ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. See also the general response to oil

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ID	Comment	StateResponse
00113258	The DEIS then incorrectly states that Alaska North Slope crude oil does not significantly dissolved into the water column during the first 24 hours after a spill, but that portion which does dissolve could have minor local impacts. The DEIS assumes that dilution effects would limit the impacts away from the spill area. In actual fact, BTEX and lower molecular weight PAH components do dissolve into seawater (Payne et al. 1984, 1991a,b), and toxic concentrations approaching 1-10 µg/L were measured in the upper water column by both Exxon and government scientists after the Exxon Valdez oil spill (Barron et al. 2002, Duesterloh et al. in press). See the works of Wells et al. (1995) and Rice et al. (1996), and numerous papers published in 10 years of biannual International Oil Spill Conference proceedings for additional information on the limitations of response efforts and the short- and long-term effects and impacts of oil spilled into cold subarctic waters, and the Exxon Valdez oil spill, in particular. The assumptions in the DEIS on oil spill containment, cleanup efficacy, and on-water oil recovery appear to be without basis.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

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00152004	Again, you're projecting that the city will lose 4.8 percent or there'll be a 4.8 percent decline in the oil property tax revenue and that the actual rate of non-oil property value will need to grow at 15 percent in 2004 to make up for that difference and in 2034 it will need to grow at a rate of 141 percent. I'm a pretty optimistic person but I just don't see that happening in Valdez. Over the past few years, non-oil property in Valdez has grown at approximately two percent per year and that's what we use in our projections in looking into future years for revenue for Valdez. I don't see it growing any faster. Like I said in 2004, based on your projections it needs to grow at 15 percent per year and by the year 2034 it needs to grow at 141 percent. That's what we call the Valdez Dilemma. Our population is staying fairly stable right now but our tax revenues are going down.	Tax revenues from ANS production and TAPS have provided considerable financial benefits to local governments throughout Alaska. In addition to the royalties and severance taxes paid to the state on oil production, a share of which is distributed to local governments throughout the state, a number of local governments are able to collect property taxes on oil company property located within their jurisdictions. A large proportion of revenues collected by local governments in the North Slope Borough and in the City of Valdez come from oil sources, meaning that these communities have become highly dependent on these revenues. The taxable base is shrinking as the TAPS facilities are depreciated in Valdez and elsewhere. The ability to predict further depreciation for the life of the project is also critical for local government planning. Falling state tax revenues from declining ANS production would also potentially limit state support for local government programs. While it is becoming clear that even with TAPS renewal, new sources of revenue in addition to likely cutbacks in expenditures, will be necessary in the near future at both the state and local level, the nature and timing of any changes that might be made to the structure of government finances in Alaska are unclear at this time. Because of this uncertainty, it is assumed that existing levels of revenue and expenditure growth would be maintained throughout the renewal period, and that the evaluation of decisions made by the state and by local governments to change the way tax revenues are raised to support existing expenditure programs, including changes in property tax rates and in the size of transfers between state and local governments, was considered to be beyond the scope of the analysis. Specifically, proposed changes in assessment rates for property taxes that might be made in order to maintain adequate levels of local government service provision in the City of Valdez, would be the result of negotiation between the City and the State of Alaska, the outcome of which is unknown at this time. The nature of the fiscal relationship between the local government jurisdictions and the State of Alaska and any proposed change in

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ID	Comment	StateResponse
00182005	We also know that 84 percent of all heat pipes on TAPS have some degree of blockage potentially diminishing the load-bearing capacity of VSMs. Is there a detailed action plan to correct each of these VSMs?	The blockage referred to in the comment appears to relate to hydrogen that is present in some of the heat pipes. This non-condensible gas diminishes the heat exchanging capacity of the heat pipes so affected. Although there is no direct relationship between blocked heat pipes and VSM structural capacity, the failures of heat pipes to transfer heat from the soil around the VSM to the atmosphere could instead allow heat to transfer to thaw-unstable permafrost into which the VSM is installed and may jeopardize the stability of the VSM foundation. Actually, the blockage problem has received considerable attention. Devices have been designed and installed to remove the hydrogen gas from heat pipes. Also, Alyeska is perfecting the monitoring of heat pipes with infrared cameras to better identify those heat pipes that might have hydrogen build-up, and thus reduced heat transfer efficiencies. The heat pipes were redundant at the time of construction. However, with the recent warming trend in Alaska, some locations require more than one heat pipe to maintain the soil frozen. Alyeska monitors heat pipe performance and maintains sufficient cooling capacity to keep the VSM stable (i.e. frozen).
00182006	We know there are problems with above ground sections of pipe mounted on slipping anchors and sliding support shoes. We have many questions and many concerns about many of these sections of pipe.	Sections of the pipeline are designed to slip to accommodate ground movement and expansion of the pipeline without endangering the structural integrity of the pipeline. Anchor structures are positioned along the pipeline to maintain the degree of slippage within design limits.
00182007	We would like to know what the smart pigs that check pipe curvature and corrosion are finding. Are some of the pipe curvatures that are under our rivers getting worse or are they stabilized?	Information regarding data collected during instrument pig runs, as well as interpretation of that highly technical data is available in the various reports filed by JPO under its comprehensive Monitoring Program (CMP). All CMP reports are a matter of public record and are available for review at the JPO offices. In addition, when data from instrumented pigs suggests additional investigations or repairs are warranted, JPO issues directives to Alyeska for such activities. JPO oversight of the subsequent actions is often summarized in engineering reports. Although highly technical, engineering reports are also available for public review.Curvature data is provided by Alyeska to JPO in MP-166 reports that are available for public review at the JPO Anchorage offices. To summarize, there have been no curvature changes under rivers in the past years of data (1993-1995, 1998) that were significant (within the accuracy of the measuring tool). The corrosion pig has located corrosion and the extent and depth are evaluated using appropriate data analysis methodologies. All corrosion has been inspected and repaired when necessary. Currently, Alyeska continues to monitor the remaining corrosion which has not progressed to an extent for any concern.

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00182012	We do know that a major pipeline communation system,the microwave system doesn't function properly and that the newly installed fiber- optic system has major problems.	Operational problems with the communication systems have received oversight attention from JPO. Alyeska is currently converting from the microwave system to the Fiber Optic System for its RGV controls. This conversion will be completed by the end of 2002. The microwave system will be back-up only. Once completed, two, separate and redundant communication systems, the fiber optic system and Alyeska's own Local Area Network (LAN) computer will be in place. JPO believes that the conversion will result in redundant communication systems that can provide adequate performance. Alyeska is currently in compliance with the communications requirements set forth in the State Lease.
00182015	We do know that the Balast Water Treatment plant is not working right and hasn't for quite awhile.	There is no evidence that the problems with the BWTF have resulted in off-normal effluent discharges that have had an impact on the environment or public health and safety. The Alyeska Annual Data Report for June 2000-May 2001, filed with the EPA and ADEC pursuant to Part III.B.6 of NPDES Permit No. AD-002324-8, shows the effluent from the BWTF did not exceed the specific limits established in the Permit. Since the effluent limits in the Permit are established by the EPA, and certified by the ADEC, at levels expected to prevent adverse effects on receiving waters, it is reasonable to conclude that when these effluent limits are met there is no significant adverse effects to existing water quality of Port Valdez from BWTF effluent discharges regardless of certain less than optimum plant operations.
00182020	We do know that we haven't figured out how to handle none species in the segregated ballast.	The possibility of the introduction of nonindigenous organisms via untreated segregated tanker ballast water is outside the scope of TAPS renewal.

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ID	Comment	StateResponse
00190004	First of all, I recommend that there are stiff penalties for failure to comply with the operating permits. It's often said that TAPS is the most regulated pipeline system in the world, but while the regulators and industry speak to the quantity of oversight, I am more concerned with the quality. There are three parts to meaningful oversight. Setting standards and stipulations, monitoring compliance and enforcing oversight in enforcing compliance. We have out of date standards, questionable monitoring and virtually non- existent enforcement. I don't care if TAPS is the most regulated pipeline system in the world, I care whether the regulation works and it doesn't and it hasn't for the past 25 years. The regulatory system is broken largely because of questionable monitoring, no meaningful enforcement and hobbled regulators. All of the laws, regulations and I guess I'd want to -- I have written arguments to substantiate each of those but actually Joe Tracanna did a wonderful job in his testimony. All the laws, regulations, stipulations and oversight in the world are forever inadequate without meaningful penalties and enforcement. These examples send a clear message to the oil company permittees that the laws and regulations don't matter and are secondary to economic considerations. This is not what the American public was originally promised or led to believe would happen. Some possibilities for meaningful penalties for non-compliance by the oil companies include things like requiring the companies to report the circumstances of their non-compliance to their shareholders in quarterly newsletters as the events unfold. This is similar to the requirement for reporting violations under the Federal Racketeering and Conspiracy Act. And it would help the public understand that a contract has been broken and the public trust breached. Further, CEO's and other responsible officers of oil companies in non-compliance could be required to conduct public service in the TAPS corridor communities most at risk from the consequences of the non-compliance. Every instance of monetary fines for non-compliance should also include a public service component.	The DNR would have to amend state statute and the lease in order to impose fines on the operator or the TAPS Owners. The DNR has no authority to require specific corporate reporting to shareholders. The Security and Exchange Commission has authority to compel the reporting of certain corporate activities to the public and shareholders.
00190007	Instead of closing the TAPS, which I don't believe is realistic, we could have stiff penalties and public service and reporting to shareholders.	The DNR would have to amend state statute and the lease in order to impose fines on the operator or TAPS Owners. The DNR has no authority to require specific corporate reporting to shareholders. The Security and Exchange Commission has authority to compel the reporting of certain corporate activities to the public and shareholders.

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ID	Comment	StateResponse
00190008	The fourth recommendation is to require independent long-term epidemiology studies of workers and residents affected by TAPS spills. The stipulations attached to the original documents promised the American people that permittees will take all measures necessary to protect the health and safety of all persons affected by their activities performed in connection with, basically TAPS. Oil spills were and still are an anticipated side effect of TAPS construction, maintenance, operation and termination. Therefore, I believe that the original documents also apply to TAPS oil spills and cleanups which are now considered hazardous waste cleanups under OSHA regulations. There is evidence from oil spills around the world that residents and cleanup workers get sick from exposure to oil aerosols, oil mists and oil fumes. In 1989 Tatitlek residents became sick from the fumes from the test burn. Thousands of cleanup workers reported sinus, respiratory problems, headaches, cough, nausea, dizziness, sore throats, burning eyes, mood swings, et cetera, et cetera. These were similar to what the residents experienced after the Briar spill in Shetland in '92 and the Sea Empress oil spill in Milferd Haven, these were all tested by researchers.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides unprecedented authority to DNR in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment. Also, refer to the summarized oil spill response in this report.
00204008	I also want to talk a little bit about reliability centered maintenance. The reliability centered maintenance paradigm is cited in the DEIS as assuring that TAPS is now well maintained and will be properly maintained throughout the lifetime of any renewal. The RCM process is formal and structured. In general, it is a very useful methodology by which to accomplish maintenance and, in concept, is appropriate for TAPS. It appears that the implementation of the RCM for TAPS is flawed because 1) there is no evidence that RCM exercises are covering all of TAPS. 2) The decision- making processes by which TAPS components and facilities and subsystems are subjected to RCM analysis has not been formalized and appears to be ad hoc. 3) And action plans regarding implementation and maintenance of the activities indicated by the RCM processes have varying and undocumented levels of implementation. Consequently, one cannot use the RCM processes as currently being practiced to verify that TAPS is adequately maintained.	The member agencies of JPO in close cooperation with Alyeska have begun the reliability centered maintenance (RCM) process and are systematically evaluating the function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. Alyeska has committed to the RCM process as the core of their maintenance strategy through a Memorandum of Agreement dated June 2002 and is revising their TAPS maintenance procedures manual, MP-167 accordingly. The implementation of RCM is in its early stages and is dealing with the points noted in the comment as "flaws." Dealing with information needs and implementing in steps is inherent in applying any process. A more detailed discussion on the implementation of RCM related to TAPS can be found in JPO's repsonse to comments submitted by Petro Tech (JPO Letter No. 02-044-JS).

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ID	Comment	StateResponse
00241004	Speaking from the Assembly aspect, certainly we like having them here. They started paying taxes on that pipeline in 1975. Going through the year 2002, we, the borough, have collected $132,861,806.72 This year just on the areawide and the non-areawide we collected over $4 million. If we had to tax houses instead to get that we would need an additional 2,33 $100,000 homes in this community. That's an enormous expansion of the available residential properties and, of course you can't have that expansion if you take away the pipeline. If you risk the pipeline, instead people will be exiting. We will have real estate prices plummeting and people exiting the state.	Tax revenues from ANS production and TAPS have provided considerable financial benefits to local governments throughout Alaska. In addition to the royalties and severance taxes paid to the state on oil production, a share of which is distributed to local governments throughout the state, a number of local governments are able to collect property taxes on oil company property located within their jurisdictions. A large proportion of revenues collected by local governments in the North Slope Borough and in the City of Valdez come from oil sources, meaning that these communities have become highly dependent on these revenues.
	Those of us who were around will remember what happened to both	The taxable base is
shrinking as the TAPS facilities are depreciated in Valdez and	Anchorage and Fairbanks when that happened in the 1980s. There were over 40,000 people that left Anchorage alone and there were lots of empty malls and lots of empty houses.	elsewhere. The ability to predict further depreciation for the life of the project is also critical for local government planning. Falling state tax revenues from declining ANS production would also potentially limit state support for local government programs.
		While it is becoming clear that even with TAPS renewal, new sources of revenue in addition to likely cutbacks in expenditures, will be necessary in the near future at both the state and local level, the nature and timing of any changes that might be made to the structure of government finances in Alaska are unclear at this time. Because of this uncertainty, the EIS assumed that existing levels of revenue and expenditure growth would be maintained throughout the renewal period, and that the evaluation of decisions made by the state and by local governments to change the way tax revenues are raised to support existing expenditure programs, including changes in property tax rates and in the size of transfers between state and local governments, was considered to be beyond the scope of the analysis.
		Specifically, proposed changes in assessment rates for property taxes that might be made in order to maintain adequate levels of local government service provision in the City of Valdez, would be the result of negotiation between the City and the State of Alaska, the outcome of which is unknown at this time. The nature of the fiscal relationship between the local government jurisdictions and the State of Alaska and any proposed change in
00243004	We feel strongly that an access committee is an effective way to balance the needs of both industry and users without reaching unfortunate and often unnecessary highs and lows associated with security and access. More involvement, more acceptance, better decisions are what is needed.	Alyeska has permitting programs in place to allow the public access to lands that are permitted or leased for TAPS. To ensure security of the pipeline is maintained, they issue permit to the general public on lands covered by authorizations from the state for TAPS.

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ID	Comment	StateResponse
00246005	I want to look at the cold restart problem, a requirement of that design basis. Cold restart problem was identified by JPO in 2001 as Alyeska's most important operational problem. Design basis required that the operators must be able to restart the pipeline safely after a 21 day shut down during which the temperature averages 40 degrees below zero. And Alyeska lost the required cold restart capability when it shut down four pump stations during 1996 and 1997 for economic reasons. Two problems affect cold restart. The main line pipe may become brittle and hence susceptible to fracture at below 20 below, that's why it is insulated or one of the major reasons. The second problem is that if the oil within the pipe is allowed to gel into a solid mass the pumps might not be able to break the blockage without overpressuring the line. Again, the insulation is crucial. I'm simply going to summarize, in 1999 JPO reported that Alyeska had committed to the development of a new cold restart plan, again, two and three years after the pump stations were closed, it brought Alyeska out of design basis. However, the report continued in 1999 the project has been delayed to complete a study to determine the amount of the pressure that it would take to move cooled, thickened and possibly gel'd oil. Completion of the study is planned for the second quarter of 1999. This is 2002. Well, in 2000 JPO formally ordered Alyeska to provide a reliable schedule for the required cold restart procedure, again, Alyeska missed the deadline. This is all clearly documented, by the way in my report, from JPO reports on Pages, I believe it is 29 -- I'm not going to give you the pages, it will be in the written when that comes in. The long and the short here is that in 2001 Alyeska discovered what field people had known for years but its engineers did not. The insulation due to damage over the years was a moisture trap putting an icy sheath around the pipeline. We can't find the resolution of that problem. It was raised during the scoping, again, I'm	JPO issued a Finding to have Alyeska address the subject of rheology of the pipeline fluid at low temperatures, a significant component for restarting the pipeline during winter. The company performed extensive tests and developed two restart procedures, one for colder winter temperatures and one for higher winter temperatures. Therefore, JPO closed the original Finding. The technical section of JPO had few questions on the restart at higher temperatures, but is currently evaluating the cold restart procedures. Although the rheology has been extensively studied, it is not the only component necessary for a successful cold restart. JPO is currently considering extending the cold restart efforts beyond fluid rheology to other technical areas.

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00264004	A few years ago, Bob Malone, then President of Alyeska met with our tribal council in Eyak/Cordova. He told us that when the current fishing vessel contract for oil spill response expired, that it would be put out for bid and the Native Village of Eyak would have a chance to compete for this contract. Bob left Alyeska soon after this meeting. The contract expired and was sole sourced without the Native Village of Eyak even knowing about it. So much for the word of the president of Alyeska. We wanted our tribal members to have fishing vessel contracts and have them administered the same as they are in Chenega and Tatitlek. Many of the current core fleet boat owners don't even live in Alaska. Some of them have contracts for more than one boat while many of our members cant even get one boat on contract.	The various contract let by Alyeska are not within the scope of this renewal. The Department of Natural Resources thanks you for your comments.

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ID	Comment	StateResponse
00287001	The 25 year-old pipeline has suffered from serious operational and maintenance failures such as the delayed response to the Livengood bullet hole spill, and the 2 foot shift in a section of the pipeline at Atigun Pass that went u (The comment stopped in mid word)	The entire Livengood (or Milepost 400 "bullet hole") incident response was the subject of an inter-agency (including industry) report "Joint After-Action Report For The TAPS Bullet Hole Response" dated February 8, 2002. Major findings include: quick detection of the leak by Alyeska's security force; apprehension of the alleged shooter by the State Troopers within hours; activation in Fairbanks of the State/Federal/Industry Unified Command with several hours; rapid isolation of the affected pipe section and appropriate pressure relief actions; containment of the spilled oil was effectively achieved with trenches, berms and pits; safety concerns were appropriately the paramount consideration throughout the incident; and permanent repairs were effected as soon as the situation permitted. A number of recommendations to improve future responses were made. Generally, the applicable State oil spill regulations (18 AAC 75.430) requires control or containment and clean up within 72 hours. The oil leak was controlled in about half this time. Current efforts to improve responses include (cite the September 2002 Update to the After-Action Report from Wrabetz when signed): ·Incident Command communications and coordination have been improved and drilled. Alyeska is developing an "go team" of field operations support personnel to provide relief and expanded capability to the on-scene organization. ·Work continues on line leak detection improvements. ·A leak training and testing facility has been fabricated in Fairbanks. ·An aluminum sleeve has been developed to direct the flow of oil into a hose for controlled containment until pressures can be lowered. ·A new clamp device has been purchased and modified to allow use at high pressures (ongoing work). ·Modification of "pump-around" skid to provide more flexibility and capability in pumping crude oil in a variety of situations. ·A fire foam module is being designed for dealing with the hazards of a high-pressure leak. ·Generic safety plans have been developed for operations like MP 400. ·Additional improvements to containment and clean up (including additional tankage and oil transfer equipment) plans are being studied by the company and the inter-agency team. Simalarly the situation at Atigun resulted in a series of changes to the way valves are

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00009001	Did anyone track down the person who wrote in the report that "the oil spill was an economic boon"? Can anyone be more cynical, can anything be more hideous to contemplate? The insensitivity and wrong thinking in that report is insupportable. Shame.	This issue is not within the scope of review for the renewal of theTAPS lease. There were numerous social and psychological costs incurred by many of those directly and indirectly involved in the Exxon Valdez oil spill. As described in a Minerals Management Service Report published in August 2001 (MMS 2001), these impacts included natural resource, cultural, spiritual and community damages, many of which are long term and highly significant, possibly life-changing, to those involved. These losses are in addition to the monetary losses (and in some cases, gains) incurred by individuals, families and communities. The reader may wish to review the complex inter-relationships of the less tangible damages catalogued by the MMS report. The long-term effects of the spill on the environment in Prince William Sound have yet to be fully established and the potential costs of compensatory claims for additional environmental damages may still significantly increase the overall monetary cost of the spill. It is also recognized that the spill may have caused long-term psychological and emotional stress on residents in the Prince William Sound area (MMS 2001). The improvements in tankers, shipping safety, and spill response capability in Prince William Sound developed after the Exxon Valdez incident means that it is less likely that a spill of the same magnitude would occur again, and that the local and state economic impacts associated with spill response and clean-up activities for any spill would not be as significant as those following the Exxon Valdez incident. The possibility of compensatory and punitive damage resulting from a future spill, however, may still increase the monetary cost of even a relatively small spill, although there may be offsetting economic impacts, depending on the extent to which cash from compensation payments is spent inside the state.
00009004	Please don't sell Cordova and the wonders of the Copper River watershed out to the oil companies. Do the right thing.	The member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provide authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00009006	My comments are based on my experience living in a community that the oil company and government representatives visited in the early 70's and promised there wouldn't be an oil spill in Prince William Sound. The oil companies made many other promises such as tankers would have double hulls and we would have a state-of-the-art traffic control system in the sound. Had these promises been kept, we might not have had the Exxon Valdez oil spill.	This issue is not within the scope of review for the renewal of the state right-of-way lease. Thank you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00009007	Some, but not all, of the oil companies' promises were stated as a set of conditions and stipulations in the original agreements and right-of-way grants. The Interior Department and its designees were assigned the job of ensuring those promises to the American people were kept. Even a brief review of history shows that many of these promises were broken and that the companies were allowed to operate for literally years in noncompliance with their federal grant	The DNR and member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety
00009008	For example, the ballast water treatment (BWT) facility at the tanker terminal has not been reviewed at least once every 5 years to ensure state-of-the-art equipment and technology as promised the federal grant and state lease. Some improvements at the BWT facility occurred only recently and through citizen involvement and oversight.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide DNR and JPO with the necessary information to evaluate the effectiveness of stipulations in the Lease.
00009011	More recent examples occurred after the Exxon Valdez oil spill. Still now over 13 years later, most of the species studied by the Trustee Council have not recovered from the spill. Yet the federal grant and state lease promise that damages to public lands will be promptly repaired or replaced and that damages to public fish and wildlife resources, and their habitat, will be rehabilitated. This	While renewal would result in continued operation of oil tankers in Prince William Sound, that activity is beyond the limits of the right-of-way corridor. Moreover, the DNR has no authority over oil spill cleanup and damage assessment within Prince William Sound. Regulation of activities associated with the transport of oil by tankers in Prince William Sound is under the jurisdiction of the U.S. Coast Guard and the U.S. Department of Transportation. The member agencies of JPO enforce a number of stipulations that are protective of fish and wildlife resources within the right-of-way corridor.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00009012	The oil companies also promised in stipulations attached to the federal grant and state lease to “take all measures necessary to protect the health and safety of all persons affected by their activities...” (Stipulation 1.20.1). I believe this promise includes taking care of residents and cleanup workers after a spill. Yet, after the Exxon Valdez spill, Tatitlek villagers observed that Exxon was willing to spend $800,000 on each sea otter for rehabifitation, but nothing or very little on mental health care for people traumatized by the spill. Further, thousands of cleanup workers got sick during 1989, despite Exxon’s worker safety program. I am just learning that hundreds of people may still be sick from overexposure to oil vapors, fumes, and aerosols during the cleanup. All the oil companies promised to “immediately abate any health or safety hazards” (Stipulation 1.20.1): it seems all the companies not just the spiller, are responsible to ensure that people don’t get sick during the cleanup--and to take care of the ones who do as per the original promise.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state provide authority to DNR in assuring the protection of human health and the environment on state lands. Stipulations (the guiding conduct of operations for the operator of TAPS) within the lease contain numerous provisions that are protective of human health and the environment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00009013	I think that the oil companies are now currently in noncompliance with the federal grant and state lease. For example, the fire-fighting ability at the tanker terminal is virtually nonexistent. Oily sludge (hazardous waste) has collected several feet deep in tanks at the BWT facility--and the sludge incinerator was never built as per the original facility design. There is still no independent quality assurance program. The contingency plans for river spills are grossly inadequate--drills show the plans won't work to contain and cleanup oil spilled into rivers. I'm sure this list is incomplete and pipeline regulators could add to it if they were to seriously look for problems and not just respond to ones brought to their attention by citizens or concerned employees.	The Valdez Marine Terminal (VMT) has a number of fire protection systems used at the VMT to give early notification of smoke, flame, or heat. Various devices detect anomalies and alert people through alarms. When a fire has been detected, fire-suppression systems are activated to extinguish the fire before it becomes unmanageable. These systems use ionization or photoelectric detectors for smoke, ultraviolet for flame, and thermal detectors for heat. Except for certain local fire-alarm systems that are separate from the VMT systems, an activated fire-detection system sounds an alarm at the operations center and activates the alarm system. The fire-detection systems may also provide ventilation-unit automatic control, initiate equipment and process shut down, and activate the fixed automatic fire-suppression systems. Combustible-gas detection systems are installed in buildings or areas where potentially explosive atmospheres can develop in the presence of flammable vapors or gases. All large-volume process areas/zones are protected by gas-detection voting logic. The gas-detection systems automatically start emergency ventilation units, control the equipment and process shutdown, and activate the fixed automatic systems. Halon or carbon dioxide is automatically discharged when a fire condition is sensed and alarms sound. The chemicals are dispersed only in the area potentially exposed to the fire. Carbon dioxide total-flooding suppression systems are installed in the switchgear room, the lifeline generator room, and selected power-distribution centers. Halon is available only in the analytical laboratory. The VMT fire-fighting systems consist of onshore and offshore firewater systems, a foam system for tanks, a separate foam system for the East and West Metering Buildings, a Halon extinguishing system, carbon dioxide at some locations, and other auxiliary water systems involving fire trucks and other fire-fighting equipment. The onshore firewater system supplies seawater from Port Valdez to hydrants near critical buildings, tanks, and equipment. Water from the firewater system also supplies two fixed foam systems protecting tanks in the East and West Tank Farms, and a separate Metering-Building foam system. Three pumping systems serve the three primary VMT areas: lower Terminal, upper Terminal east, and upper Terminal west. Jockey pumps maintain pressure in the main firewater lines. Booster pumps supply water to the East and West Tank Farms. The firewater system is a closed-loop system. Any point on the main firewater lines can be supplied from two directions. Electric heat tracing is installed on sections of firewater line installed above the frost line (8 feet below grade). Cathodic protection protects the buried pipe from external corrosion.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
		Each of the four tanker berths has a separate fire-control system. A firewater supply pump is located in the pump building on the offshore structure of each berth. The pump supplies firewater to the foam system on the berth. Each berth's system is tied into the onshore fire system by a redundant firewater line running along the berth causeway. The redundant firewater supply provides an alternate source of water to the berths. If the berth firewater pump fails, water may be supplied to the berth from the onshore firewater system. These systems can be supplemented with fire trucks and other portable equipment and by fire-protection equipment on tugboats. The fire protection systems are under continuous upgrade and the fire-alarm panels and detection devices in VMT buildings were recently improved. Firewater piping was relined in 2000 for corrosion protection and a fire-hydrant replacement program is in place, which will change out ten units every year until all are complete. All components of the firewater system have built-in redundancies so that fire protection is virtually guaranteed. Alyeska performs periodic maintenance and follows operating procedures to inspect and test the fire-and gas-detection and -suppression systems regularly. Procedures are being upgraded to improve consistency and documentation, and to fill any identified gaps. The State Fire Marshal Office is a memeber of the the JPO and oversees fire-protection measures.
		Regarding the sludge accumulation at the BWTF, under normal operation, sludge is expected to accumulate in a number of locations within the BWTF. For example, settleable solids are expected to accumulate in the influent holding tanks and in the initial oil/water separation chambers. Sludge, including non-biodegradable solids and biomass (i.e. dead bio-organisms) is expected to accumulate in biodigesters. Sludge and condensate can also accumulate in petroleum storage tanks (the 90s tanks and the 80s tanks). Operational procedures for the BWTF account for these accumulations of sludge and provide for their periodic removal. All sludges removed from any portion of the BWTF, including associated storage tanks are tested for hazardous character and managed accordingly. Detailed descriptions of sludge development at the BWTF and its subsequent management are provided in Section C.5. The "TAPS Oil Discharge Prevention and Contingency Plan" (APSC 2001g) for the pipeline and in the "Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan" (APSC 2001h) for the VMT explain in detail Alyeska's oil spill response capabilities and plans for TAPS. The plans provide for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from anywhere along the pipeline, including the river crossings, or at the VMT. The plans are available to

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
		the public through various libraries in several major cities in Alaska. These documents are updated and reviewed by various State and Federal agencies periodically ranging from every year to every 5 years. The substantive elements of the contingency plans are controlled by ADEC rules (18 AAC75), which include provisions for public review and comment as part of the plan update procedures. The lessons learned from occurrences such as EVOS, and the MP 400 bullet hole incident are incorporated into the documents when they are updated.
00009014	In light of these past and still ongoing problems, I strongly disagree with statements made by both the state and federal regulators in the draft EIS documents. The Alaska Department of Natural Resources found the oil companies to be in compliance with the state lease. This determination is obviously a requirement for reauthorization as it has nothing to do with reality.	The Department of Natural Resources thanks you for you comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00009015	Federal and state regulatory agencies also stated that the aging 800-mile pipeline and its support systems that were originally built to last 30 years "can be sustained for an unlimited duration" with minimal costs and change in the operating and maintenance procedures. This statement demonstrates a lack of credibility--and no grasp of reality. The recent spate of accidents including the failed response to the Livengood bullet hole spill, and the 21-inch shift in a section of pipeline that went undetected for several months show that both industry and the regulators are ill- prepared for serious problems along the overland section of TAPS. The 3 spills at pump stations on pipeline startup after routine maintenance last fall clearly demonstrate this pipeline is aging and not aging well as frequent spills on startup are one sign of increasing problems that should be anticipated--not ignored--in an aging pipeline.	The entire Milepost 400 ("bullet hole") incident response was the subject of an inter-agency (including industry) report "Joint After-Action Report For The TAPS Bullet Hole Response" dated February 8, 2002. Major findings include: quick detection of the leak by Alyeska's security force; apprehension of the alleged shooter by the State Troopers within hours; activation in Fairbanks of the State/Federal/Industry Unified Command with several hours; rapid isolation of the affected pipe section and appropriate pressure relief actions; containment of the spilled oil was effectively achieved with trenches, berms and pits; safety concerns were appropriately the paramount consideration throughout the incident; and permanent repairs were effected as soon as the situation permitted. A number of recommendations to improve future responses were made. Generally, the applicable State oil spill regulations (18 AAC 75.430) requires control or containment and clean up within 72 hours. The oil leak was controlled in about half this time. Current efforts to improve responses include: ·Incident Command communications and coordination have been improved and drilled. Alyeska is developing an "go team" of field operations support personnel to provide relief and expanded capability to the on-scene organization. ·Work continues on line leak detection improvements. ·A leak training and testing facility has been fabricated in Fairbanks. ·An aluminum sleeve has been developed to direct the flow of oil into a hose for controlled containment until pressures can be lowered. ·A new clamp device has been purchased and modified to allow use at high pressures (ongoing work). ·Modification of "pump-around" skid to provide more flexibility and capability in pumping crude oil in a variety of situations. ·A fire foam module is being designed for dealing with the hazards of a high-pressure leak. ·Generic safety plans have been developed for operations like MP 400. ·Additional improvements to containment and clean up (including additional tankage and oil transfer equipment) plans are being studied by the company and the inter-agency team. Similarly, other incidents (such as, those mentioned in the comment)have resulted in modifications to the manner in which TAPS is operated. In order to be more proactive, the member agencies of JPO in close cooperation with Alyeska have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
		systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is widely used in the airline and other industries as the standard tool for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to
00009016	I was further shocked and offended by the following statement in the draft EIS. "While the Exxon Valdez oil spill was a significant event in the operation of TAPS, creating significant benefits to the state and local economy that more than offset the economic damage to the fishing and tourism industries in Prince William Sound, it is unlikely that a spill of such magnitude, even if it occurred again would create the same level of economic activity" (DEIS, page 4-7-116). This offensive statement clearly shows that the government regulators have a completely different perspective of their job of pipeline oversight than we were all lead to believe by the federal grant and state lease. The original right-of-way documents do not mention that economics of spill cleanup would be weighed against economic damages to the few communities at risk Instead the oil companies promised to protect, repair, replace, rehabilitate, etc. fish and wildlife resources, and their habitat——and the regulators are supposed to hold the companies to this promise. Specifically, the companies also promised to protect subsistence resources, lands, and users, which have a zero dollar economy and can't be compared to economics of spill cleanups at all. Oil spills are expensive to clean up——I'm sorry that I can't see this as good for the economy, but that's really irrelevant. Even if there was zero economy as measured by exchange of dollars, the oil companies are authorized to operate only if they take steps to minimize risk of oil spills and damage from spills. It's the government regulators' job to see the oil companies are held to this standard--the statement in the draft EIS seems to indicate that the regulators are not doing their job and are out of compliance themselves with the federal grant and state lease.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00009018	#1 Stiff meaningful penalties for failure to comply. Some possibilities for meaningful penalties for noncompliance by the oil companies include requirements for: 1) reporting the circumstances of noncompliance to their shareholders in quarterly newsletters as the events unfold (not after the fact); 2) CEOs and other responsible officers of oil companies to conduct public service in the TAPS corridor communities most at risk from the consequences of the noncompliance; 3) accruing penalties with interest on a daily basis as long as the infraction occurs; and tying penalties in with the cost of the fixing the problem so that penalties are 10 times the money saved by failure to do the maintenance work in a timely manner. This latter would force owners to change perspective and view maintenance as a cost savings compared to prospective penalties.	While the DNR does not have the legal or regulatory authority to impose fines on the operator of the TAPS, the state right-of-way lease provide the state with all the authority it needs to oversee operation of the TAPS and to impose strict and enforceable requirements upon Alyeska to comply with necessary operational procedures. The DNR has no authority to require specific corporate reporting to shareholders. The Security and Exchange Commission has authority to compel the reporting of certain corporate activities to the public and shareholders.
00009021	#4 Require independent, long-term epidemiology studies, and short- and long-term treatment ofphysical and mental health effects, for workers and affected residents after major TAPS spills. TAPS owners should be required to pay for increased mental health care in the years during and immediately after a spill in affected communities. This care should include focused peer listening circles to mitigate community-level emotional trauma. Since oil spill cleanups are considered a hazardous waste cleanup, long-term health care studies should be required as the health symptoms associated with crude oil exposure (long-term respiratory damage; disorders of the central nervous system, liver, kidney, blood, and skin; endocrine disruption; and immune suppression) could take years to manifest as physical health problems. Oil companies should also be required to provide chemical decontamination treatments for individuals with acute health symptoms from high body levels of crude oil and other substances present during the cleanup. Individuals who become disabled from overexposure to chemicals present during the cleanup should be compensated by the oil companies, as should the estate of individuals who die from overexposure to chemicals present during the cleanup.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provides authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the federal grant contain numerous provisions that are protective of human health and the environment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00009022	#5 Require independent verification of spill volume as a condition of lease renewal. Spill penalties for damages to natural resources such as fish, wildlife, public lands held in the public trust are based on the volume of oil spilled--as reported by the spiller. One way to reduce the risk of spills and resulting damage to the environment and worker and public health and safety--one of the promises of the original agreement and right-of-way leases——is to penalize TAPS owners, or responsible parties in the case of a TAPS tanker spill, for the correct amount of oil spilled.	The state and the member agencies of JPO investigate all significant spills and verify the spill volume. There has been no evidence to date that past spill volumes have been reported inaccurately. If natural resource damage claims occur because of a spill, ADEC and EPA in cooperation with the Alaska Department of Fish and Game, the U.S. Fish and Wildlife Agency or National Marine Fisheries Service evaluate damage to natural resources.
00009023	Independent verification should be required as a new condition of lease renewal. Further, stipulation should specify that government regulators and citizen oversight councils, either separately or jointly, conduct the assessment and agree upon the volume spilled before spifi penalties are assessed.	The member agencies of JPO investigate all significant spills and verify the spill volume. There has been no evidence to date that past spill volumes have been reported inaccurately. If natural resource damage claims occur because of a spill, ADEC and EPA in cooperation with the Alaska Department of Fish and Game, U.S. Fish and Wildlife Agency or National Marine Fisheries Service conduct studies to evaluate damage to natural resources.
00009024	#6 Thoroughly review and update the original right-of-way grants and stioulations in light ofpast expedence, current science, new technology, newlaws, and public comments. The federal grant and state lease are three decades old and no longer reflect current science, technological advances, and law changes. For example, global warming and melting permafrost threaten to make at least one-third of the 77,000 vertical support members of the TAPS unstable with potentially catastrophic effects on the pipeline. Studies from the Exxon Valdez spill show that oil is 1,000 times more toxic previously thought, and that it can cause long-term environmental damage. Federal laws are still based on outdated research from the 1970s and 1980s and are grossly under-protective of fish and wildlife. This makes the original promises to protect fish, wildlife, and habitat even more important as basically these promises mean the owners and TAPS regulators will take measures beyond existing laws in order to protect fish and wildlife, habitat, and other subsistence needs.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00009025	#6 Thoroughly review and update the original right-of-way grants and stioulations in light ofpast expedence, current science, new technology, newlaws, and public comments. (cont'd) Further, the original grant and lease agreements were signed by some companies that no longer exist because of mergers and buyouts. I assume, but would like proof, that the new companies are signatories to the current right-of-way grants and leases.	Copies of current agreements with lease-holders are available for review at the State Pipeline Coordinator's Office. The Department of Natural Resources thanks you for you comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00009029	#10 Transfer of TAPS operations to single source with no North Slope production. By transferring the operation, maintenance, and termination of TAPS to a single source with no North Slope production, the internal conflict of interest is broken. This operator would take more 'reasonable' steps, from the public perspective, to reduce its liability from spills by attention to TAPS operations	The renewal process for the state right-of-way for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory authority under the renewal process to take the right-of-way grant from the owners.
00009030	We are going to have to get very creative to prevent a pipeline spill. We can't keep doing the same thing we have done in terms of TAPS operations and maintenance for the past 25 years. To continue past practices is to virtually guarantee a major spill in the TAPS corridor.	The "TAPS Oil Discharge Prevention and Contingency Plan" (APSC 2001g) for the pipeline and in the "Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan" (APSC 2001h) for the VMT are explain in detail Alyeska's oil spill response capabilities and plans for TAPS. The plans provide for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline or at VMT. They are available to the public through various libraries in several major cities in Alaska. These documents are updated and reviewed by various State and Federal agencies periodically ranging from every year to every 5 years. Lessons learned from actual occurrences as well as from regular exercises conducted by the owner companies and government agencies are incorporated into the plans. It is expected that this process would continue throughout the ROW renewal period, if granted, and the plans would be kept up to date.
00014002	1. Inadequacy of the Draft EIS: The Department of Interior's Draft Environmental Impact Statement (DEIS) for the Trans-Alaska Pipeline System (TAPS) Right-of-Way Renewal is inadequate and fails to meet the requirements of the National Environmental Policy Act (NEPA). The focus of the current DEIS is inappropriately narrow, and fails to fully disclose the purpose and need for the preparation of a DEIS at this time. The DEIS also fails to provide the reader with an analysis of all direct, indirect, and cumulative impacts of the full TAPS system and all of its component parts. These identified deficiencies cannot be remedied by the publication of a draft supplemental document, but rather must be addressed by the scoping, preparation, and collection of public comments on a new, system-wide, DEIS document that discloses a full range of reasonable alternatives to the proposed action.	This issue is not within the scope of the TAPS state lease renewal process.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00014003	2. Failure of the DEIS to Provide a Cumulative Impact Analysis of the Project in Conjunction with Other Existing and Proposed Projects: The current DEIS fails to provide a cumulative impact analysis of the present components of the TAPS project in conjunction with anticipated and proposed projects within the geographic scope of the entire TAPS system. This cumulative impact analysis must consider the impact of a new natural gas pipeline, now being proposed parallel to large portions of the existing oil pipeline, and the implications of such a gas line and its associated construction impacts and natural gas infrastructure on the safety and integrity of the existing TAPS oil line. The new DEIS should also evaluate the potential cumulative affects of all OCS offshore driiiin-g-activities currently in place or now being proposed by the Department of Interior under that agency's newly-adopted 2002-2007 Five-Year OCS Oil and Gas Leasing Program in federal waters offshore Alaska, as well as current and proposed state offshore oil and gas leases. In addition, future commercialization of subsea and permafrost methane hydrate deposits should be included as part of the complex of cumulative impact issues to be evaluated, considering the thirty-year timeframe being projected in the current TAPS DEIS process.	The Department of Natural Resources thanks you for your comment.
00014005	4. Inadequate Compliance with the Endangered Species Act: The current DEIS fails to adequately evaluate the impact of the proposed action on the various endangered and threatened species whose habitat includes the North Slope, Interior Alaska, Southeast Alaska, Prince William Sound, and the North Pacific. Renewal of the right-of-way permit must be accompanied by the requisite Section 7 ESA consultation with the U.S. Fish and Wildlife Service to ensure protection of all species now listed under the ESA.	This issue is not within the scope of the TAPS state lease renewal process.
00024002	Lynden has benefited as a company from the transportation services it has provided but, in addition, all Lynden employees, including my family, and myself have benefited tremendously from the economic impact of the pipeline on the State of Alaska. Without the pipeline, the State of Alaska would be dramatically less well off and many of the facilities and services we enjoy would never have been available.	The Department of Natural Resources thanks you for your comment.
00024003	As a company that is in the transportation business, we appreciate doing business with well constructed and operated organizations. The track record of Alyeska Pipeline Service Company in constructing and operating the Trans Alaska Pipeline System is well documented and beyond reproach. Alyeska has deserved the rights to operate this project for another thiry years.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00031002	Despite the fact that the pipeline crosses major fault lines, a complete new assessment on the seismic problems associated with pipeline is lacking. In all cases, contract conditions must require careful, periodic review to ensure that they reflect scientific and technological advances. there fore, the renewed agreement needs to include an immediate comprehensive independent field audit, as well as an independent technical review and field audit every five years.	Determining if advances in scientific understanding (e.g., in seismic problems) and in technology have implications for TAPS is part of the ongoing oversight of TAPS by the JPO agencies. However, at this time, the JPO does not see a need to conduct an independent audit of TAPS facilities and the associated management and operation processes. However, audits are one of the tools used by the agencies of the Joint Pipeline Office (JPO) to evaluate and regulate TAPS operations and maintenance. Past audits targeted areas that had insufficient information required to determine the adequacy of the conduct of operations. In addition to formal audits, BLM and the member agencies of JPO conduct ongoing reviews of TAPS operations and maintenance. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. While targeted audits, inspections, field surveys, and monitoring programs provided useful information on the condition of TAPS, targeted assessments of specific activities do not generally provide the necessary framework to systematically address all critical TAPS functions and their associated reliability. Thus, the member agencies of JPO in close cooperation with Alyeska have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to
00031006	For the record, I am in complete disagreement with the government's offensive assessment that in the operation of the pipeline, the Exxon Valdez oil spill was beneficial to Alaska: "creating significant benefits to the state and local economy that more than offset the economic damage to the fishing and tourism industries in the prince William sound" There is absolutely no benefits of toxic oil spills.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00031007	Finally, in view of the problems experienced on TAPS since inception, the renewal process must be consider means to assure stable and sufficient funding for TAPS, including transfer of ownership of the pipeline to a single owner with no connections to North lope crude oil production. The conflict between resource stewardship and the desire for TAPS owners to reduce cost is not in Alaska's best interest. Let's raise performance standards fro this aging pipeline, not lower them. We must not be complacent about oil spill prevention and	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory authority under the renewal process to take the right-of-way lease from the owners.
00032001	There is absolutely no benefit of toxic oil spills.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00042002	Advertising for hearings is inadequate. This is important. It should be advertised as vigorously as the Alaska State Fair, which everyone knows is in August.	Notices for hearings were published or broadcast through the following outlets: ·June 24, 2002: The Taps Renewal EIS newsletter was mailed to more than 400 subscribers (sign-up for TAPS Renewal EIS information was throughout the scoping process and continues) announcing public hearing dates and locations ·Public notices for the DNR Commissioner's Proposed Statement of Reasons and Written Determination in the Anchorage Daily News (July 3 and 10, 2002), Fairbanks Daily News-Miner (July 5, 2002) and Juneau Empire (July 5, 2002) ·July 5, 2002: 4-page comprehensive news release sent to all newspaper in Alaska to include The Cordova Times, The Valdez Vanguard, The Arctic Sounder, Anchorage Daily News, Fairbanks Daily News-Miner ·July 10, 2002: The Valdez Vanguard and the Valdez Star half-page display ad with hearing schedule ·July 10, 2002: The Valdez Vanguard public notices for the DNR Commissioner's Proposed Statement of Reasons and Written Determination ·July 11, 2002: The Cordova Times and The Arctic Sounder half-page ad (page 9) with hearing schedule ·July 11, 2002: The Cordova Times and The Arctic Sounder public notices (page 11) for the DNR Commissioner's Proposed Statement of Reasons and Written Determination ·July 12, 2002: Delta Wind half-page with hearing schedule ·July 24, 2002: The Valdez Vanguard half-page display ad reminding the public about the hearing ·July 25, 2002: The Cordova Times, The Valdez Vanguard and Copper Valley Weekly half-page display ad reminding the public about the hearing ·August 1, 2002: The Arctic Sounder half-page display ad reminding the public about the hearing and information on six different ways to comment ·August 2, 2002: Anchorage Daily News, Fairbanks Daily News-Miner, and Juneau Empire half-page display ad reminding the public about the hearing and information on six different ways to comment In early June, the JPO TAPS Renewal website (http://tapsrenewal.jpo.doi.gov) posted the public hearing dates and locations. The State of Alaska met its legal requirements by placing public notices in the classified sections of the Anchorage Daily News, Fairbanks Daily News-Miner and the Juneau Empire and appropriate local newspaper. Additionally, the state sent public notice/hearings informational letters to city mayors, tribes, various interested organizations and government officials, as well as individuals and organizations that testified at the public scoping meetings.

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ID	Comment	StateResponse
00042003	The use of inferior Japanese steel in the construction of the pipeline makes future failure more likely.	Steel used in the construction of TAPS met all applicable standards specified in state lease stipilations. Specifically, Stipulation 3.2.1.1 required the TAPS to conform to (1) U.S.A. Standard Code for Pressure Piping, ANSI B 31.4, "Liquid Petroleum Transportation Piping System", (2) Department of Transportation Regulations 49 CFR, Part 195, "Transportation of Liquids by Pipeline", (3) ASME Gas Piping Standard Committee, 15 DEC. 1970: "Guide for Gas Transmission and Distribution Piping System", and (4) Department of Transportation Regulations, 49 CFR, Part 192, "Transportation of natural and Other Gas by Pipelines: Minimum Federal Safety Standards". (These last two standards apply only to the natural gas pipeline that runs roughly parallel to the crude oil pipeline from Pump Station 1 to Pump Station 4.) Also, Stipulation 3.2.1.2 suggests that the above standards should be construed as minimum requirements, indicating that the JPO Authorized Officer may impose additional requirements. The Design Basis for the pipeline incorporated all of the above standards where appropriate.
00043001	Doyon strongly supports a thirty year renewal of the TAPS and related rights of way grants. Our support is similiar to the DEIS recommended thirty year renewal as the preferred alternative to several possible actions studied.	DNR thanks you for your comment on the proposed renewal period.
00044001	I believe that Alyeska Pipeline Service Company is doing a great job keeping TAPS operating at an environmentally friendly manner. Other pipeline companies in the world could benefit by using TAPS as a model.	The Department of Natural Resources thanks you for your comment.
00047001	The TAPS has proven to be a reliable and safe method of transport for ANS crude since 1977. The total volume of spills attributed to the operation of the pipeline is little more than 31,000 barrels through 1999, with half of that from a single act of sabotage in 1978. Most significantly, and similar to our experience with marine oil spills, is the fact that annual volume of spills is trending downwards. This is a clear indication that the enhanced protections, diligence and technology have combined to afford us an improved	The Department of Natural Resources thanks you for your comment.
00047003	In many ways the financial investment of a pipeline is similar to a ship; typically the investment horizon requires a many year approach (thirty or more) and significant financial risk. Therefore, it is critical for the private stakeholders of the pipeline and Alasks's public investment in related infrastructure to have the assurance their crucial capital investment will have a financial life of thiry or more years. Without such a guarantee it is much more difficult to obtain reasonable financing for proper infrastructure enhancements.	The Department of Natural Resources thanks you for your comment.

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00047004	The recent terrorist attacks on our nation, ever-increasing instability of the Mid-East, and the volatility of our other foreign producers of oil (i.e., Brazil, Venezuela and Nigeria) make the need for a stable and environmentally sound source of domestic oil essential. The North Slope has the potential to continue to meet twenty percent or more of our domestic oil production quota. Moreover, the potential for gas development in conjuncion with further oil exploration is a winning combination to help in our Nation's effort to rely less on foreign sources of energy. Having a 30-year renewal will enhance the financial, managerial, and infrasturcture commmitment needed to advance private-sector interest in sustainable energy exploration on the North Slope. After all, our energy security needs should remain a top priority for our country.	The Department of Natural Resources thanks you for your comment.
00050001	In addition to the comments below, the Northern Center fully supports both the legal comments submitted by Trustees for Alaska and the technical comments submitted by the Alaska Forum for Environmental Responsibility.	The Department of Natural Resources thanks you for your comment.
00050011	C. Terrestrial Vegetation and Wetlands The continued extraction of sand, gravel, and quarry, as well as disturbance of native vegetation will have substantial cumulative effects on the vegetation and terrestrial environment, particular in sensitive arctic areas. Effects we are already seeing from maintenance aud those remaining from the construction of the pipeline include sedimentation, erosion, inadequate soil present for revegetation, exposure of permafrost and damage from vehicles. Again these impacts will only continue over the next 30-year period. More stringent requirements for immediate reclamation need to be required of the pipeline owners to avoid more devastating impacts over time.	Recently established restoration performance requirements include the requirement that restoration of disturbed areas “be completed as soon as practical after the disturbance”, and “restoration will be evaluated by the Authorized Officer and Pipeline Coordinator on a site-specific basis”, considering, among other things, whether the disturbed site has been returned, to the extent possible, “to its original or normal physical condition and natural biological productivity and diversity with reestablishment of native plant and animal species” (Brossia and Kerrigan 2001).
00050012	D. Birds and Terrestrial Mammals This section addressing impacts on birds and terrestrial mammals completely lacks any substantial information or analysis of cumulative affects. Rather than discussing how animal populations will be monitored to ensure that TAPS is not having long term, cumulative effects, the DEIS praises the use of animals of culverts and gravel pads for breeding and lodging.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. DNR has found that the Lessee's are in compliance with these requirements, including stipulation 2.5, Fish and Wildlife Protection.

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00050013	E. Spills With the Supreme Court's decision to overturn ADEC's best available technology criteria, Alaska's vulnerability to failed spill responses has increased. Alaska Statutes do not contain strong enough language requiring the pipeline owners to provide feasible, functional response plans. As demonstrated during the damage done by a bullet hole in fill 2001, even under BAT criteria pipeline owners did not respond quickly enough to prevent significant environmental damage to the surrounding vegetation. APEC should use this renewal process to develop better criteria with specific technology requirements. The Draft EJS falls back on the newly developed three-tiered criteria that is not stringent enough in its requirements to guarantee timely and effective responses to spills.	The DNR and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease. The bullet hole at Livengood was detected shortly after it was made. However, the time required to stop oil from being discharged from the bullet hole (36 hours) can be improved. Based on the lessons learned from this unfortunate incident, the JPO interagency oil spill response team has published an incident report (APSC et al. 2002) that develops new procedures for future spills.
00054005	Finally, the DEIS addresses climate change and its possible effect on the pipeline. TAPS' design represents state-of-the-art engineering for cold climates. The design was based on protecting the permafrost from pipeline impacts and the pipeline from permafrost problems. The notion that some soil conditions may change over time is built into this design. Alyeska monitors these conditions and maintains heat protection systems. Alyeska's ongoing monitoring approach (with JPO oversight) is more than sufficient to provide adequate response time.	Natural factors such as climate strongly influenced the original design basis for the pipeline and are addressed at some length in the Stipulations to the original Lease. Just as circumstantial factors presented an initial engineering challenge, changes to those factors also may represent significant challenges. Alyeska's monitoring and surveillance responsibilities under the Lease as well as JPO's oversight activities are designed to track changes to ambient conditions (whether they be natural or man-made), evaluate their potential impact to pipeline integrity, and initiate the appropriate changes to engineered systems or operating procedures to prevent adverse consequences to public health and safety or the environment.
00055002	NSBCMP Policy 2.4.3.(e) states: Development which is likely to disturb cultural or historic sites listed on the National Register of Historic Places; sites eligible for inclusion in the national Register; or sites identified as important to the study, understanding, or illustration of national, state, or local history or prehistory shall 1) be required to avoid the sites; or 2) be required to consult with appropriate local, state and federal agencies and survey and excavate the site prior to disturbance. NSBCMP Policy 2.4.3.(g) states: Development shall not cause surface disturbance of newly discovered historic or cultural sites prior to archaeological investigation. Appropriate surveys were not conducted prior to construction of TAPS and the Haul Road. Ongoing operations and maintenance, and potential incident responses, could damage important sites. Reauthorization of the TAPS right-of-way must include a requirement for a full inventory and designation where appropriate of historic, archeological, and cultural sites within the TAPS/Haul Road transportation corridor.	Thank you for your comment. A programmatic agreement is being developed in consultation with the Alaska SHPO to address issues with cultural resources along TAPS.

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00055003	NSBCMP Policy 2.4.4.(d) states: Development and commercial development must be served by solid waste disposal facilities which meet state and federal regulations. The pipeline and Haul Road were constructed and intended to operate as a unit. The state's opening of the road to public access without the placement of sufficient waste disposal facilities has resulted in the improper disposal of human waste and garbage not only along the road, but also in expanding areas of the North Slope now more easily accessed by travelers utilizing the road.	The Dalton Highway is under the control of the Alaska Department of Transportation and is not part of the TAPS lease renewal process.
00059001	The City of Valdez supports the proposed action to renew the federal grant and the state right-of-way lease for 30 years. The Valdez City Council adopted Resolution 02-56 (Attachment A), which supports the renewal of the Trans-Alaska Pipeline System right of way for 30 years. Renewing the right-of-way grant for 30 years will provide economic stability, predictability and future economic projects for not only the TAPS owners, but also the State and the municipalities along the pipeline corridor.	The Department of Natural Resources thanks you for your comment.

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00059002	There is little doubt that the Trans Alaska Pipeline System has brought economic benefits to the City of Valdez and its residents. The operations of the City of Valdez are very dependent on money collected from ad valorem property tax. Approximately 75% of money collected from property tax comes from oil property. HAVING SAID THIS the City does have some issues with the Draft EIS and the proposed action and determination of the Commissioner of Natural Resources. With the exception of last year, the City has experienced a rapidly declining tax base. Between 1988 and 2001, the assessed valuation of oil property in Valdez declined over 50%. However, the level of throughput during that same time frame has declined just over 30%. During the scoping meeting that was held in Valdez last fall, the City of Valdez asked that the Draft Environmental Impact Statement consider the socio economic impact of this rapid decline of property value on the City of Valdez and its residents. After reviewing the Draft EIS, we do not see where this has been addressed. Volume 2, Section 4.3.19.3.5 State and Local Tax Revenues which begins on page 4.3-73, discusses the very issues that Valdez is most concerned about. The Draft EIS projects that total state tax revenues from oil production will decline at an average rate of 0.5% over the 30-year renewal period. This represents total taxes collected by the State. Table 4.3-13 which is found on page 4.3-75 projects that local property taxes generated by TAPS will decline by 4.8% annually. Using the current value of TAPS property located within the City of Valdez, the assessed valuation of this property will decline 77 percent from the projected 2004 value of $654,944,010 to $150,645,778 in 2034. (See Attachment B) Using the maximum tax rate that is assessed against oil property of 20 mills, the property taxes collected in 2034 from the TAPS property will be just over $3,000,000. Today, at the 20-mill tax rate, the City of Valdez collects approximately $13.1 million. The Draft EIS at page 4.3-74 states that local municipalities tax revenues will increase by 0.8% annually. Attachment B provides a look at the City of Valdez's property tax revenue picture and how work this assumption really is. In order for the City of Valdez tax revenues to grow at this rate the non-oil property will need to grow between 13 percent in 2005 and 141 percent in 2034. The City of Valdez already projects a growth in non-oil property values of 2 percent annually. This additional growth is on top of the City's 2 percent projection. The Draft EIS assumes that the .0.8 percent growth will be based on state and federal transfers to local government not being affected by the declining state revenues and actually increasing to make up the difference. How can this be with the declining taxes generated by the oil industry? The Draft EIS assumes that the	Tax revenues from ANS production and TAPS have provided considerable financial benefits to local governments throughout Alaska. In addition to the royalties and severance taxes paid to the state on oil production, a share of which is distributed to local governments throughout the state, a number of local governments are able to collect property taxes on oil company property located within their jurisdictions. A large proportion of revenues collected by local governments in the North Slope Borough and in the City of Valdez come from oil sources, meaning that these communities have become highly dependent on these revenues. As the commentor notes, declining TAPS throughput has the potential to adversely affect the ability of local governments in these communities to generate sufficient tax revenues from local sources to maintain existing expenditure programs. Falling state tax revenues from declining ANS production would also potentially limit state support for local government programs. While it is becoming clear that even with TAPS renewal, new sources of revenue in addition to likely cutbacks in expenditures, will be necessary in the near future at both the state and local level, the nature and timing of any changes that might be made to the structure of government finances in Alaska are unclear at this time. Because of this uncertainty, the EIS assumed that existing levels of revenue and expenditure growth would be maintained throughout the renewal period, and that the evaluation of decisions made by the state and by local governments to change the way tax revenues are raised to support existing expenditure programs, including changes in property tax rates and in the size of transfers between state and local governments, was considered to be beyond the scope of the analysis. Specifically, proposed changes in assessment rates for property taxes suggested by the commentor that might be made in order to maintain adequate levels of local government service provision in the City of Valdez, would be the result of negotiation between the City and the State of Alaska, the outcome of which is unknown at

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	State will work its way out of the deficit that it faces. Perhaps we will, but Valdez cannot bet on it. The transfers from the State have been declining over the last few years. From 1996 to 2001, Valdez has seen its state revenue sharing decline by almost 50% in this 5-year period. For example, in 1996, Valdez received approximately $742,000. In 2001 Valdez received $376,000. The Draft EIS says that North Slope production has regularly constituted more than 15 percent of the country's domestic crude production. It all flows through Valdez. Valdez provides services that TAPS owners and shippers use and need. We have different costs that other communities of our size because of the Valdez marine terminal. We are on everybody's radar screen, figuratively and literally. What other community our size has police officers trained in bomb disposal? The local hospital is a necessary part of the infrastructure not only for the community but also for TAPS operations. The nearest hospital is 125 air miles and 310 road miles away. In addition to these specialized services, the City provides the normal things cities do such as library, parks and recreation, education, snow removal, sewer and water, and solid waste disposal. All of these would need to be provided by Alyeska and its owners if Valdez were not here. Valdez needs financial certainty just like the oil industry. To think that the State of Alaska is going to make up the difference due to the decline in value is ludicrous. Valdez does not even have a State Trooper. We do have a Fish and Wildlife Protection Officer, but no other state law enforcement personnel. There are communities smaller than Valdez without a major industrial complex that is critical to the economy of the State of Alaska and the United States that have state troopers. For this reason, the valuation of TAPS needs to remain at a constant level as long as there is crude oil flowing through it. The City of Valdez will need to provide the same level of services that the industry requires today. On page 4.3-82, Section 4.3.19.5.4 the Draft EIS states: 'With the availability of state funds for local expenditure programs, together with moderate population and economic growth in the pipeline corridor region, impact of the TAPS renewal on local public finances and public service employment in the region is, therefore, not expected to be significant." I direct your attention to one of previous comments. Revenue sharing from the State of Alaska has decline 50 percent over the last five years. The Draft EIS dealt with the socio-economic issue of the reduction in oil property tax by the assuming that the State and the federal government through transfer payments. The State has its own problem that they cannot seem to resolve, how are they going to resolve Valdez's? The City of Valdez believes that the one option that needs to be considered by	this time.

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ID	Comment	StateResponse
	both the State and the federal government is one of placing a floor on the value of the TAPS for property tax considerations. Using the Draft EIS's projections, the City will need to make up between $29 million annually all the way to $425 million in assessed valuation in order to continue to provide the same level of services. This is significant. The State is not going to help Valdez with this because, property taxes is a tariffable expense that reduces the value at the well head, thereby reducing the amount of money the State receives for royalty oil and severance taxes. The State receives most of its money from royalty and severance, not property taxes. The Draft EIS has taken the easy way out in dealing with the socioeconomic impact of the devaluation of the TAPS property. The value of TAPS for property tax purposes needs to be addressed, as it will most definitely have an impact on the finances of Valdez. The City of Valdez again requests that the Environmental Impact Statement discuss the impacts of the declining tax base of the TAPS property. The City recommends and encourages that the Final EIS and language in the renewal documents encourage the State of Alaska to establish a floor on the value of TAPS. This floor should be not lower than $3.0 Billion as long as throughput is below I million barrels per day. As throughput increases, the value of TAPS should also increase so that the value of the property for tax purposes, tracks with the value of the oil that is flowing through it. With the extension of the TAPS right-of-way for 30 more years, the value of the pipeline certainly has increased. In fact, during hearings in 2001, the industry argued that the values of TAPS for property values should be much lower because the right-of-way permits would expire in 2004. With the renewal, the value should be higher because the life has been extended for 30 more years. This is needed in order to provide financial certainty for the City of Valdez and other municipalities along the pipeline. We will be asked to provide services for the industry for the life of the pipeline.	
00063026	2. Oil spill plan should be a part of the ROW agreement, local response teams trained and tested.	Thank you for your comment.

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ID	Comment	StateResponse
00065001	Many people have testified, quoting Alyeska's claim that the pipeline has proven to be 99.999 percent reliable over a 25-year-life history. Please assess whether that figure has any basis in fact, after reviewing Dr. Feynman's critique of safety factors used at NASA with respect to the disastrous launch of the "Challenger". Alyeska's method of calculating reliability appears to be similiar to NASA's approach with respect to the "Challenger". On pages 153 to 157 he discusses methods of defining reliability, and concluded that in this case "...NASA exaggerates the reliability of its product to the point of fantasy".	The overall performance of TAPS was considered by the authors without use of Alyeska's reliability estimates.
00065003	A new lease should include penalties for non-compliance and operating failures. To be effective, such penalties must be higher than the cost of compliance and failure prevention, and quickly and easily collected prior to the outcome of never-ending legal battles. Penalties not paid are not penalties.	The Department of Natural Resources does not have the legal or regulatory authority to impose fines on the operator of TAPS unless the fines are made a part of the lease.

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ID	Comment	StateResponse
00070001	Recent corporate events make the public suspicious that anything would be done voluntarily. The renewal must have mandated clauses in the contract that take into account past leaks, new seismic data generated by the newer scientific advances, and the economic disaster of the Valdes spill on Alaskan fisherman would be remiss on the government's part. Clear financial liability and responsibility along with inspection should be included. The form letter below expreses many of the points much better than I. I just wish to add my voice.	Determining if advances in scientific understanding (e.g., in seismic problems) and in technology have implications for TAPS is part of the ongoing oversight of TAPS by the JPO agencies. However, at this time, the JPO does not see a need to conduct an independent audit of TAPS facilities and the associated management and operation processes. However, audits are one of the tools used by the agencies of the Joint Pipeline Office (JPO) to evaluate and regulate TAPS operations and maintenance. Past audits targeted areas that had insufficient information required to determine the adequacy of the conduct of operations. In addition to formal audits, BLM and the member agencies of JPO conduct ongoing reviews of TAPS operations and maintenance. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. While targeted audits, inspections, field surveys, and monitoring programs provided useful information on the condition of TAPS, targeted assessments of specific activities do not generally provide the necessary framework to systematically address all critical TAPS functions and their associated reliability. Thus, the member agencies of JPO in close cooperation with Alyeska have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to

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ID	Comment	StateResponse
00071003	Funds MUST be established in an escrow account for preventative maintenance.	Preventative maintenance is a function of compliance with the terms and stipulations included in the state right-of-way lease and does not require an escrow account to assure its implementation. The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00071004	The reviewers should convene an advisory panel to consider how best to provide a single, responsible managing party and a stable source of funding for	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant.
00071007	Review stipulations so they reflect current science, including a legitimate analysis on the effects of global climate change on VSM.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight for a variety of field conditions, including the effects of climate change. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00075002	I adopt and incorporate by reference the written and/or oral comments provided by: Richard A. Fineberg/AFER on 8/6/02, 8/7/02, 8/9/02 and 8/20/02; Richard Charter/Environmental Defense Fund on 8/20/02; Tom Copeland on 8/20/02; Bob Randall/Trustees for Alaska on 8/20/02; Walter Parker on 8/6/02.	The Department of Natural Resources thanks you for your comment.
00075003	The DEIS and Commissioner's Statement must be redone and resubmitted for public comment due to their incomplete assessments, illogical and unscientific conclusions and failure to comply with applicable law and failure to provide for the constitutional rights of Alasksa's citizens and users of Alaska's natural resources. Neither the Grant or Lease may be renewed where they fail to provide for reasonable concurrent uses of Alaska's resources as a matter of law and fact. The use of federal and state lands by Alyeska Pipeline Service Company, (APSC), cannot be certified as "reasonable" pursuant to the mandates of Article VIII, Section 8 of the Constitution of the State of Alaska where it has actively chosen to evade, and continues to evade, the provisions of law, Grant and Lease regulating the quality of oil spill response equipment, timeliness of spill response and degreee of response effort.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. DNR has found the Lessee's in compliane with these requirements and therefore the lease must be renewed.

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00075006	There are several other misleading statements and omissions that could/may well be deemed fraudulent by misrepresentation and/or omission under state and federal statutes and would at least reach the level of unjust treatment. The underlying report of the State Pipeline Coordinator, upon which the Commissioner's Determination is based, and the JPO's report on Grant and lease compliance, integral to the DEIS, (Reports), misrepresent APSC's full compliance. The reports fail to even mention several of the provision of law, Grant and Lease that are at issue in the incorporated pending, and prior, litigation and administrative appeals. The fact that these provisions are omitted from the reports establish that: the authorized oversight agencies are oblivious to their mandated duties; have never enforced their mandated duties; and/or are actively suppressing disclosure of specific duties in an attempt to unlawfully subsidize APSC, owners of the transported oil and the State of Alaska at the expense of the rights of Alaska's citizens and other natural resource users. The latter accusation, although a very serious allegation, is clearly supported by the dismissive treatment given to DNR's obligations under the Lease, my oral testimony, affidavits and other evidence submitted in the incorporated documents.	The Department of Natural Resources completed an assessment of Alyeska's compliance with term of the lease, as required by both the lease and statute. Assessment of compliance with state laws was accomplished by the agency responsible for oversight of specific legal requirements. Recognize that it is possible that an agency may need to prioritize oversight efforts based on available resources.
00075007	The Reports failed to adequately disclose and address agency obligations pursuant to the Costal Zone Management Act, Alaska Coastal Zone Management Act, and Coastal District Management Plans, given the potential for spilled oil to adversely affect well over 1,000 miles of coastline in at least six coastal districts, as has been established in the Exxon Valdez Oil Spill. It is patently absurd to presume that a catastrophic spill from TAPS facilities reaching open waters less than 30 miles from Bligh Reef could not adversely affect the same area as the EVOS. The fact that the VMT must regularly suspend loading of tankers due to an inability to conduct effective spill response establishes that TAPS/VMT spills during these periods could reach Bligh Reef unabated, and from there the rest is history.	The Valdez Coastal Management Plan requires oil spill prevention and response plans to be consistent with the statewide ACMP standards. A Coastal Consistency Determination was required and completed for the TAPS lease renewal.

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ID	Comment	StateResponse
00075008	The DEIS presumption that catastrophic spills should be totally discounted on assessment of potential resource damages is likewise absurd given the report's failure to consider the material facts of: APSC's and other relevant lease/permit holder's inability to timely contain, control, recover and mitigate oil spill damage from any actual water-borne spills and several land spills; failure to perform in conformance with standards set forth in contingency plans during spill response drills; failure of agencies to enforce mandated duties; outstanding compliance measures and conditions of approval to TAPS/VMT contingency plan approvals; the known terrorist threats to U.S. petroleum facilities/vessels; the potential for unabated vandalism against TAPS that have a high potential for development into catastrophic spills subsequent to ignition of spilled oil and a resultant failure of TAPS, the increased potential for these catastrophic fires given the increasing content of natural gas liquids in North Slope Crude Oil.	As any other engineering project, there is no 100 percent proof that the pipeline will not fail. However, the owners of the pipeline and the Federal and State agencies with oversight responsibilities for TAPS are doing everything possible to keep the likelihood and consequences of future spills at acceptable levels. As part of the oil spill planning process, risks of pipeline spills are analyzed line wide. Should a leak occur, there are several mitigating measures in place to limit the environmental damage that may result. Based on US Department of Transportation regulations and the federal and state right of way authorizations, mainline valves are located near each major river crossing to limit the amount of oil released from a pipeline leak. All potential spill volumes are listed in the Oil Discharge Prevention and Contingency Plan. The Oil Discharge Prevention and Contingency Plan for the pipeline (C-plan) provides for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline. The TAPS Oil Discharge Prevention and Contingency Plan (C-Plan) is updated periodically and lessons learned from actual occurrences as well as from regular exercises conducted along the pipeline are incorporated into the Plan. In addition, the Plan is reviewed annually by BLM, every three years by ADEC, and every 5 years by DOT. EPA also reviews the plan as it applies to pump stations. As part of this process, Alyeska and the Federal and State agencies with oversight responsibilities for TAPS make sure that the appropriate emergency response equipment is made available along the TAPS. Changes to spill plans are made when problems with the existing procedures or equipment is noted. For example, based on the bullet hole incident at Livengood (Milepost 400), the JPO interagency oil spill response team has published an incident report (APSC et al. 2002) that develops new procedures for future spills. Security along the TAPS ROW has been increased in response to concerns over potential vandalism and terrorist acts. There are elaborate security measures and plans in place, involving numerous Federal and State agencies. BLM has reviewed these confidential plans and agrees with them. Opportunities to strengthen these measures will always be pursued diligently by the agencies involved. The potential fire hazard always exists. That potential was considered in the design of fire prevention and suppression systems for TAPS and in developing spill contingency plans.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00075009	Given these glaring deficiencies it the DEIs analysis of potential spill damage, the report must be deemed well outside the minimum standards necessary to qualify it as a scientific and reasoned study of the material issues under evaluation. The standards of cited law and scientific integrity demand that all of the material factors be reconsidered in a re-issued DEIS subject to professional and public scrutiny. This re-issued DEIS should not, as a matter of scientific integrity, and cannot, as a matter of due process and fair treatment, be completed until I have fully exhausted all legal recourse afforded to protect my potentially affected interests as established by precedent, law, and constitutional right.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and
00079001	It is a dangerous idea to keep TAPS running in the same condition it is in	The pipeline is continuously monitored and maintained. In addition, a proactive maintenance program called Reliability Centered Maintenance, that systematically evaluates critical components of TAPS and takes measures to rectify any identified weaknesses both materially or in procedural matters, has been initiated. The Department of Natural Resources thanks you for your comment.
00079002	The amount of spills that have already occurred attest to that.	The pipeline is continuously monitored and maintained. In addition, a proactive maintenance program called Reliability Centered Maintenance, that systematically evaluates critical components of TAPS and takes measures to rectify any identified weaknesses both materially or in procedural matters, has been initiated.
00079006	There need to be independent studies of the health effects of oil on people, and these need to be paid for by the TAPS involved oil companies before the lease is renewed.	The DNR and JPO are committed to ongoing monitoring of health and safety issues and if new data or information emerge that point to the need for further studies on the health effects of TAPS operations, these studies will be initiated by JPO.
00079010	Also inaccurate is the description of the twin communities of Cordova and Eyak. There is no such community as Eyak. Obviously, whoever wrote that description has not visited Codova, or spoken with anyone who has. This misunderstanding of the nature of our community, economy, and way of life is unacceptable because it means the DEIS does not recognize or analyze the very real threats TAPS poses for us, which by law it was supposed to do.	The Department of Natural Resources thanks you for your comment.
00079011	The meeting held in Cordova at the Moose Lodge was not a public meeting, as required by law. That building is not handicapped accessible.	The meeting room at the Moose Lodge in Cordova is provided with universal access via a ramp to the rear entrance.
00079013	The public needs proof that the pipeline will not fail, and history has proven otherwise.	As any other engineering project, there is no 100 percent proof that the pipeline will not fail. However, the owners of the pipeline and the Federal and State agencies with oversight responsibilities for TAPS are doing everything possible to keep the likelihood and consequences of future spills at acceptable levels.

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ID	Comment	StateResponse
00079014	The lease should not be renewed under the current circumstances because the concerns of commercial fishing have not been heard and the pipeline is a disaster waiting to happen.	This issue is not within the scope of the TAPS lease renewal process. The Department of Natural Resources thanks you for your comment.
00080002	From what I have been able to discern, the DEIS is full of misstatements and is inaccurate. The discussion of "economic benefits" of an oil spill is absurd. Even the stated two billion dollars that Exxon spent in '89 attempting to clean up Prince William Sound and the North Gulf coast of Alaska, did not benefit many local Alaskans.	This issue is not within the scope of review for the TAPS lease renewal process.
00080003	On the contrary, entire towns are suffering the economic impact of Exxon's refusal to pay what a court of law found as appropriate compensation for their gross negligence. If their continued refusal is any indication of oil companies CEO's true feelings for doing what they said they'll do, the TAPS renewal should be denied, with no further discusssion necessary.	This issue is not within th escope of the TAPS lease renewal process. The Department of Natural Resources thanks you for your comment.
00080004	The DEIS negated and discounted the Native Peoples of our and the TAPS area. I would like to assure you that the people of the Native Village of Eyah are very much alive and well and quite capable of contributing to an accurate assessment of the impacts of 30 more years of an old pipeline through their land. (Section 3.25.1.1.2 pg. 3.25-11).	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.
00080006	Before the right-of-way permit is renewed plans and funding for a replacement of the entire pipeline with thicker stainless steel pipe, thus drastically reducing the potential of corosion based oil spills is needed.	While replacement of the entire pipeline is a possibility a more scientifically based approach is being followed. DNR and member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.
00080008	The permafrost is melting!, or haven't you heard. Replacements of footings and support structures is vital for prevention of oil spills. TAPS should have inspection and replacement plans in writing before the renewal is granted.	The DNR and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide the JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease including the effect of climate change on the pipeline.

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ID	Comment	StateResponse
00080009	We all want cheap oil. The oil companies (not a legible word) extracting crude from (not a legible word) Prudhoe Bay want their expenses as little as possible as well. But, the envionmental devistation of a spill can not compare to the few dollars saved by renewing the lease agreement to the oil companies preferance. This renewal application is your chance to ensure and prevent future oil spills into future-for the next 30 years.	The Department of Natural Resources thanks you for your comment.
00080010	If the TAPS lease is approved to the oil company's reqiest amd the inevitable oil spill occurs, the death and destruction of not just land and water, but the people's livlihoods will be on your hands as well as the oil billionaire CEO's. May God help you with this most important health and safety decision. Don't allow the oil companies to save a few dollars at the expense of our ooer fragile and shrinking wildersness.	The Department of Natural Resources thanks you for your comment.
00084001	First, I would like to argue the statement by federal and state regulatory agencies that the aging 800-mile pipeline and its support systems that were originally built to last 30 years " can be sustained for an unlimited duration" with minimal costs and change in the operating and maintenance procedures. This is hardly credible given the numerous problems with the	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in assuring protection of human health and the environment. This authority allows the state and JPO to ensure that operation and maintenance are done properly if TAPS is to operate.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00084002	The permafrost is melting, the ground is moving, the pipeline is corroding, the infrastructure is shifting, and the 800-mile Trans-Alaska pipeline System (TAPS) was only built to last 30 years. I am concerned about the Bureau of Land Management TAPS Renewal Team's hurried push to move forward plans to renew the aging pipeline which travels across the tundra, through mountains and forests and traverses hundreds of rivers and streams, south to the Gulf of Alaska for another 30 years with no public awareness and marginal response to public	The DNR and member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the DNR and member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.
00084006	In addition, our coastal fishing community depends increasingly on tourism as a source of lost revenue resulting from the 1989 Exxon Valdez tanker spill. Many people come here to enjoy the serenity and magic of the Copper River Delta and the myriad of wildlife it boasts, including eagles, trumpeter swans, dusky Canada geese, black and brown bears, marmots, goats, wolves and moose. It would devastate us further if our unspoiled wildiands were destroyed. Many US citizens would be outraged to know about the potential for disasters across the pristine landscapes surrounding the 800 miles of pipeline, especially since the North Slope only provides 3 percent of US oil needs.	The lease and state and federal law contain provisions to protect fish and wildlife resources. Oil spill concerns associated with the Copper River Delta are discussed in the general respsonse to oil spill related issues. The Department of Natural Resources thanks you for your comment.
00084007	Last but not least, Cordovans and local Native villages were not cited on the TAPS Draft Environmental Impact Statement (DEIS) as dependent on subsistence in the region as a valuable resource.	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.

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ID	Comment	StateResponse
00084008	Bruce Cain, Executive Director of the Native Village of Eyak mentioned that the DEIS "lacks recognition of federally recognized tribes and relies inappropriately on the Handbook of North American Indians rather that the Tribes themselves for information about their history and culture." The DEIS stated that, "Because so few Eyak remain, a discussion of Eyak culture in the 2l century is impossible." (Section 3.25.1.1.2, p. 3.25-11) Not only should Cordovans see the logical and sustainable reasons for improvements to or removal of the TAPS, but they should also be offended by the negligence of the TAPS Team to disregard their culture and heritage.	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.
00084014	• The ownership of the TAPS should be transferred to a single owner with no connections to North Slope crude oil production.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no authority under the renewal process to assign ownership to another party.
00084016	• Stipulations attached to the orgnal federal and state Grant and Lease agreements should be carefully reviewed to ensure that they reflect a) scientific and technological advances during the last three decades and b) experience with the operation of TAPS.	The DNR and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide DNR and JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00084017	TAPS is a national security issue affecting all US citizens, not only those who live in Alaska. We must reduce our dependence on oil, not only as a national security issue, but also as a public health issue. How long will it take for our communities and our country as a whole to connect the dots between oil and public health? How long will it take people to realize the government subsidizes oil corporations to pollute our water supply, destroy our fisheries, and cause the myriad health problems associated with air pollution? We must fight to keep our last remaining wild places intact so that they may filter our water, spawn our Copper River salmon and serve as a reminder of what is pristine and natural. The TAPS Lease Renewal is not only an urgent issue in Alaska, but it is a symbol our ill-eco logical fate.	The member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provide authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment. The Department of Natural Resources thanks you for your comment.
00085002	TAPS to date has served the state well. However, it is 25 years old. Ironically, its maintenance budget has been reduced, increasing risks to watersheds and coastlines that support other economies.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00086006	There needs to be some changes made. #5 Compensation Program for victims of a spill. (The Alyeska Consortium needs to be held responsible financially)	While DNR does not have the authority to impose fines on the operator of TAPS under this lease, the state has the necessary authority under the state right-of-way lease to rigorously enforce compliance with all current and future stipulations.
00088001	I AM APPALLED THAT RENEWAL OF THE PIPELINE CONTRACT IS EVEN CONSIDERED WHILE EXXON CONTINUES TO IGNORE THEIR LEGAL OBLIGATIONS!!!	The settlement claim for punitive damages related to the Exxon Valdez oil spill in Prince William Sound is outside the scope of the process for the renewal of the state right-of-way lease.
00088002	It is imperative that the State of Alaska and the Federal Government COMPEL Alyeska to "TOW THE LINE" instead of allowing them to continue to reap profits from America's resources irresponsibly and wantonly. PLEASE DO NOT PERMIT THEM TO JEOPORDIZE OUR FUTURES AND THE ALASKAN ENVIRONMENT WITHOUT TAKING EVERY PRECAUTION recommended by the experts.	The Department of Natural Resources thanks you for your comment.
00088003	#1 Stiff meaningful penalities for failure to comply.	The DNR does not have the authority to impose fines on the operator of TAPS. The state has the necessary authority under the lease to rigorously enforce compliance with all current and future stipulations.
00088006	#^ Require independent long-term epidemiology studies, and short- and long-term treatment of physical and mental health effects, for workers and affected residents after major TAPS spills.	The member agencies of the JPO are committed to the protection of human health and the environment. The state lease provide authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00088008	#8 Thoroughly review and update the original right-of-way grants and stipulations in light of past experience, current science, new technology, new laws and public comments.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00088012	Transfer of TAPS operations to single source with no North Slope production.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory authority under the renewal process to take the right-of-way lease from the owners.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00089001	I have great concern for the natural environment and for the public health of persons impacted by the oil industry, and specifically of the Trans Alaska Pipeline System (TAPS).	The member agencies of the JPO are committed to the protection of human health and the environment. The state lease provide authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment. The Department of Natural Resources thanks you for your comment.
00089002	I urge you to impose the seven recommendations proposed by Dr. Richard Fineberg in The Emoeror's New Hose and forwarded by the Alaska Forum for Environmental Responsibility when the Grant and Lease for the right-of-way for	The Department of Natural Resources thanks you for your comment.
00090001	The State of Alaska exercises no sovereignty over her oil resources.	The Department of Natural Resources thanks you for your comment.
00090002	I worked for ARCO Alaska at Prudhoe Bay from 1977 until 1986. Never in my work life had I seen such waste, not just tools and materials, but also the skills and abilities of the workforce. The only explanation I could find for the lack of concern for efficiency was the company had been granted the power to steal or was getting the oil for a fraction of its true value.	The Department of Natural Resources thanks you for your comment.
00090003	The oil companies and their instrument, ALyeska have totally subverted our "representative" form of government.	The Department of Natural Resources thanks you for your comment.
00090005	Perhaps, revenue sharing - like other third world countries.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00091001	Currently, in addition to changes in technology, and in ideas we are also experiencing a major change in the climate of our planet. In view of the unprecedented rapid and accelerating changes in everything during the past thirty years is anyone prepared to say there will be no more change from here on? Should we think about these changes when we propose to add thirty years to the permit of a pipeline which was designed thirty years ago to be used for	The member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety
00091002	In addition to the contribution to the Alaska and US economies, we must also recognize that the industry is here for its own health, and it is healthy indeed. In 1999 concerns were expressed about the impact on Alaska's economy by BP's proposed purchase of ARCO (see the editorial by C. Mcgraw, Fairbanks Daily News-Miner, 27 July 1999; enclosed here as enclosure #1). While the merger of BP AMOCO and ARCO was being considered by the Federal Trade Commission in 2000, I wrote the attached letter to Chairman, Robert Pitofsky (Enclosure #2). At that time the annual sales of the $110 billion, multinational oil industry based in Alaska exceeded 80 billion dollars (that is about 40 times the State of Alaska's General Fund Budget). To ask the State of Alaska to manage the multinational oil industry operating within Alaska, is like asking a rabbit to manage a moose.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00091003	According to the report: Oil industry Profit in Alaska: 1969 through 1987, by Edward B. Deakin (Prepared for the Department of Revenue, State of Alaska), the industry made a profit of $42.6 billion during that 18 year period. That is too big for most people to grasp. It breaks down to $2.4 billion per year, or 45.5 million per week, or $6.5 million per day, or $270,909.00 per hour. The latter figure is interesting. It is a bit more than a quarter of a million per hour (every hour of every day, including Saturday and Sunday, and even on national holidays like Groundhog's Day). Just think, in less than one weekend the profits exceeded what the US paid Russia for Alaska. The purpose of stating the above financial information is to demonstrate that it does not seem worth our while to worry about the health of the industry, or to worry about scaring it away.	The Department of Natural Resources thanks you for your comment.
00091004	Problems were discussed about many aspects of the pipeline, including the Vertical Support Members (VSM) and corrosion. I will not go into detail about these problems. Industry engineers recognize that these problems exist and need attention. But questions about the magnitude of the problems and how to address them led to the extensive report by Richard Fineberg: The Emperors New House, June 2002. This report has been submitted to both the BLM and DNR groups. Among other things it requests establishment of a Citizens Oversight Group, and a shorter time period for extension of the right of way. I recommend that the report be carefully considered. It raises many good points, and whether one agrees with all of them, they need to be addressed.	See general comment responses to citizens oversight and 30-year renewal. The Department of Natural Resources thanks you for your comment.
00091006	During the original planning of the pipeline, a good assessment of seismic hazards was made. But we have learned a lot since then. A consultant at the time of the original planning recommended that Alyeska people should work together with the Alaska Earthquake Information Center at the Geophysical Institute of the University of Alaska. It would be good for this to happen and I recommend it.	Any cooperation and a share of information between the Geophysical Institute of the University of Alaska and Alyeska certainly can benefit both parties. It is outside the scope of renewal to recommend such cooperation.
00091007	During the original planning of the pipeline, a good assessment of seismic hazards was made. But we have learned a lot since then. I also recommend that Alyeska coordinate with the Alaska State Seismologist.	Any cooperation and a share of information between the Geophysical Institute of the University of Alaska and Alyeska certainly can benefit both parties. It is outside the scope of renewal to recommend such cooperation.

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ID	Comment	StateResponse
00091009	I close with an important pholosophical thought. As officials in government agencies, you are charged with the unique responsibility of thinking and acting on the long-term interests of all citizens. In our society, only government has the responsibility of the long-term view. Industry is clearly shor-term in its focus on profits and moves from one project to the next often rapidly. University research focuses on specific problems and moves from problem to problem without long-term monitoring. Government agencies, such as the US Geological Survey undertake basic research projects, but they also do essential geological mapping, and monitoring of steam gages. Only government has the responsibility of long-term monitoring of weather, climate, stream flow, tides, earthquakes, etc. In thinking of the right of way extension now under consideration, I urge you to keep in mind your responsibility of representing the people as their government. If government does not serve the long-range point of view, no other part of our society will do it.	The long-term interests of the public are considered and protected through lease provisions and state and federal law. The role of DNR and member agencies of the JPO is to ensure compliance with lease requirements and state and federal law.
00091010	The merger of BP AMOCO and ARCO would create a single entity with annual sales of $81.5 billion, and combined assets of $110 billion. See the summary for the world's 500 largest corporations (Fortune, August 2,1999). The sales of this merged corporation would be 40 times greater than the state budget. Yet we would pretend that the state of Alaska could manage and regulate this industry within it. An analogy would be to ask a rabbit to manage a moose. The Alaska state government is not able to properly cope with the oil industry now. The industry bought Alaska as a business expense years ago. (I'm not sure if it receives a tax credit for this business expense.)	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00091011	In 1955 BP, AMOCO, and ARCO each separately were in the top 200 corporations on earth. To consider them as a combined economy within a state which has a far smaller budget gives one cause for concern. The situation is worse because Alaska's right-wing ideological legislature is aimed at further weakening the state government.	The Department of Natural Resources thanks you for your comment.
00092001	I would like to suggest with respect to Native utilization that the terms of the renewal of the Right of Way be adjusted. This would ensure that the BUSINESS CASE for Alyeska to maintain 20% Alaska Native hire is firmly in place. Alyeska would not forget, or downplay, this requirement in the future since there would be direct impact on the financials.	This issue is not within the scope of the TAPS lease renewal process. However, the commenter may be interested in information provided by BLM: Section 29 is a specific provision in the Federal grant of right-of-way for TAPS that addresses aspects of Alaska Native employment on the TAPS (Alyeska and contractor employment). The need for this provision arose in the early 1970's in conjunction with the settlement of Alaska Native land claims and the construction of the TAPS. Section 29 of the Federal grant requires four things of the Permittees: 1) An Agreement with the Secretary regarding recruitment, testing, training, placement, employment, and job counseling of Alaska Natives; 2) A training program for Alaska Natives designed to qualify them for initial employment and later advancement; 3) Try to secure employment of successful trainees and report to the BLM's Authorized Officer regarding discharge of Alaska Natives; and 4) Furnish required information about Alaska Native employment to the Authorized Officer. The Agreement referred to above is known as the "Alaska Native Utilization Agreement" (ANUA) and was first executed in 1974 and more recently updated on a tri-annual basis, starting in 1995. The most recent Agreement was signed in 2001. The Agreement provides the basis for implementing the requirements of Section 29. BLM has a Native Liaison officer whose responsibilities include close oversight of the Section 29 program at Alyeska. Any shortcomings or other Agreement goals not being met are highlighted for special attention. Like any other provision of the Federal grant, BLM can enforce this provision by requiring permittees to take actions to remedy any deficiencies noted. BLM recognizes the need to provide long-term assurances that the provisions of Section 29 will not, over a long period of time, be forgotten about. Therefore, based on comments received, BLM has engaged Alyeska in negotiations that will lead to a written mechanism or a procedure for ensuring the provisions of the ANUA (and hence, Section 29) are

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ID	Comment	StateResponse
00092002	I believe that for every Alaska Native below the employment goal for a specific year, Alyeska should present $150,000 to an Alaska Native scholarship organization. Also, this scholarship money would have no direct effect on the Alaska native utilization numbers. The Alaska Native utilization numbers would be reported in pure form with no credits for various activities (scholarships or	The Department of Natural Resources thanks you for your comment.
00092003	Currently Aleska gets credits of one full Alaska Native for every $30,000 of scholarships they support. This, in my opinion, is way too low. Give an Alaska Native an Alyeska job and that Alaska Native will send their own children to college. As a matter of fact, credit for scholarships does not make sense to me at all. If Alyeska needs to train someone in order for Alyeska to make their hire goal, they should just do that. There should be no credit. For example, at the end of a specific year, Alyeska's Alaska Native hire percentage is only 19.5%(not the desired 20%). Based on the employees during that particular year (say 900) this turns out to be 4.5 Alaska Natives that did not have jobs required for Alyeska to be at 20%. Alyeska is required to cut a check for 5 x $150,000 = $750,000 to an Alaska Native scholarship provider. Alyeska still has to carry their Native hire numbers at 19.5%. Alyeska does not get "credit" for the scholarship money. It is a penalty, not a reward. Any other money that Alyeska might allocate for scholarships is not counted to offset this penalty. For example, should Alyeska spend funds to train someone for a specific Alyeska job, this does not come out of this penalty calculation. In other words Alyeska is expected to do what it takes to maintain 20%. Should the 20% not be maintained, the penalty is invoked.	This issue is not within the scope of the TAPS lease renewal process. The Department of Natural Resources thanks you for your comment.
00094002	It is critical that this EIS place stipulations on pipeline r.o.w. renewal to force management to give its employees what they need to prevent a catastrophic spill.	The DNR and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00094003	The DEIS fails to recommend the necessary new stipulations. That doesn't that the Final EIS must take the same impotent course. Our organization supports the seven stipulations recommended by the Alaska Forum for Environmental Responsibility (AFER)...	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00094009	The DEIS fails to recommend the necessary new stipulations. That doesn't that the Final EIS must take the same impotent course. Our organization supports the seven stipulations recommended by the Alaska Forum for Environmental Responsibility (AFER)—not because we are blindly following AFER's lead, but because they make sense to us, based on our local knowledge and experience with pipeline operations. Those recommendations are: Thorough review of stipulations attached to the original Grant and Lease agreements: We all know that technology has improved in the past 25 years. It is only prudent to review stipulations and see if they take advantage of new knowledge.	The JPO uses an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00094011	Some of the recommendations listed above were discussed in "Alternatives and Issues Considered but Eliminated from Detailed Analysis" (DEIS, Section 2.5). Reasons given for eliminating them included "no authority", "not part of the application for renewal", and "would involve a separate rule-making process". It is difficult to view these as anything but convenient evasions. They do not belong in the Final EIS. The BLM and the authors of the document should understand that failing to prevent a catastrophic oil spill will have environmental and social consequences of enormous magnitude. The Final EIS should be a strong document that reflects an understanding of the seriousness of the issue.	This issue addresses the BLM DEIS and is not within the scope of review for the TAPS lease renewal process.
00094012	BLM should use all the power it has to make strong stipulations. If a separate rule-making process is required, then make renewal contingent upon completion of that process. If BLM lacks authority in some area, then make renewal contingent upon an act of Congress that gives it that authority.	The state statute and the right-of-way lease provide DNR with the authority it needs to oversee operation of the TAPS and to impose strict and enforceable requirements upon Alyeska to comply with necessary operational procedures.

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00096001	I am very concerned that the next major spill will be along the overland—or "overstream"—portion of TAPS. The risk is high for my community—20% of the 800- mile pipeline is within the Copper River watershed and the main pipeline crosses 76 tributaries of the Copper. While spill prevention and response measures have improved significantly since the 1989 spill—almost all due to citizen oversight and pressure, most of those changes are at the Valdez terminal and in Prince William Sound. On the pipeline, reliable spill prevention and response measures still do not exist. The problem is particularly acute at river crossings. TAPS crosses 800 streams and sections of pipeline over rivers have reached design capacity for sag—there is nothing left to give. This seems like an accident waiting to happen.	There are no sections of the pipeline over streams that have reached their design capacity for sag. Pipeline bridges are inspected annually. At least every five years they are inspected by a professional engineer. The Joint Pipeline Office (JPO) oil-spill-planning and prevention program is a large-scale, multi-agency endeavor. Each of five participating agencies (Alaska Department of Environmental Conservation (ADEC), Environmental Protection Agency EPA), Bureau of Land Management (BLM), Alaska Department of Natural Resources (ADNR), and the Office of Pipeline Safety (OPS)) has a particular focus; however, their individual objectives are considered collectively in the JPO TAPS oil spill response and planning group. This inter-agency group meets monthly and maintains a continuous monitoring program on TAPS oil-spill-planning and related issues. The emphasis of the five agencies is the prevention of spills. Spill prevention is accomplished through a combination of: 1) oversight of spill contingency planning (including 64 exercises conducted on TAPS annually) and, 2) through JPO's comprehensive TAPS operations oversight, monitor issues which could contribute to a spill in the future. JPO is doing everything possible to prevent and respond to a potential oil spill from TAPS. The "TAPS Oil Discharge Prevention and Contingency Plan" (APSC 2001g) for the pipeline and in the "Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan" (APSC 2001h) for the VMT explain in detail Alyeska's oil spill response capabilitites and plans for TAPS. The Plans provide for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline or at VMT. They are available to the public through various libraries in several major cities in Alaska. Oil spill prevention and response capabilities and related activities specific to the Copper River Drainage area are discussed more fully in the Issue Paper " Oil Spill Planning for the Copper River Drainage."

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ID	Comment	StateResponse
00096002	My comments are based on my experience living in a community that oil company and government representatives visited in the early 1970s and stated there wouldn't be an oil spill in Prince. William Sound. The oil companies made many promises such as tankers would have double hulls and we would have a state-of-the-art traffic control system in the Sound. Had these promises been kept, we might not have had the Exxon Valdez oil spill.	This issue is not within the scope of the TAPS lease renewal process. BLM has provided some information that may interest the commenter. Based on lessons learned as a result of the EVOS, new legislation, and new regulations, numerous improvements have been made that will reduce the likelihood of a major marine transportation accident and/or the expected outflow given such an accident. These measures fall into two main classes: (1) Improvements in spill prevention and response capability for Prince William Sound (PWS) made by Alyeska, including the creation of the Ship Escort Response Vessel System (SERVS). (2) Phase-in of double-hull tankers. The recent National Research Council study (NRC, 1998) offers estimates of measures of effectiveness of double-hull tankers compared to existing single-hull tankers. This study estimates that the probability of a spill would be reduced by an "improvement factor" ranging from 4 to 6, and the expected spill outflow reduced by an improvement factor of between 3 and 4. Together, improvements in prevention and phase-in of double-hull tankers should reduce spill probabilities and spill outflows at PWS appreciably.
00096003	Some, but not all, of the oil companies' promises were stated as a set of conditions and stipulations in the original agreements and right-of-way grants. The Interior Department and its designees were assigned the job of ensuring those promises to the American people were kept. Even a brief review of history shows that many of these promises were broken. and that the companies were allowed to operate for literally years in noncompliance with their federal grant	The State of Alaska and BLM have evaluated the compliance issues and have determined that the applicant is in compliance with the terms of the Federal Grant and State Lease.

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ID	Comment	StateResponse
00096004	For example, the ballast water treatment (BWT) facility at the tanker terminal has not been reviewed at least once every 5 years to ensure state-of-the-art equipment and technology as promised the federal grant and state lease. Some improvements at the BWT facility occurred only recently and through citizen involvement and oversight. The vapor recovery system at the tanker terminal didn't work for decades—since startup until 1998 when vapor controls were built into two of the four berthing docks. When it didn't work it dumped literally tons of benzene into the air and jeopardized public and worker health and safety in violation of the federal grant, state lease, and operating permits. In 1993, concerned industry employees testified in Congress that the quality control program was nonexistent—since startup—and, as a result, the entire TAPS had been so poorly maintained that it posed an imminent threat to the public, workers, and the environment. Subsequent audits validated the whistleblowers' concerns. Operating without an independent quality control program is in direct violation of the federal grant and state lease.	The member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety
00096005	More recent examples occurred after the Exxon Valdez oil spill. Still now over 13 years later, most of the species studied by the Trustee Council have not recovered from the spill. Yet the federal grant and state lease promise that damages to public lands will be promptly repaired or replaced and that damages to public fish and wildlife resources, and their habitat, will be rehabilitated. This	The action addressed in the State Commissioner's Determination is renewal of the right-of-way for the TAPS. While renewal would result in continued operation of oil tankers in Prince William Sound, that activity is beyond the limits of the right-of-way corridor and not under the jurisdiction of DNR. Moreover, the DNR has no authority over oil spill cleanup and damage assessment within Prince William Sound. Regulation of activities associated with the transport of oil by tankers in Prince William Sound is under the jurisdiction of the U.S. Coast Guard and the U.S. Department of Transportation. Analysis of impacts to fish and wildlife in Prince William Sound is included in the DEIS to provide perspective within which the direct and indirect impacts of the proposed action and alternatives are addressed. The member agencies of JPO enforce a number of stipulations that are protective of fish and wildlife resources within the right-of-way corridor. The State Pipeline Coordinator's report did not find any significant impact to fish or wildlife resources associated with TAPS operations and maintenance within the right-of-way corridor.

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ID	Comment	StateResponse
00096006	The oil companies also promised in stipulations attached to the federal grant and state lease to “take all measures necessary to protect the health and safety of all persons affectedby their activities...” (Stipulation 1.20.1). I believe this promise includes taking care of residents and cleanup workers after a spill. Yet, after the Exxon Valdez spill, Tatitlek villagers observed that Exxon was willing to spend $800,000 on each sea otter for rehabilitation, but nothing or very little on mental health care for people traumatized by the spill. Further, thousands of cleanup workers got sick during 1989, despite Exxon’s worker safety program. I am just learning that hundreds of people may still be sick from overexposure to oil vapors, fumes, and aerosols during the cleanup. All the oil companies promised to “immediately abate any health or safety hazards” (Stipulation 1.20.1): it seems all the companies not just the spifier, are responsible to ensure that people don’t get sick during the cleanup-and to take care of.the ones who do as per the original promise.	The member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provides authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.

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ID	Comment	StateResponse
00096007	I think that the oil companies are now currently in noncompliance with the federal grant and state lease. For example, the fire-fighting ability at the tanker terminal is virtually nonexistent. Oily sludge (hazardous waste) has collected several feet deep in tanks at the BWT facility—and the sludge incinerator was never built as per the original facility design. There is still no independent quality assurance program. The contingency plans for river spifis are grossly inadequate—drills show the plans won't work to contain and cleanup oil spilled into rivers. I'm sure this list is incomplete and pipeline regulators could add to it if they were to seriously look for problems and not just respond to ones brought to their attention by citizens or concerned employees.	Any information regarding potential hazards associated with TAPS should be provided to the JPO. The Valdez Marine Terminal (VMT) has a number of fire protection systems and fire protection capability was considered in preparing the DEIS. Fire-detection systems are used at the VMT to give early notification of smoke, flame, or heat. Various devices detect anomalies and alert people through alarms. When a fire has been detected, fire-suppression systems are activated to extinguish the fire before it becomes unmanageable. These systems use ionization or photoelectric detectors for smoke, ultraviolet for flame, and thermal detectors for heat. Except for certain local fire-alarm systems that are separate from the VMT systems, an activated fire-detection system sounds an alarm at the operations center and activates the alarm system. The fire-detection systems may also provide ventilation-unit automatic control, initiate equipment and process shut down, and activate the fixed automatic fire-suppression systems. Combustible-gas detection systems are installed in buildings or areas where potentially explosive atmospheres can develop in the presence of flammable vapors or gases. All large-volume process areas/zones are protected by gas-detection voting logic. The gas-detection systems automatically start emergency ventilation units, control the equipment and process shutdown, and activate the fixed automatic systems. Halon or carbon dioxide is automatically discharged when a fire condition is sensed and alarms sound. The chemicals are dispersed only in the area potentially exposed to the fire. Carbon dioxide total-flooding suppression systems are installed in the switchgear room, the lifeline generator room, and selected power-distribution centers. Halon is available only in the analytical laboratory. The VMT fire-fighting systems consist of onshore and offshore firewater systems, a foam system for tanks, a separate foam system for the East and West Metering Buildings, a Halon extinguishing system, carbon dioxide at some locations, and other auxiliary water systems involving fire trucks and other fire-fighting equipment. The onshore firewater system supplies seawater from Port Valdez to hydrants near critical buildings, tanks, and equipment. Water from the firewater system also supplies two fixed foam systems protecting tanks in the East and West Tank Farms, and a separate Metering-Building foam system. Three pumping systems serve the three primary VMT areas: lower Terminal, upper Terminal east, and upper Terminal west. Jockey pumps maintain pressure in the main firewater lines. Booster pumps supply water to the East and West Tank Farms.

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		The firewater system is a closed-loop system. Any point on the main firewater lines can be supplied from two directions. Electric heat tracing is installed on sections of firewater line installed above the frost line (8 feet below grade). Cathodic protection protects the buried pipe from external corrosion. Each of the four tanker berths has a separate fire-control system. A firewater supply pump is located in the pump building on the offshore structure of each berth. The pump supplies firewater to the foam system on the berth. Each berth's system is tied into the onshore fire system by a redundant firewater line running along the berth causeway. The redundant firewater supply provides an alternate source of water to the berths. If the berth firewater pump fails, water may be supplied to the berth from the onshore firewater system. These systems can be supplemented with fire trucks and other portable equipment and by fire-protection equipment on tugboats. The fire protection systems are under continuous upgrade and the fire-alarm panels and detection devices in VMT buildings were recently improved. Firewater piping was relined in 2000 for corrosion protection and a fire-hydrant replacement program is in place, which will change out ten units every year until all are complete. All components of the firewater system have built-in redundancies so that fire protection is virtually guaranteed. Alyeska performs periodic maintenance and follows operating procedures to inspect and test the fire-and gas-detection and -suppression systems regularly. Procedures are being upgraded to improve consistency and documentation, and to fill any identified gaps. The State Fire Marshal Office is a memeber of the the JPO and oversees fire-protection measures. Regarding the sludge accumulation at the BWTF, under normal operation, sludge is expected to accumulate in a number of locations within the BWTF. For example, settleable solids are expected to accumulate in the influent holding tanks and in the initial oil/water separation chambers. Sludge, including non-biodegradable solids and biomass (i.e. dead bio-organisms) is expected to accumulate in biodigesters. Sludge and condensate can also accumulate in petroleum storage tanks (the 90s tanks and the 80s tanks). Operational procedures for the BWTF account for these accumulations of sludge and provide for their periodic removal. All sludges removed from any portion of the BWTF, including associated storage tanks are tested for hazardous character and managed accordingly. The "TAPS Oil Discharge Prevention and Contingency Plan" (APSC 2001g) for the pipeline and in the "Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan" (APSC 2001h) for the VMT aexplain in detail Alyeska's oil spill response

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ID	Comment	StateResponse
		capabilitites and plans. The Plans provide for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from anywhere along the pipeline, including the river crossings, or at the VMT. The Plans are available to the public through various libraries in several major cities in Alaska. These documents are updated and reviewed by various State and Federal agencies periodically ranging from every year to every 5 years. The substantive elements of the contingency plans are controlled by ADEC rules (18 AAC75), which include provisions for public review and comment as part of the plan update procedures. The lessons learned from occurrences such as EVOS, and the MP 400 bullet hole incident are incorporated into the documents when they are updated.
00096008	In light of these past and still ongoing problems, I strongly disagree with statements made by both the state and federal regulators in the draft EIS documents. The Alaska Department of Natural Resources found the oil companies to be in compliance with the state lease. This determination is obviously a requirement for reauthorization as it has nothing to do with reality.	DNR, throught he JPO, conducted an extensive program to evaluate Alyeska compliance with state law and lease requirements. In addition, DNR determined that Alyeska was in commercial operation. Both state law and the lease require renewal of the lease if these conditions are met. The DNR Commissioner, after consideration of the information submitted to him, determined that the Lessee's were in compliance with state law, lease requirements and in commercial operation and the lease should be renewed.
00096010	I was further shocked and offended by the following statement in the draft EIS. "While the Exxon Valdez oil spill was a significant event in the operation of TAPS, creating significant benefits to the state and local economy that more than offset the economic damage to the fishing and tourism industries in Prince William Sound, it is unlikely that a spill of such magnitude, even if it occurred again would create the same level of economic activity" (DEIS, page 4-7-116).	The Department of Natural Resources thanks you for your comment. Please note that the comment was addressed to the BLM DEIS and outside the scope of the TAPS lease renewal process.
00096011	This offensive statement clearly shows that the government regulators have a completely different perspective of their job of pipeline oversight than we were all led to believe by the federal grant and state lease. The original right-of-way documents do not mention that economics of spill deanup would be weighed against economic damages to the few communities at risk—I don't think the right-of-way would have been granted with such a discriminatory approach. Instead the oil companies promised to protect, repair, replace, rehabilitate, etc. fish and wildlife resources, and their habitat (Sections 13, 14, 15, 19, 20, and 21)—and the regulators are supposed to hold the companies to this promise. Specifically, the companies also promised to protect subsistence resources, lands, and users, which have a zero dollar economy and can't be compared to economics of spill deanups at all.	The Department of Natural Resources thanks you for your comment. DNR requires the TAPS Owners to fulfill statutory obligations as well as lease stipulation requirements with respect to protection oif fish and wildlife resources and protection and restoration of

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00096014	State and federal regulators have further shown their disregard for public comments by trying to dismiss the Alaska Forum's key recommendations without any consideration on their part, which seems to be in violation of the spirit of the NEPA process. Despite all the obstacles for public testimony, I offer the following recommendations for improving TAPS operations for the next 30 years—and I believe all my comments are well within the scope of this National Environmental Policy Act hearing process..	The DNR developed five methods to receive comments from the public: (1) via e-mail, (2) fax (3) six public hearings, (4) standard mail, and (5) hand delivery to JPO offices. To imply that it was difficult to submit comments is incorrect.
00096015	Recommendation #1: Stiff meaningful penalties for failure to comply. Background of Concern It is often said that TAPS is the most regulated pipeline system in the world, but while the regulators and industry speak to the quantity of oversight, I am more concerned with the quality of oversight. There are three parts to meaningful oversight: setting standards and stipulations; monitoring compliance; and enforcing compliance. We have out-of-date standards, questionable monitoring, and virtually nonexistent enforcement. I don't care if TAPS is the most regulated pipeline system in the world. I care whether the regulation works: it doesn't—and it hasn't for 25 years.	The Department of Natural Resources does not have the authority to impose fines on the operator of TAPS. Also, see general comment response to 30-year renewal.

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ID	Comment	StateResponse
00096016	Recommendation #1: Stiff meaningful penalties for failure to comply. The regulatory system is broken largely because of questionable monitoring, no meaningful enforcement, and hobbled regulators. By questionable monitoring, I mean that I question the validity of industrial self-monitoring. And I also question whether the regulators are monitoring enough, whether they are monitoring the right things, whether they are doing so in a timely manner, and whether they enforce compliance with original promises and stipulations.	The member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety
00096017	Recommendation #1: Stiff meaningful penalties for failure to comply. The problem with enforcement is lack of meaningful penalties for failure to comply with the leases and stipulations. Monetary fines are dwarfed by enormous profits, and the regulators are certainly not going to shut down the oil flow as a penalty for noncompliance—the nation has become too. dependent	The DNR does not have the authority to impose fines on the operator of TAPS under this lease. Other state agencies may have the statutory or regulatory authority to impose fines.
00096018	Recommendation #1: Stiff meaningful penalties for failure to comply. And finally, regulators are hobbled because they discouraged from doing their jobs. For example, the State of Alaska has a long history of firing or redassifying employees who take their regulatory and oversight role seriously. ADEC employee Dan Lawn's decade-long battle with the state to regain his oversight position of TAPS terminal operations received international attention. This year, ADEC employee Susan Harvey made statewide news when the state fired her, basically, for reviewing North Slope operating permits too dosely.	The DNR and member agencies of the JPO work to ensure the safe operation of TAPS. The DNR is not aware of any action taken against state employees for conducting rigorous oversight of TAPS operations and maintenance.

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ID	Comment	StateResponse
00096019	Recommendation #1: Stiff meaningful penalties for failure to comply. Federal regulators frequently fail to follow through with enforcement. The criminal investigation by the US Justice Department (DOJ) into the 1993 file-stuffing incident by Alyeska during the Owen Thero audit was quietly dropped after months of work. In 1996, another criminal investigation occurred when it was disdosed that BP had reinjected hazardous waste down one of its weliheads. The DOJ levied $25 million in fines and civil .penalties against BP and its contractors and put BP on probation. The penalties were trivial in terms of North Slope profits. More importantly: now BP is in apparent violation of its probation because of safety issues, yet the federal government has not yet enforced the probation terms.	The DNR does not have the authority to impose fines on the operator of TAPS under the existing lease. However, other state agencies may have the right to impose fines under their statutes and regulations.
00096020	Recommendation #1: Stiff meaningful penalties for failure to comply. All the laws, regulations, stipulations, and oversight in the world are forever inadequate without meaningful. penalties and enforcement. These examples send a clear message to the oil company permittees that the laws and regulations don't matter and are secondary to economic considerations. This was what the American public was originally promised or led to believe would happen.	The state has the necessary authority under the state right-of-way lease to rigorously enforce compliance with all current and future stipulations.
00096021	Recommended Solution Some possibilities for meaningful penalties for noncompliance by the oil companies are as follows: * Oil companies in noncompliance could be required to report the circumstances of their noncompliance to their shareholders in quarterly newsletters as the events unfold (not after the fact). This is similar to the requirement for reporting violations under the federal Racketeering and Conspiracy Act—and it would help the public understand that a contract has been broken and public trust breached.	The DNR has no authority to require specific corporate reporting to shareholders. The Security and Exchange Commission has authority to compel the reporting of certain corporate activities to the public and shareholders.
00096022	Recommended Solution Some possibilities for meaningful penalties for noncompliance by the oil companies are as follows: * CEOs and other responsible officers of oil companies, in noncompliance could be required to conduct public service in the TAPS corridor communities most at risk from the consequences of the noncompliance. This is similar to the public service required of Joe Hazelwood as part of his penalty for grounding the Exxon Valdez and spilling oil, but this requirement should not be predicated on a trial. Every instance of monetary fines for noncompliance should also indude a public service component.	While DNR does not have the authority to impose fines or punitive requirements on the operator of Trans-Alaska Pipeline System, it has the necessary authority under the state lease to rigorously enforce compliance with all current and future stipulations.

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ID	Comment	StateResponse
00096023	Recommended Solution Some possibilities for meaningful penalties for noncompliance by the oil companies are as follows: * Penalties'should be accrued with interest on a daily basis as long as the infraction occurs.	The Department of Natural Resources does not have the legal or regulatory authority to impose fines on the operator of TAPS unless it is written in the lease agreement.
00096024	Recommended Solution Some possibilities for meaningful penalties for noncompliance by the oil companies are as follows. Penalties should be set higher and tied in with the cost of the fixing the problem: penalties should be 10 times the money saved by failure to do the maintenance work in a timely manner. This will force owners to change perspective and view maintenance as a cost savings compared to prospective penalties.	The Department of Natural Resources does not have the authority to impose fines on the operator of TAPS. However, other agencies within the state do have the statutory authority to impose fines.

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ID	Comment	StateResponse
00096028	Recommendation #4: Require independent, long-term epidemiology studies, and short- and long-term treatment of physical and mental health effects, for workers and affected residents after major TAPS spills. Physical Health Effects There is evidence from oil spills around the world that nearby residents get sick from exposure to oil aerosols from wind and wave action and from volatilized oil vapors. In 1989, residents of Tatitlek became nauseous and dizzy when the fumes from the Exxon Valdez test bum permeated their village (Anchorage Times, 3/28/89). Researchers found residents exposed to oil aerosols, mists, and fumes from the Braer spill in Shetland in 1992 suffered more incidences of headaches, throat irritation, skin irritation, itchy eyes, and mood changes, and to a lesser extent fatigue, diarrhea, nausea, wheezing, cough, and chest ache, than unexposed individuals. Researchers found residents exposed to oil aerosols, mists, and fumes from the Sea Empress oil spill in Milford Haven harbor in southwest Wales in 1996 suffered similar symptoms to a greater extent than unexposed people. There is also evidence that Exxon Valdez cleanup workers got sick from exposure to oil aerosols, mists, and fumes. Court records (now sealed) revealed that deanup workers filed over 6,700 claims with Exxon in 1989 for respiratory illnesses. Exxon did not report these claims to state or federal OSHA oversight agencies and so dodged the long-term health monitoring requirements of hazardous waste cleanup regulations. Health symptoms of cleanup workers described in media coverage, 1989 congressional oversight hearings, and medical records from toxic tort cases filed by sick workers respiratory and sinus problems, headaches, cough, nausea, dizziness, sore throats, burning eyes, and mood swings among others. Exxon Valdez cleanup workers filed nearly 1,800 claims with the Alaska Workers' Compensation Board in 1989: respiratory claims were by far the leading illness among cleanup workers.	The member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.

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ID	Comment	StateResponse
00096029	Recommendation #4: Require independent, long-term epidemiology studies, and short- and long-term treatment of physical and mental health effects, for workers and affected residents after major TAPS spills. Mental Health Effects: Besides affecting the physical health of workers and residents, researchers have documented acute and prolonged mental health effects on residents of affected communities. I believe that the original promises to protect the health and safety of all persons affected by the owners' activities included mental as well as physical health. Seminal studies by sociologist Dr. Steve Picou and others on communities impacted by the Exxon Valdez spill found that models developed from natural disasters for community response and relief of emotional trauma did not work for man-made disasters. In natural disasters, community impacts were known to be short-term and response was therapeutic—social bonds actually improved when people worked together to rebuild their community. But in technological disasters such as Bhopal, Chernobyl, Three Mile Island, Love Canal—and the Exxon Valdez spill, sociologists observed pervasive and debilitating stress, and chronic social and psychosocial impacts. These impacts were prolonged by divisive litigation—still unsettled in the Exxon Valdez spill—that further destroyed social bonds and hindered the healing process. In communities struggling with disaster-induced psychological trauma, there is little opportunity to work collectively to rebuild and recover. Speeding recovery by mitigating social damage is addressed through Federal Emergency Management Act, but this law only applies to natural disasters. Picou and his co-workers developed a method of reducing emotional trauma from the Exxon Valdez spill: this "peer listening circle" is now being used to relieve mitigate emotional harm in oil spifi impacted communities and other communities experiencing trauma from technological disasters.	The member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provides authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.

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ID	Comment	StateResponse
00096030	Recommendation #4: Require independent, long-term epidemiology studies, and short- and long-term treatment of physical and mental health effects, for workers and affected residents after major TAPS spills. The Exxon Valdez oil spill, the 2001 Livengood spill, the spate of spills in fall 2001 at pump stations during restart after maintenance are just examples of the inevitable consequences of TAPS operations. All the TAPS owners are liable for public and worker health and safety from spills along the TAPS corridor, while single owners are assumed to be responsible parties for tanker spifis. However, I maintain that worker and public health and safety for all TAPS spills—whether along the overland or marine portion—are addressed through the original TAPS right-of-ways. I further maintain that additional stipulations are necessary in light of law changes (oil spills declared hazardous waste cleanups), and evidence that people and workers exposed to oil aerosols, mists, and fumes, and oil spill emotional trauma, get physically—and mentally—sick.	The member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00096031	Recommendation #4: Require independent, long-term epidemiology studies, and short- and long-term treatment of physical and mental health effects, for workers and affected residents after major TAPS spills. Recommended Solution TAPS owners should be required to pay for increased mental health care in the years during and immediately after a spill in affected communities. This care should include focused peer listening circles to mitigate community-level emotional trauma. Since oil spill cleanups are considered a hazardous waste cleanup, long-term health care studies should be required as the health symptoms associated with crude oil exposure (long-term respiratory damage; disorders of the central nervous system, liver, kidney, blood, and skin; endocrine disruption; and immune suppression) could take years to manifest as physical health problems. Oil companies should also be required to provide chemical decontamination treatments for individuals with acute health symptoms from high body levels of crude oil and other substances present during the cleanup. Individuals who become disabled from overexposure to chemicals present during the cleanup should be compensated by the oil companies, as should the estate of individuals who die from overexposure to chemicals present during the cleanup.	The member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00096032	Recommendation #4: Require independent, long-term epidemiology studies, and short- and long-term treatment of physical and mental health effects, for workers and affected residents after major TAPS spills. Any spill-related epidemiology studies and treatment for mental and/or physical health impacts should be contracted through the citizen oversight groups or independent professional facilities and should be paid for by the TAPS owners (or in the case of a tanker spill, by the responsible party) through the DOT. The TAPS owners or oil shippers should not be allowed to participate in any studies or treatments in any way (i.e., study or treatment design or conduct, review of draft results, sharing of confidential health data, etc.).	The member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00096036	Recommendation #6: Thoroughly review and update the original Grant, Lease, and stipulations in light of past experience, current science, new technology, new laws, and public comments. Background of Concern The federal grant and state lease, and the attached stipulations, are seriously out-dated as evidenced by over 30 years of experience with TAPS construction, operation, maintenance, and spills, discussed above. The sections and stipulations designed to protect the environment, fish, wildlife, subsistence resources and habitat, and worker and public health and safety are all inadequate. The Grant and Lease and stipulations need to be strengthened to provide assurances to the American public that the oil companies and government will live up to their original promises.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease. The lease contains strong provisions to protect fish and wildlife resources, in some instances, stronger than state law. The Alaska Department of Fish and Game provides a representative to the JPO for the sole purpose of addressing TAPS related fish and wildlife concerns. As part of the renewal process, ADF&G performed an assessment of Alyeska's compliance with stipulation 2.5, Fish and Wildlife Protection, and found no outstanding compliance issues.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00096037	Recommendation #6: Thoroughly review and update the original Grant, Lease, and stipulations in light of past experience, current science, new technology, new laws, and public comments. Further, these original documents are three decades old and no longer reflect current science, technological advances, and law changes. For example, global warming and melting permafrost threaten to make at least one-third of the 77,000 vertical support members of the TAPS unstable with potentially catastrophic effects on the pipeline. Studies from the Exxon Valdez spill show that oil is 1,000 times more toxic previously thought, and that it can cause long-term environmental damage. Federal laws are still based on outdated research from the 1970s and 1980s and are grossly under-protective of fish and wildlife. This makes the original promises to protect fish, wildlife, and habitat even more important as basically this agreements mean the owners and TAPS regulators will take measures beyond existing laws in order to protect fish and wildlife, habitat, and other subsistence needs.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease. The lease contains strong provisions to protect fish and wildlife resources, in some instances, stronger than state law. The Alaska Department of Fish and Game provides a representative to the JPO for the sole purpose of addressing TAPS related fish and wildlife concerns. As part of the renewal process, ADF&G performed an assessment of Alyeska's compliance with stipulation 2.5, Fish and Wildlife Protection, and found no outstanding compliance issues. Alyeska has shown a willingness to work with ADF&G on stream restoration projects along the right-of-way. Alyeska has trained staff and implemented techniques considered leading edge in the stream restoration field (Rosgen).
00096038	Recommendation #6: Thoroughly review and update the original Grant, Lease, and stipulations in light of past experience, current science, new technology, new laws and public comment. Further, the original grant and lease agreements were signed by some companies that no longer exist because of mergers and buyouts. I assume, but would like proof, that the new companies are signatories to the current right-of-way Grant and Lease.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide BLM and JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease. The lease requires the lessee to obtain the consent of the Department of Natural Resources to transfer, assign or dispose of their interest in the lease. The new owners are required to assume full responsibility for the state lease.
00096044	Recommendation #10: Transfer of TAPS operations to single source with no North Slope production. Background of Concern The oil company owners consistently cut costs on TAPS operations and maintenance to increase their profits. This dynanric has created an internal conflict of interest, essentially, between the owners and the	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory authority under the renewal process to take the right-of-way lease from the owners.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00096045	Recommendation #10: Transfer of TAPS operations to single source with no North Slope production. While the oil company permittees promised in the right-of-way leases to take all 'reasonable' or 'appropriate and adequate' steps to protect the environment, fish and wildlife, and public and worker health and safety, these adjectives are relative when viewed from different perspectives. What seems reasonable to the oil companies, who measure the cost of prevention against their profits, may not seem reasonable to the public, especially those who measure the cost of spills against their livelihoods and health.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory authority under the renewal process to take the right-of-way grant from the owners. However, the member agencies in the JPO are committed to the protection of human health and the environment. The lease provides authority to state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the federal grant contain numerous provisions that are protective of human health and the environment.
00096046	Recommendation #10: Transfer of TAPS operations to single source with no North Slope production. Under the present management scenario, the public has no opportunity to weigh in with social, environmental, economic, and health costs except once every 30 years during the permit renewal. Obviously this disadvantages the public and leaves our fate in the hands of the oil companies whose performance over the past 30 years shows that the public traded very real permits for paper promises. The oil companies have not been accountable to the American public and have profited handsomely at the public's expense.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory authority under the renewal process to take the right-of-way lease from the owners.
00096047	Recommendation #10: Transfer of TAPS operations to single source with no North Slope production. Recommended Solution As stated above: by transferring the operation, maintenance, and termination of TAPS to a single source with no North Slope production, the internal conflict of interest is broken. This operator would take more 'reasonable' steps, from the public perspective, to reduce its liability from spills by attention to TAPS operations and maintenance. Performance bonds could be required for additional protection of the public interest.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no authority under the renewal process to assign ownership to another party.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00096048	Summary of Concerns Once again I am echoing the concerns of people in Cordova who are concerned about imniinent danger from a pipeline spill along the TAPS corridor. More paper promises like the Reliability Centered Maintenance (RCM) program will not avert disaster without independent management and a stable source of funding. The biggest challenge for the next 30 years is to keep oil in that aging pipeline. I wish I could age as well as the oil companies allege that pipeline is aging!	The Department of Natural Resources thanks you for your comment.
00100001	My perspective is that prior to any pipeline renewal or lease agreement, government agencies must ensure critical safeguards are established.	The DNR and member agencies of the JPO are committed to the long-term protection of human health and the environment. The state lease provides authority to the state in the assuring long-term protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the federal grant contain numerous provisions that are protective of human health and the environment.
00100002	It is my understanding that numberous serious incidents have occurred in the past including: -The Livengood bullet hole spill (and associated long/delayed response time) – The 2 foot shift in a section of pipeline at Atigun Pass that went undetected for several months. Additional major concerns would include: - Corrosion and support instability from accelerated thawing of permafrost - Future seismic activities. - Spill prevention and response plans at the 800 river and stream crossings (this issue MUST be addressed prior to any lease or contract renewals). Any spill over an anadromous river, such as the Yukon, Copper, Gulkana, or Tanana, would be economically and environmentally devastating.	Regarding Livengood (Milepost 400) bullet hole, the time required to stop oil from being discharged from the bullet hole (36 hours) can be improved. Based on the lessons learned from this unfortunate incident, the JPO interagency oil spill response team has published an incident report (reference needed) that develops new procedures for future spills. Similarly corrections were made to prevent future incidents at Atigun Pass. The closure of pipeline valves are now regulated to prevent a surge such as the one that caused the shift at Atigun. Pipeline corrosion and the movement of pipeline supports due to instable soils are closely monitored.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00101063	Section 3.26 Cultural Resources The Valdez/Prince William Sound region described (page 3.26-1) must include Prince William Sound. Cultural resources were significantly impacted by the Exxon Valdez oil spill in this area. In addition, there are numerous cultural resource sites linked to the Native Village of Eyak located in Prince William Sound that have the potential to be impacted by the TAPS and related	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1.in commercial operation; 2.in full compliance with state law; and 3. in compliance with all terms of the Lease. The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.
00101071	Section 3.28 Recreation, Wilderness, and Aesthetics Section 3.28.1 Recreation We disagree with the statement that there has been "no change in recreational use levels or opportunities…noted by the U.S. Forest Service (USFS) in the last 25 years" (page 3.28-3). Personal communication with a Forest Service employee in Cordova is the source for this statement. The Forest Service has instituted a Revision Plan for the Chugach Forest and many increases in recreation were noted in that document. In addition, there are current projects to expand access within the Chugach Forest due to increasing angler pressure and to expand camping areas and day use areas due to increased use. This statement does not mesh with the projects and technical reports the Forest Service has issued over the past two decades that refer to increased user pressure. It is not appropriate to ignore this data and evidence and base conclusions on personal communication with a Forest Service staff person.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1.in commercial operation; 2. in full compliance with state law; and 3.in compliance with all terms of the Lease. The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00101076	Section 4.1.3.3 Biological Considerations for Operations and Maintenance Activities This section outlines several initiatives that Alyeska Pipeline Service Company (APSC) undertakes to control impacts on biological resources. This includes "training of APSC personnel about potential impacts on biological resources, including appropriate behavior toward wildlife" (page 4.1-24). The Native Village of Eyak requests that similar initiatives be undertaken by APSC to train personnel in cultural sensitivity and appropriate behavior toward Tribal members and all aboriginal peoples, especially in regards to subsistence harvest and use along the TAPS and surrounding impacted areas (this includes PWS). It is essential that mechanisms to include Tribes in all aspects of the TAPS be put in place as part of this renewal.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1.in commercial operation; 2. in full compliance with state law; and 3.in compliance with all terms of the Lease. The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review. APSC has number of training and education programs that highlight both the importance and requirements of environmental, human health and safety, and cultural resource protection. The DNR will request that APSC continue to highlight to their staff and contractors the importance of Native values and Native subsistence activities.
00101099	Section 4.3.22 Cultural Resources This section must be changed to include Tribes. The sentence should read: "Amy mitigation measures would be determined on a case-by-case basis through consultation with the Alaska SHPO and the appropriate affected Tribe or Tribes (page 4.3-90)."	Text change in the EIS made.
00103002	Swift water oil recovery procedure and equipment need to be developed.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00109003	More recent examples occurred after the Exxon Valdez oil spill. Still now over 13 years later, most of the species studied by the Trustee Council have not recovered from the spill. Yet the federal grant and state lease promise that damages to public lands will be promptly repaired or replaced and that damages to public fish and wildlife resources, and their habitat, will be rehabilitated. This	This issue is not within the scope of the TAPS lease renewal process. The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00109004	The oil companies also promised in stipulations attached to the federal grant and state lease to" take all measures necessary to protect the health and safety of all persons affected by their activities..:' (Stipulation 1.20.1). I believe this promise includes taking care of residents and cleanup workers after a spill. Yet, after the Exxon Valdez spill, Tatitlek villagers observed that Exxon was willing to spend $800,000 on each sea otter for rehabilitation, but nothing or very little on mental health care for people traumatized by the spill. Further, thousands of cleanup workers got sick during 1989, despite Exxon' s worker safety program. I am just learning that hundreds of people may still be sick from overexposure to oil vapors, fumes, and aerosols during the cleanup. All the oil companies promised to" immediately abate any health or safety hazards" (Stipulation 1.20.1): it seems all the companies not just the spiller, are responsible to ensure that people don' t get sick during the cleanup-and to take care of the ones who do as per the original promise.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00109005	I think that the oil companies are now currently in noncompliance with the federal grant and state lease. For example, the fire-fighting ability at the tanker terminal is virtually nonexistent. Oily sludge (hazardous waste) has collected several feet deep in tanks at the BWT facility—and the sludge incinerator was never built as per the original facility design. There is still no independent quality assurance program. The contingency plans for river spills are grossly inadequate—drills show the plans won' t work to contain and cleanup oil spilled into rivers. I' m sure this list is incomplete and pipeline regulators could add to it if they were to seriously look for problems and not just respond to ones brought to their attention by citizens or concerned employees. In light of these past and still ongoing problems, the Alaska Department of Natural Resources found the oil companies to be in compliance with the state lease. Why?	Any information regarding potential hazards associated with TAPS should be provided to the JPO. The Valdez Marine Terminal (VMT) has a number of fire protection systems and fire protection capability was considered in preparing the DEIS. Fire-detection systems are used at the VMT to give early notification of smoke, flame, or heat. Various devices detect anomalies and alert people through alarms. When a fire has been detected, fire-suppression systems are activated to extinguish the fire before it becomes unmanageable. These systems use ionization or photoelectric detectors for smoke, ultraviolet for flame, and thermal detectors for heat. Except for certain local fire-alarm systems that are separate from the VMT systems, an activated fire-detection system sounds an alarm at the operations center and activates the alarm system. The fire-detection systems may also provide ventilation-unit automatic control, initiate equipment and process shut down, and activate the fixed automatic fire-suppression systems. Combustible-gas detection systems are installed in buildings or areas where potentially explosive atmospheres can develop in the presence of flammable vapors or gases. All large-volume process areas/zones are protected by gas-detection voting logic. The gas-detection systems automatically start emergency ventilation units, control the equipment and process shutdown, and activate the fixed automatic systems. Halon or carbon dioxide is automatically discharged when a fire condition is sensed and alarms sound. The chemicals are dispersed only in the area potentially exposed to the fire. Carbon dioxide total-flooding suppression systems are installed in the switchgear room, the lifeline generator room, and selected power-distribution centers. Halon is available only in the analytical laboratory. The VMT fire-fighting systems consist of onshore and offshore firewater systems, a foam system for tanks, a separate foam system for the East and West Metering Buildings, a Halon extinguishing system, carbon dioxide at some locations, and other auxiliary water systems involving fire trucks and other fire-fighting equipment. The onshore firewater system supplies seawater from Port Valdez to hydrants near critical buildings, tanks, and equipment. Water from the firewater system also supplies two fixed foam systems protecting tanks in the East and West Tank Farms, and a separate Metering-Building foam system. Three pumping systems serve the three primary VMT areas: lower Terminal, upper Terminal east, and upper Terminal west. Jockey pumps maintain pressure in the main firewater lines. Booster pumps supply water to the East and West Tank Farms.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
		The firewater system is a closed-loop system. Any point on the main firewater lines can be supplied from two directions. Electric heat tracing is installed on sections of firewater line installed above the frost line (8 feet below grade). Cathodic protection protects the buried pipe from external corrosion. Each of the four tanker berths has a separate fire-control system. A firewater supply pump is located in the pump building on the offshore structure of each berth. The pump supplies firewater to the foam system on the berth. Each berth's system is tied into the onshore fire system by a redundant firewater line running along the berth causeway. The redundant firewater supply provides an alternate source of water to the berths. If the berth firewater pump fails, water may be supplied to the berth from the onshore firewater system. These systems can be supplemented with fire trucks and other portable equipment and by fire-protection equipment on tugboats. The fire protection systems are under continuous upgrade and the fire-alarm panels and detection devices in VMT buildings were recently improved. Firewater piping was relined in 2000 for corrosion protection and a fire-hydrant replacement program is in place, which will change out ten units every year until all are complete. All components of the firewater system have built-in redundancies so that fire protection is virtually guaranteed. Alyeska performs periodic maintenance and follows operating procedures to inspect and test the fire-and gas-detection and -suppression systems regularly. Procedures are being upgraded to improve consistency and documentation, and to fill any identified gaps. The State Fire Marshal Office is a memeber of the the JPO and oversees fire-protection measures. Regarding the sludge accumulation at the BWTF, under normal operation, sludge is expected to accumulate in a number of locations within the BWTF. For example, settleable solids are expected to accumulate in the influent holding tanks and in the initial oil/water separation chambers. Sludge, including non-biodegradable solids and biomass (i.e. dead bio-organisms) is expected to accumulate in biodigesters. Sludge and condensate can also accumulate in petroleum storage tanks (the 90s tanks and the 80s tanks). Operational procedures for the BWTF account for these accumulations of sludge and provide for their periodic removal. All sludges removed from any portion of the BWTF, including associated storage tanks are tested for hazardous character and managed accordingly. Detailed descriptions of sludge development at the BWTF and its subsequent management are provided in Section C.5. Alyeska's oil spill response capabilities and plans for TAPS are summarized in Section

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
		4.1.4 of the EIS and explained in detail in the "TAPS Oil Discharge Prevention and Contingency Plan" (APSC 2001g) for the pipeline and in the "Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan" (APSC 2001h) for the VMT. The Plans provide for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from anywhere along the pipeline, including the river crossings, or at the VMT. The Plans are available to the public through various libraries in several major cities in Alaska. These documents are updated and reviewed by various State and Federal agencies periodically ranging from every year to every 5 years. The substantive elements of the contingency plans are controlled by ADEC rules (18 AAC75), which include provisions for public review and comment as part of the plan update procedures. The lessons learned from occurrences such as EVOS, and the MP 400 bullet hole incident are incorporated into the documents when they are updated.
00109006	Federal and state regulatory agencies also stated that the aging 800-mile pipeline and its support systems that were originally built to last 30 years "can be sustained for an unlimited duration" with minimal costs and change in the operating and maintenance procedures. This statement demonstrates a lack of credibility—and no grasp of reality. The recent spate of accidents including the failed response to the Livengood bullet hole spill, and the 21-inch shift in a section of pipeline that went undetected for several months show that both industry and the regulators are ill-prepared for serious problems along the overland section of TAPS. The 3 spills at pump stations on pipeline startup after routine maintenance last fall clearly demonstrate this pipeline is aging and not aging well as frequent spills on startup are one sign of increasing problems that should be anticipated—not ignored—in an aging pipeline.	In estimating the frequencies and spill volumes for future spills, both the historical data from past spills and the potential for catastrophic spills of large consequence were considered. As any other engineering project, there is no 100 percent proof that the pipeline will not fail. However, the owners of the pipeline and the Federal and State agencies with oversight responsibilities for TAPS are doing everything possible to minimize the likelihood and consequences of future spills. This includes a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems to reduce the risk of failure to critical system components.
00109007	This offensive statement clearly shows that the government regulators have a completely different perspective of their job of pipeline oversight than we were all led to believe by the federal grant and state lease. The original right-of-way documents do not mention that economics of spill cleanup would be weighed against economic damages to the few communities at risk—I don' t think the right-of-way would have been granted with such a discriminatory approach. Instead the oil companies promised to protect, repair, replace, rehabilitate, etc. fish and wildlife resources, and their habitat (Sections 13, 14, 15, 19, 20, and 21)—and the regulators are supposed to hold the companies to this promise. Specifically, the companies also promised to protect subsistence resources, lands, and users, which have a zero dollar economy and can' t be compared to economics of spill cleanups at all.	The settlement claim for punitive damages related to the Exxon Valdez oil spill in Prince William Sound is currently in litigation and is outside the scope of the renewal process for the state right-of-way lease. The member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provide authority to the state in assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within thestate right-of-way lease contain numerous provisions that are protective of human health and the environment. This includes the ability to ensure that adequate steps are taken to prevent spills and to alleviate the damage caused by spills.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00109009	#1 Stiff meaningful penalties for failure to comply. All the laws, regulations, stipulations, and oversight in the world are forever inadequate without meaningful penalties and enforcement. Monetary fines are dwarfed by enormous profits, and the regulators are certainly not going to shut down the oil flow as a penalty for noncompliance—the nation has become too dependent upon this energy source. The track record of the oil companies show that it has acted like a child who knows it is never going to be disciplined. This was what the American public was originally promised or led to believe would happen. Some possibilities for meaningful penalties for noncompliance by the oil companies include requirements for: 1) reporting the circumstances of noncompliance to their shareholders in quarterly newsletters as the events unfold (not after the fact); 2) CEOs and other responsible officers of oil companies to conduct public service in the TAPS corridor communities most at risk from the consequences of the noncompliance; 3)accruing penalties with interest on a daily basis as long as the infraction occurs; and tying penalties in with the cost of the fixing the problem so that penalties are 10 times the money saved by failure to do the maintenance work in a timely manner. This latter would force owners to change perspective and view maintenance as a cost savings compared to prospective penalties.	While the DNR does not have the to impose fines on the operator of the TAPS, the state has the necessary authority under the state lease to enforce compliance with all current and future stipulations.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00109012	#4 Require independent, long-term epidemiology studies, and short- and long-term treatment of physical and mental health effects,for workers and affected residents after major TAPS spills. Oil spills were—and still are—an anticipated side effect of TAPS construction, operation, maintenance, and termination. That' s why there are oil spill contingency plans; that' s why the oil companies promised, as a condition of operating, to protect public and worker health and safety. But a promise is worth nothing without follow through: after the Exxon Valdez spill this promise was ignored. There was inadequate financial support to meet increased needs of mental health facilities in affected communities and short- and long-term physical health care needs of cleanup workers were unmet. This is simply unacceptable—and in noncompliance with permits. TAPS owners should be required to pay for increased mental health care in the years during and immediately after a spill in affected communities. This care should include focused peer listening circles to mitigate community-level emotional trauma. Since oil spill cleanups are considered a hazardous waste cleanup, long-term health care studies should be required as the health symptoms associated with crude oil exposure (long-term respiratory damage; disorders of the central nervous system, liver, kidney, blood, and skin; endocrine disruption; and immune suppression) could take years to manifest as physical health problems. Oil companies should also be required to provide chemical decontamination treatments for individuals with acute health symptoms from high body levels of crude oil and other substances present during the cleanup. Individuals who become disabled from overexposure to chemicals present during the cleanup should be compensated by the oil companies, as should the estate of individuals who die from overexposure to chemicals present during the cleanup.	The assessment of impacts from spills is limited to the general public and does not include occupational exposures to cleanup workers generally or TAPS employees at the Valdez Marine Terminal. Protection of these workers is regulated under the Occupational Health and Safety Act and is beyond the scope of this assessment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00109014	#6 Thoroughly review and update the original right-of-way grants and stipulations in light of past experience, current science, new technology, new laws, and public comments. The federal grant and state lease are three decades old and no longer reflect current science, technological advances, and law changes. For example, global warming and melting permafrost threaten to make at least one-third of the 77,000 vertical support members of the TAPS unstable with potentially catastrophic effects on the pipeline. Studies from the Exxon Valdez spill show that oil is 1,000 times more toxic previously thought, and that it can cause long-term environmental damage. Federal laws are still based on outdated research from the 1970s and 1980s and are grossly under-protective of fish and wildlife. This makes the original promises to protect fish, wildlife, and habitat even more important as basically these promises mean the owners and TAPS regulators will take measures beyond existing laws in order to protect fish and wildlife, habitat, and other subsistence needs. Further, the original grant and lease agreements were signed by some companies that no longer exist because of mergers and buyouts. I assume, but would like proof, that the new companies are signatories to the current right-of-way grants and leases.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease. The lease contains strong provisions to protect fish and wildlife resources, in some instances, stronger than state law. The Alaska Department of Fish and Game provides a representative to the JPO for the sole purpose of addressing TAPS related fish and wildlife concerns. As part of the renewal process, ADF&G performed an assessment of Alyeska's compliance with stipulation 2.5, Fish and Wildlife Protection, and found no outstanding compliance issues. Alyeska has shown a willingness to work with ADF&G on stream restoration projects along the right-of-way. Alyeska has trained staff and implemented techniques considered leading edge in the stream restoration field (Rosgen). Copies of the lease documents are available at the JPO and will confirm the current Lessee's.
00109018	#10 Transfer of TAPS operations to single source with no North Slope production. The oil company owners consistently cut costs on TAPS operations and maintenance to increase their profits. This dynamic has created an internal conflict of interest, essentially, between the owners and the public interest. While the oil company permittees promised in the right-of-way leases to take all ‘reasonable’ or ‘appropriate and adequate’ steps to protect the environment, fish and wildlife, and public and worker health and safety, these adjectives are relative when viewed from different perspectives. What seems reasonable to the oil companies, who measure the cost of prevention against their profits, may not seem reasonable to the public, especially those who measure the cost of spills against their livelihoods and health. The track record shows that the oil companies have profited handsomely at the public’ s expense. By transferring the operation, maintenance, and termination of TAPS to a single source with no North Slope production, the internal conflict of interest is broken. This operator would take more ‘reasonable’ steps, from the public perspective, to reduce its liability from spills by attention to TAPS operations and maintenance. Performance bonds could be required for additional protection of the public interest.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00110001	For example, the ballast water treatment (BWT) facility at the tanker terminal has not been reviewed least once every 5 years to ensure state-of-the-art equipment and technology as promised the federal gra state lease. Some improvements at the BWT facility occurred only recently and through citizen involvem and oversight. The vapor recovery system at the tanker terminal didn't work for decades——since startup 1998 when vapor controls were built into two of the four berthing docks. When it didn't work it dumped literally tons of benzene into the air and jeopardized public and worker health and safety in violation oft federal grant, state lease, and operating permits. In 1993, concerned industry employees testified in Con, that the quality control program was nonexistent——since startup——and, as a result, the entire TAPS had so poorly maintained that it posed an imminent threat to the public, workers, and the environment. Subsequent audits validated the whistleblowers' concerns. Operating without an independent quality coi program is in direct violation of the federal grant and state lease.	The DNR and member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the DNR and member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.
00110002	More recent examples occurred after the Exxon Valdez oil spill. Still now over 13 years later, most of the species studied by the Trustee Council have not recovered from the spill. Yet the federal grant and state promise that damages to public lands will be promptly repaired or replaced and that damages to public f wildlife resources, and their habitat, will be rehabilitated. This has not happened.	While renewal would result in continued operation of oil tankers in Prince William Sound, that activity is beyond the limits of the right-of-way corridor. Moreover, the DNR has no authority over oil spill cleanup and damage assessment within Prince William Sound. Regulation of activities associated with the transport of oil by tankers in Prince William Sound is under the jurisdiction of the U.S. Coast Guard and the U.S. Department of Transportation. The DNR and member agencies of JPO enforce a number of stipulations that are protective of fish and wildlife resources within the right-of-way corridor.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00110003	The oil companies also promised in stipulations attached to the federal grant and state lease to "take measures necessary to protect the health and safety of all persons affected by their activities..." (Stipulati 1.20.1). I believe this promise includes taking care of residents and cleanup workers after a spill. Yet, aftE Exxon Valdez spill, Tatitlek villagers observed that Exxon was willing to spend $8oo,000 on each sea oil rehabilitation, but nothing or very little on mental health care for people traumatized by the spill. Furth€ thousands of cleanup workers got sick during 1989, despite Exxon's worker safety program. I am just lea that hundreds of people may still be sick from overexposure to oil vapors, fumes, and aerosols during th cleanup. All the oil companies promised to "immediately abate any health or safety hazards" (Stipulatior 1.2 0.1): it seems all the companies not just the spiller, are responsible to ensure that people don't get sic during the cleanup——and to take care of the ones who do as per the original promise.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the lease contain numerous provisions that are protective of human health and the environment.
00110004	I think that the oil companies are now currently in noncompliance with the federal grant and state le For example, the fire-fighting ability at the tanker terminal is virtually nonexistent. Oily sludge (hazardo waste) has collected several feet deep in tanks at the BWT facility——and the sludge incinerator was neve as per the original facility design. There is still no independent quality assurance program. The continge] plans for river spills are grossly inadequate——drills show the plans won't work to contain and cleanup oil spilled into rivers. I'm sure this list is incomplete and pipeline regulators could add to it if they were to seriously look for problems and not just respond to ones brought to their attention by citizens or concerned employees.	The member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, theDNR and member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00110005	Federal and state regulatory agencies also stated that the aging 8oo-mile pipeline and its support systems that were originally built to last 30 years "can be sustained for an unlimited duration" with minimal cost change in the operating and maintenance procedures. This statement demonstrates a lack of credibility- no grasp of reality. The recent spate of accidents including the failed response to the Livengood bullet hole spill, and the 21-inch shift in a section of pipeline that went undetected for several months show that both industry and the regulators are ill-prepared for serious problems along the overland section of TAPS. Th spills at pump stations on pipeline startup after routine maintenance last fall clearly demonstrate this pipe is aging and not aging well as frequent spills on startup are one sign of increasing problems that should I anticipated——not ignored——in an aging pipeline.	The entire Milepost 400 ("bullet hole") incident response was the subject of an inter-agency (including industry) report "Joint After-Action Report For The TAPS Bullet Hole Response" dated February 8, 2002. Major findings include: quick detection of the leak by Alyeska's security force; apprehension of the alleged shooter by the State Troopers within hours; activation in Fairbanks of the State/Federal/Industry Unified Command with several hours; rapid isolation of the affected pipe section and appropriate pressure relief actions; containment of the spilled oil was effectively achieved with trenches, berms and pits; safety concerns were appropriately the paramount consideration throughout the incident; and permanent repairs were effected as soon as the situation permitted. A number of recommendations to improve future responses were made. Generally, the applicable State oil spill regulations (18 AAC 75.430) requires control or containment and clean up within 72 hours. The oil leak was controlled in about half this time. Current efforts to improve responses include: ·Incident Command communications and coordination have been improved and drilled. Alyeska is developing an "go team" of field operations support personnel to provide relief and expanded capability to the on-scene organization. ·Work continues on line leak detection improvements. ·A leak training and testing facility has been fabricated in Fairbanks. ·An aluminum sleeve has been developed to direct the flow of oil into a hose for controlled containment until pressures can be lowered. ·A new clamp device has been purchased and modified to allow use at high pressures (ongoing work). ·Modification of "pump-around" skid to provide more flexibility and capability in pumping crude oil in a variety of situations. ·A fire foam module is being designed for dealing with the hazards of a high-pressure leak. ·Generic safety plans have been developed for operations like MP 400. ·Additional improvements to containment and clean up (including additional tankage and oil transfer equipment) plans are being studied by the company and the inter-agency team. Similarly, other incidents (such as, those mentioned in the comment) have resulted in modifications to the manner in which TAPS is operated. In order to be more proactive, the member agencies of JPO in close cooperation with Alyeska have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
		systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is widely used in the airline and other industries as the standard tool for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to
00110006	I was further shocked and offended by the following statement in the draft EIS. "While the Exxon Valdez spill was a significant event in the operation of TAPS, creating significant benefits to the state and local economy that more than offset the economic damage to the fishing and tourism industries in Prince William Sound, it is unlikely that a spill of such magnitude, even if it occurred again would create the same level of economic activity" (DEIS, page 4-7-116). This offensive statement clearly shows that the government regulators have a completely different perspective of their job of pipeline oversight than we were all lead to believe by the federal grant and state lease. The original right-of-way documents do not mention that economics of spill cleanup would be weighed against economic damages to the few communities at risk. Instead the oil companies promised to protect, repair, replace, rehabilitate, etc. fish and wildlife resources, and their habitat——and the regulators are supposed to hold the companies to this promise. Specifically, the companies also promised to protect subsistence resources, lands, and users, which have a zero dollar economy and can't be compared to econ of spill cleanups at all. Oil spills are expensive to clean up——I'm sorry that I can't see this as good for the economy, but that's irrelevant. Even if there was zero economy as measured by exchange of dollars, the oil companies are authorized to operate only if they take steps to minimize risk of oil spills and damage from spills. It's the government regulators' job to see the oil companies are held to this standard——the statement in the draft seems to indicate that the regulators are not doing their job and are out of compliance themselves with the federal grant and state lease.	The settlement claim for punitive damages related to the Exxon Valdez oil spill in Prince William Sound is currently in litigation and is outside the scope for renewal of the state right-of-way lease. The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to DNR in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment. This includes the ability to ensure that adequate steps are taken to prevent spills and to alleviate the damage caused by spills.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00110009	#2 Apply stiff, meaningful penalties for failure to comply All the laws, regulations, stipulations, and oversight in the world are forever inadequate without meaningful penalties and enforcement. Monetary fines are dwarfed by enormous profits, and the regulators are certainly not going to shut down the oil flow as a penalty for noncompliance——the nation has become too dependent upon this energy source. The track record of the oil companies show that it has acted like a child who knows it is never going to be disciplined. This was not what the American public was originally promised or led to believe would happen. Some possibilities for meaningful penalties for noncompliance by the oil companies include requirement for: 1) reporting the circumstances of noncompliance to their shareholders in quarterly newsletters as the events unfold (not after the fact); 2) CEOs and other responsible officers of oil companies to conduct pu service in the TAPS corridor communities most at risk from the consequences of the noncompliance; 3) accruing penalties with interest on a daily basis as long as the infraction occurs; and tying penalties in with cost of the fixing the problem so that penalties are 10 times the money saved by failure to do the maintenance work in a timely manner. This latter would force owners to change perspective and view maintenance as savings compared to prospective	The state right-of-way lease provides the state with all the authority it needs to oversee operation of the TAPS and to impose strict and enforceable requirements upon Alyeska to comply with necessary operational procedures. The DNR does not have the legal or regulatory authority to impose fines on the operator of TAPS. The DNR has no authority to require specific corporate reporting to shareholders. The Security and Exchange Commission has authority to compel the reporting of certain corporate activities to the
00110010	#3 Require independent verification of spill volume as a condition of lease renewal. Spill penalties for damages to natural resources such as fish, wildlife, public lands held in the public trust are based on the volume of oil spilled——as reported by the spiller. One way to reduce the risk of spills and resulting damage to the environment and worker and public health and safety——one of the promises of the original agreement and right-of-way leases——is to penalize TAPS owners, or responsible parties in the case of TAPS tanker spill, for the correct amount of oil spilled. For example, Exxon underreported how much oil it spilled. In an unpublished investigation on file at Alaska Resources Library and Information Services, the State of Alaska found Exxon spilled about 35 million gallons. Exxon paid the American public one billion dollars for damage to public resources from a suppo 11 million-gallon spill: by underreporting its spill by one-third, the company only paid for one-third of the damages and essentially saved itself two billion dollars. Independent verification should be required as a new condition of lease renewal. Further, stipulation specify that government regulators and citizen oversight councils, either separately or jointly, conduct the assessment and agree upon the	The JPO investigates all significant oil spills to independently verify the causes and effects of the spill. The DNR does not have the authority to fine the operator for oil spill

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00110011	#4 Thoroughly review and update the original right-of-way grants and stipulations in light of past experience, current science, new technology, new laws, and public comment The federal grant and state lease are three decades old and no longer reflect current science, technological advances, and law changes. For example, global warming and melting permafrost threaten to make at least one-third of the 77,000 vertical support members of the TAPS unstable with potentially catastrophic effect on the pipeline. Studies from the Exxon Valdez spill show that oil is 1,000 times more toxic than previously thought and that it can cause long-term environmental damage. Federal laws are still based on outdated research; the 1970s and 1980s and are grossly under-protective of fish and wildlife. This makes the original promise to protect fish, wildlife, and habitat even more important as basically these promises mean the owners and regulators will take measures beyond existing laws in order to protect fish and wildlife, habitat, and other subsistence needs. Further, the original grant and lease agreements were signed by some companies that no longer exist because of mergers and buyouts. I assume, but would like proof, that the new companies are signatories current right-of-way grants and leases.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease. The lease contains strong provisions to protect fish and wildlife resources, in some instances, stronger than state law. The Alaska Department of Fish and Game provides a representative to the JPO for the sole purpose of addressing TAPS related fish and wildlife concerns. As part of the renewal process, ADF&G performed an assessment of Alyeska's compliance with stipulation 2.5, Fish and Wildlife Protection, and found no outstanding compliance issues. Alyeska has shown a willingness to work with ADF&G on stream restoration projects along the right-of-way. Alyeska has trained staff and implemented techniques considered leading edge in the stream restoration field (Rosgen). Copies of the lease documents are available at the JPO and will confirm the current Lessee's.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00110015	#8 Require independent, long-term epidemiology studies, and short- and long-term treatment of physical and mental health effects,for workers and affected residents aj major TAPS spills. Oil spills were——and still are——an anticipated side effect of TAPS construction, operation, maintenance and termination. That's why there are oil spill contingency plans; that's why the oil companies promised condition of operating, to protect public and worker health and safety. But a promise is worth nothing without follow through: after the Exxon Valdez spill this promise was ignored. There was inadequate financial support to meet increased needs of mental health facilities in affected communities and short- and long-term physical health care needs of cleanup workers were unmet. This is simply unacceptable——and in noncompliance permits. TAPS owners should be required to pay for increased mental health care in the years during and immediately after a spill in all affected communities. This care should include focused peer listening circ mitigate community-level emotional trauma. Since oil spill cleanups are considered a hazardous waste c] long-term health care studies should be required as the health symptoms associated with crude oil exposure (long-term respiratory damage; disorders of the central nervous system, liver, kidney, blood, and skin; endocrine disruption; and immune suppression) could take years to manifest as physical health problem companies should also be required to provide chemical decontamination treatments for individuals with health symptoms from high body levels of crude oil and other substances present during the cleanup. Individuals who become disabled from overexposure to chemicals present during the cleanup should be compensated by the oil companies, as should the estate of individuals who die from overexposure to chemicals present during the cleanup.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in assuring the protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00110016	#9 Transfer of TAPS operations to single source with no North Slope production. The oil company owners consistently cut costs on TAPS operations and maintenance to increase their profits. This dynamic has created an internal conflict of interest, essentially, between the owners and th€ interest. While the oil company permittees promised in the right-of-way leases to take all 'reasonable' or 'appropriate and adequate' steps to protect the environment, fish and wildlife, and public and worker health and safety, these adjectives are relative when viewed from different perspectives. What seems reasonable to oil companies, who measure the cost of prevention against their profits, may not seem reasonable to the especially those who measure the cost of spills against their livelihoods and health. The track record show the oil companies have profited handsomely at the public's expense. By transferring the operation, maintenance, and termination of TAPS to a single source with no North production, the internal conflict of interest is broken. This operator would take more 'reasonable' steps,:the public perspective, to reduce its liability from spills by attention to TAPS operations and maintenance.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory authority under the renewal process to take the right-of-way grant from the owners.
00111006	7) Integrity Analysis: The state of Alaska and its people need to be given a detailed analysis of the greatest weaknesses that threaten the integrity of the safe operation and maintenance of TAPS. In addition, the oil industry needs to detail their strategies on how well they will combat these weaknesses in order to guarantee safe operation of the oil pipeline. This analysis should be a part of the renewal process. Outside experts in this type of analysis should be consulted so that Alaska will know that the pipeline is indeed being operated in a safe and environmentally friendly manner.	The member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00112001	The reasons for my opposition to an Alyeska renewal are the following: 1. Alyeska is an operating company owned and controlled by a foreigh company - a company that uses its control of the pipeline to discourage the development of Alaska's oil fields. It does so by limiting the throughput of oil	The Department of Natural Resources thanks you for your comment.
00112002	The reasons for my opposition to an Alyeska renewal are the following: 2. The pipeline owners delay/discourage the production of Alaskan oil. They tend to go overseas to look for oil since it allows them to participate in the control of the oil production in foreign countries that would otherwise be more fully developed/produced by "Independents" who are in need of oil production.	The Department of Natural Resources thanks you for your comment.
00112003	The reasons for my opposition to an Alyeska renewal are the following: 3. The Royalty and Severance rates that the State of Alaska is receiving is very low compared to what other areas of the world are/have been receiving. Alaska is obtaining "rate levels" that were in effect in the lower 48 States where/when production from an oil well was limited to small/limited producing well.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease.
00112004	The reasons for my opposition to an Alyeska renewal are the following: 4. The control of the Alyeska pipeline by the Present North Slope oil producers is adversely affecting United States Political and Foreigh Relation Policies.	The Department of Natural Resources thanks you for your comment.
00112005	The reasons for my opposition to an Alyeska renewal are the following: 5. Alaksan crude is priced low relative to "other" crude oils in the world market. This is important to Alaskans.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00112006	The pipeline owners use environmental issues/arguments to deflect investigation/review of economical issues. These latter issues have a very significant affect on Americans and Alaskans especially in the following areas, namely: The political arena: Dependency upon foreign oil limits US ability to negotiate freely with oil producing nations. The world financial markets: Hugh imbalances on the US foreign trade (all the imbalance due to petroleum imports) jeopardize the US financial institutions ability to maintain a free market in world trade. The control of oil production by certain oil companies (and OPEC) artificially inflates the price of oil and has a damping effect on the productivity of nations.	The Department of Natural Resources thanks you for your comment. World politics and energy policy issues are beyond the scope of this renewal process.
00113003	Potential impact caused by catastrophic incidents has been largely understated.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113018	The DEIS appears to concentrate on normal operations of TAPS with regard to assessing impact to the environment. Although environmental impact from catastrophic events has received some discussion; discussion of off-normal TAPS operations and environmental consequences associated therewith has received little attention in the DEIS. Off-normal operations can be viewed as operation of a subsystem under conditions different than that anticipated in its design or outside or at the margins of its design envelope. A good example is the operation of the gravity separation process of the Ballast Water Treatment Facility (BWTF) when one of 3 process tanks is out of service for major maintenance and the remaining 2 tanks are operating at decreased separation capacity because properties of the oil have changed from that assumed.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113021	The 1700 pages of the DEIS and hundreds of literature citations (including many Alyeska Pipeline Service Company (Alyeska) reports and personal communications) cannot be assembled, read, and analyzed in the allotted 45 days. The lack of availability of supporting documents, especially the personal communications, itself imposes delays inconsistent with a 45-day review period.	This is a DEIS Specific comment and not relevant to the State renewal process.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113022	In addition, there are many citations to the literature and industry/government reports that are called out in the text of the DEIS but not listed in the accompanying reference sections for each chapter. A number of these citations are critical to support or refute issues of concern to the PWS RCAC. Below is a list of citations that the PWS RCAC review identified as missing from the references. It is highly probable that there are others as well, and a compete cross-check of cited literature and the reference sections should be completed for the final EIS. Missing or incorrect references identified by PWS RCAC include: ADF&G. 1986b. (Cited in text of DEIS but not listed in the references for any chapter.) Angliss et al. 2001. (Cited in text of DEIS but not listed in the references for any chapter.) Bence et al. 2000. (Cited in text of DEIS but not listed in the references for any chapter.) Boehm et al. 1998. (Cited in text of DEIS but not listed in the references for any chapter.) Boehm et al. 2001. (Cited in text of DEIS but not listed in the references for any chapter.) Calkins 1994. (Cited in text of DEIS but not listed in the references for any chapter.) Carlson and Kvenvolden. 1996. (Cited in text of DEIS but not listed in the references for any chapter.) Davis 1984. (Cited in text of DEIS but not listed in the references for any chapter.) Green 2002. (Cited in text of DEIS but not listed in the references for any chapter.) Hood et al. 1979. (Cited in text of DEIS but not listed in the references for any chapter.) Hostettler et al. 2000. (Cited in text of DEIS but not listed in the references for any chapter.) Johnson and Garshelis. 1995. (Cited in text of DEIS but not listed in the references for any chapter.) Morstad 1999. (Cited in text of DEIS but not listed in the references for any chapter.) Short, J.W. and R.A. Heintz. 1998. (Incorrectly cited in text of DEIS as 1998.	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113023	Finally, the time period chosen for citizen comment coincides with the peak times for subsistence, tourism and fishing activities. Many interested citizens will be working their summertime businesses and will not have time to comment. PWS RCAC requested via the Trustees for Alaska that the comment period be extended by at least another 45 days, but that request was denied.	Although 45-days is understandably a short time to review a document of this size, state law requires DNR to give the public a minimum of 30 days to review and comment on a decision. Because of the size and scope of this project, the department decided to extend that timeframe out to 45 days. Significant effort was made to advise people of the schedule and duration for the review well in advance. The Commissioner's Determination was published on schedule and many substantive comments on the content of the Commissioner's Determination, including yours, were received during the 45-day period.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113029	The DEIS appears to have little discussion of improvements for contingency planning? Why aren't the impacts and lessons learned from the Exxon Valdez Oil spill (EVOS), Livengood, and other spills incorporated into the DEIS for contingency planning purposes? The EVOS had significant environmental impacts, which are well documented by numerous studies funded and published by the State/Federal EVOS Trustees Council. These studies are not referenced by the DEIS. Both the state and federal governments responded to the EVOS by revising and upgrading oil spill contingency planning requirements as a way to preclude or minimize future spill impacts. There are specific contingency planning upgrades that should have been addressed in the DEIS as a way of mitigating for or precluding environmental impacts of catastrophic future spills. The DEIS appears not to have considered revisions or upgrades in contingency planning and the impacts associated therewith. Some contingency planning upgrades include requirements for Geographic Response Strategies (GRS) for the protection of sensitive areas. GRS are standard along the west coast of both Canada and the US and are being implemented along the east coast. The impact of improved skimming systems that are capable of responding in fast water is yet another planning scenario whose impact could have been assessed. Detailed spill scenarios are necessary to provide for the careful analysis of impacts and resource requirements in managing an incident. Contingency planning for spills along the pipeline itself consists of about 220 equipment and containment sites whose purpose is the pre-positioning of equipment and berms to manage spills occurring near the site. The equipment and containment sites do not specifically identify sensitive resources along the pipeline nor would they provide the same level of protection to these sensitive resources as do the GRS sites in the Sound. The GRS sites in the Sound have been identified in advance and are much better matched with a workable cleanup strategy supported by equipment, personnel, and training specific to each individual site. GRSs along the various watersheds crossed by the pipeline will significantly lessen the potential environmental impact of catastrophic spills into the watersheds. The Copper River watershed could be seriously damaged by oil spills into any of the number locations where TAPS crosses its tributaries.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. The oil spill prevention and contingency plans along the pipeline, at VMT, in PWS, and at the North Slope are are updated and reviewed by various State and Federal agencies periodically ranging from every year to every 5 years. The substantive elements of the contingency plans are controlled by ADEC regulations (18 AAC75), which include provisions for public review and comment as part of the plan update procedures. The lessons learned from occurrences such as EVOS, and the MP 400 bullet hole incident are incorporated into the documents when they are updated. It is worth noting that the Oil Spill Control Act of 1990 was, in effect, a lessons-learned from the EVOS and has required substantially more contingency planning with respect to tanker movements in PWS, all of

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00113042	The connections between raw data and impact conclusions are not clear in many instances. For example, the DEIS reports that the current fleet of 26 tankers (3 with double hulls) will reduce in size to 8 to 10 tankers by 2020. Currently there are 25 tankers in the fleet including 7 with double hulls. Operation of 8 to 10 tankers in 2020 is predicted to result in a substantial reduction in the annual probabilities of accidents and spills. Is risk really reduced if a minimal number of tankers is attempting to carry 1,000,000 bbl per day and the owners are resisting further investment in TAPS anticipating shutdown in 2034?	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113049	With regard to spill scenario event number 11 (in Table 4.4-2 on page 4.4-8) it is unrealistic that a 2.1 million gallon spill to land outside the containment barriers would not reach the waters of Port Valdez. The slope of the land at the Valdez Marine Terminal is moderately steep, and it is hard to imagine that all the oil could be stopped from entering the Unnamed Valdez Marine Terminal Creek or otherwise flowing over land into the Port.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113051	On page 4.4-9 a "guillotine" break of the pipeline is described as a short duration release. Could a guillotine break last from less than one hour to a period of days depending on how long it takes the affected pipe void volume to drain?	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113054	On page 4.4-15 the frequency of a guillotine break in the pipeline from an airplane impact is estimated to have an occurrence of around once in 100 to 400 years (8.6 x 10-3/year). Does this aircraft impact frequency account for terrorist activities such as those of September 11, 2001, or is the overlying assumption throughout the DEIS that all aircraft/pipeline or aircraft/terminal incidents were the result of an accident?	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

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00113055	On page 4.4-16 spill incidence frequencies are reported as 1.7 x 10-4 or 1.2 x 10-2, etc. The DEIS would be much more useful to the lay reader if spill frequencies were consistently but parenthetically also reported as once in 5882 years or once in 83 years, etc.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113062	On page 4.4-29, it is stated that a Fire Dynamics Simulator (FDS) model was used to obtain estimates of near-field soot and combustion product concentrations. In the text it is admitted that the model has not been applied to very large fires or compared to field measurements and that there were a number of memory and grid point constraints that affected the model results. Nevertheless, the data generated from model runs are presented in Table 4.4-6 with no additional caveats in either the title or footnotes to qualify the results.	This issue addresses the DEIS and is not within the scope of the TAPS lease renewal
00113063	In addition the table [Table 4.4-6] would be much more useful if toxicity or concentrations of concern to human health were also presented. Without them, it's hard to interpret the consequences from the data as presented.	This comment addresses the DEIS, however, the following information is provided: The scaling to various crude oil throughput levels was based on the ambient BTEX concentrations obtained from the ambient data monitored during the 1990-1991 personal and ambient monitoring studies and the tracer studies conducted in the Valdez area when both the vapor emissions from tankers and the DAF units were released. The conditions under which the tracer study was conducted and the study duration will be provided in the
00113069	Table 4.4-19 on page 4.4-50 presents a summary of spill volumes, rates and drainage times for different pipeline break scenarios, but the drainage times are very short. They are probably not realistic and do not allow for slower oil drainage as its viscosity increases due to cooling upon exposure to colder air after the pipeline break.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

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00113075	On page 4.4-63 under the section on "likely spills" scenario five involves the introduction of 500 barrels (21,000 gallons) from a tanker during loading operations. Can 21,000 gallons from a leak really be completely contained within a boom placed around a tanker? During the Eastern Lion spill event, oil was observed being entrained underneath the boom surrounding the vessel by tidal currents. Why wouldn't that be a problem with this scenario as well?	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

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00113084	Citizens have great difficulty in looking into TAPS operational and maintenance processes because Alyeska claims that such information is proprietary to its business activities. JPO has related to PWS RCAC its own difficulties in getting the information it needs to assess compliance with its regulations and the laws it is to administer. It is unclear how the environmental impact of a system as complex as TAPS can be properly assessed if complete information regarding operations and maintenance is withheld from those making the assessment. For example, it is acknowledged that the Reliability Centered Maintenance (RCM) paradigm is appropriate to TAPS; however, (1) we do not know if it has been applied in a systematic manner to all processes and subsystems; and (2) we do not know the status of action plans to implement the specific maintenance strategies identified for the systems to which the RCM methodology has been applied. Information that allows quantification of the present state of TAPS is needed to verify that the assumptions of impact cited in the DEIS remain valid. It should be a condition of renewal, that this information be made available to regulators and citizens alike. The systems audit being proposed by Alaska Forum for Environmental Responsibility or complete implementation of a Reliability Centered Maintenance (RCM) II program for TAPS would be appropriate	At this time the DNR does not see a need to conduct an independent audit of TAPS facilities and the associated management and operation processes. However, audits are one of the tools used by the the agencies of the Joint Pipeline Office (JPO) to evaluate and regulate TAPS operations and maintenance. Examples of audits conducted on TAPS facilities and management systems over the past 10 years include the Quality Technology Company audit of TAPS, Arthur D. Little Audit of TAPS, AKOSH electrical systems audit, BLM audit of TAPS Employee Concerns Program, JPO audit of Section 29 compliance, and various others. Past audits targeted areas that had insufficient information required to determine the adequacy of the conduct of operations. In addition to formal audits, DNR and the member agencies of JPO conduct ongoing reviews of TAPS operations and maintenance. Examples include:  On-going oil spill contingency planning (tri-annual) and response capability reviews (annual),  Field surveys of stipulation requirements, such as fish passage inspections,  Comprehensive Monitoring Program Reports (12 published since 1996), and  Reliability Centered Maintenance (RCM) systems reviews (ongoing). While targeted audits, inspections, field surveys, and monitoring programs provided useful information on the condition of TAPS, targeted assessments of specific activities do not generally provide the necessary framework to systematically address all critical TAPS functions and their associated reliability. Thus, the DNR and member agencies of JPO in close cooperation with Alyeska have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The DNR is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is widely used in the airline and other industries as the standard tool for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.

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ID	Comment	StateResponse
00113085	The DEIS recommends a proposed action of renewal of the Federal Grant for 30 years for the Trans-Alaska Pipeline System (TAPS). This recommendation is based on the assumption that impacts would be similar for both a 30 year period and a shorter period of renewal. The analysis of potential impacts is largely predicated on an assumed significant decrease in oil throughput (e.g., Figure 4.3-2); i.e., risks of environmental impacts will remain constant or decrease because less oil will be transported. This assumption ignores the potential for additional oil production in the North Slope (e.g., further development of existing fields, or the opening and development of the Arctic National Wildlife Refuge (ANWR) and indicates that a fundamental assumption in the DEIS is flawed. It seems likely that impacts would increase with additional oil throughput, but this is not considered anywhere in the DEIS.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.
00113086	Page 4.3-18 states that complete use of double-hulled tankers in PWS is expected by the year 2015. This projection may not be accurate because the shippers may continue to lease single-hulled tankers. It is unclear how much of the assumptions and estimated impacts of the DEIS are based on a complete conversion to double-hulled tankers that may not occur. Additionally, the DEIS appears not consider that use of double hull tankers reduces but does not eliminate the probability of catastrophic oil spills.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113106	Page 2-6. Side stepping the authorization of fines by the BLM to the TAPS owners (Item 4) is not appropriate. The DEIS should justify how giving the BLM such authority would require another NEPA. Whether new rule-making regulations are required, the environmental impact of impediments to regulators needs consideration. Without the authority to fine TAPS Owners, the BLM's ability to regulate is significantly diminished.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. The DNR and member agencies of the JPO work diligently to ensure the safe operation of TAPS. The state statutues, regulations and the right-of-way lease provide DNR with all the authority it needs to oversee operation of the TAPS and to impose strict and enforceable requirements upon Alyeska to comply with necessary operational procedures.
00113109	An oblique reference is made to possible but very slight disruption to the movement of terrestrial mammals on page 2-17. That is the only place that this issue appears to refer to the effects of TAPS activities on mammal migration. Is it covered somewhere else? What have been the effects over the last 30 years of TAPS operation?	This comment addresses the DEIS, however, the following information is provided: A discussion on the potential obstruction to wildlife movements related to TAPS can be found in DEIS Section 4.3.17.4. DEIS Section 4.7.7.3.4 addresses cumulative impacts on wildlife movements. While some delays or reluctance to cross TAPS have been noted for a few individuals, no adverse impacts have occurred to caribou herds or other wildlife

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00113111	Loss of state revenues would lead to closure of state recreation areas, sites, and parks (p. 2-19). This assumes that use of these recreation areas requires some sort of supervision for users, an assumption that is not necessarily valid.	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS). Thank you for your comment.
00113116	No mention is made of the BTEX emissions from the dissolved air flotation tank at the Alyeska Marine Terminal (Section 3.13). It is stated that the Title V permitting, which was established by the Clean Air Act Amendments of 1990, imposes some limitations of the Prevention of Significant Deterioration (PSD) regulations, however, these are not clearly specified in the DEIS. The dissolved air flotation tanks and biological treatment tanks are listed in Table 3.13-2 (stationary emission sources installed at Valdez Marine Terminal), however, the rating capacity or product throughput for each unit is listed and not the actual atmospheric emissions. The DEIS should be revised accordingly.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. The BTEX emissions from the Dissolved Air Floatation (DAF) tanks and biological treatment system associated with the Ballast Water Treatment Facility (BWTF) at the Valdez Marine Terminal (about 493 pounds/day or 90 tons/year) are included in the total emissions of hazardous air pollutants from the Valdez Marine Terminal (about 673 pounds/day or 122.9 tons/year). The equipment at Pump Stations #2 and #7 and Valdez Marine Terminal are described in the PSD permit applications submitted to Alaska Department of Environmental Conservation (APSC 1990a, b, and Fluor and TRC 1995) and the limitations imposed by the PSD regulations are described in the Alaska Administrative Code 18 AAC 50.020.
00113119	Table 3.13-8 lists ambient air quality standards, Alaskan air quality standards, and maximum allowable increments for prevention of significant deterioration for the criteria pollutants, but no limits on the HAPs are presented. Monitoring data for the Valdez Marine Terminal are presented in Table 3.13-9, and the data are compared to background concentrations in the North Slope area and Beluga Point in Cook Inlet. The DEIS states that all monitored ambient concentration data are in compliance with applicable air quality standards. This is a good example of regulatory compliance (there is no regulation) and adverse impact. However, these data are for the criteria pollutants (not a serious issue) and are not for the HAPs (which exceed EPA's major source threshold by at least a factor of 5. The DEIS should address the environmental impact of the HAPs and reconcile impact with EPA's definition of major source.	The first sentence of the comment states that, "although Table 3.13-8 lists ambient air quality standards, Alaska air quality standards, and maximum allowable increments for prevention of significant deterioration for the criteria pollutants, no limits on hazardous air pollutants (HAPs) are presented." Ambient standards for the HAPs are not presented because neither the U.S. Environmental Protection Agency nor the State of Alaska has established ambient HAP standards. (DEIS Section 3.13.2.2, Paragraph 3). The last sentence of the comment states that "the DEIS should address the environmental impact of the HAPs and reconcile impact with EPA's definition of major source." Section 4.3.13.2 of the DEIS presents the assessment of potential health impacts of HAPs released from the Trans-Alaska Pipeline System (TAPS) facilities, including the Valdez Marine Terminal.

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00113123	In the last paragraph of section 3.17.2.4, the DEIS states that "since the Valdez Marine Terminal only contributes about 10 percent to the outdoor residential area VOC concentrations, and since VOC emissions from the Valdez Marine Terminal have decreased substantially since the time of the study, is concluded that current TAPS associated emissions are not likely to lead to adverse human health impacts." This conclusion is flawed for two reasons: (1) the tracer studies cannot be used to definitively state that only 10 percent of the outdoor BTEX concentrations measured in Valdez comes from the Valdez Marine Terminal, and (2) no measurements have been made that demonstrate the VOC emissions from the terminal have decreased over the last ten years to a level without environmental impact. The presumption of substantially decreasing emissions is predicated on the un-verified assumption that the emissions from tanker loading operations without the vapor controls was the only significant source, and the fact that a vapor recovery system installed in 1998 totally eliminated this source. The validity of this assumption needs to be verified in the DEIS.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. (1) Tracer study can be used because it was conducted simultaneously with the personal and indoor/outdoor ambient concentration monitoring during the summer and winter monitoring periods in 1990 and 1991, respectively. (2) The approach used in estimating the emission reduction is sound because it is based on (a) the measured concentrations of VOC in the gas phase in the crude oil storage tank saturated with the vapor from the crude oil, (b) the actual measured concentrations of VOC in the power boiler stack exhaust during the time the VOC emissions from tanker loading is collected by the tanker vapor recovery system and burned in the power boiler furnaces, and (c) the volume of tanker gas
00113125	Section 3.17.2.2 discusses cancer rates among Alaskan Natives. The overall age-adjusted cancer incidence rate for 1993-1997 was slightly higher among Alaskan Natives than the U.S. White population. Lung cancer rates were twice those of Whites; however this increase is attributed to increased rates of cigarette smoking. The rate of stomach cancer in Alaska Natives was three times higher than the rates in Whites. Rates of digestive system cancer's overall were about twice those in Whites. Digestive system cancers may be a particular concern because they are associated with PAH exposures. PAHs are present in crude and refined products, but exposures to cigarette smoke and smoked food products are also common. If PAH levels in shellfish collected for subsistence are elevated to begin with because of residues from the EVOS or other oil spills or effluent from the BWTF, then the Native Alaskans could be at even higher risk because of increased exposures. None of these issues are addressed in this section or anywhere else in the DEIS.	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.
00113126	The inset in section 4.3.9 (page 4.3-15) states that hazardous air pollutant emissions from TAPS are estimated to contribute little to the ambient contaminations in residential areas. As stated above, this statement is not exactly true for the city of Valdez. Elevated levels of BTEX were detected during the monitoring study, and the Valdez Marine Terminal is the largest generator of HAPs in the area. Within the city of Valdez of the contribution of HAPs from the terminal was estimated to only be 10 percent, however that was based on tracer studies reported in an Alyeska-sponsored study (Goldstein 1992) that was not widely available for independent evaluation during the 45 day review period.	The third sentence in the inset of Section 4.3.9 will be modified as "Hazardous air pollutant emissions from TAPS are estimated to contribute little to the ambient concentrations in residential areas, except in the residential areas of Valdez where the emissions from the Valdez Marine Terminal are estimated to contribute to about 10% of HAPs exposures to the residents." The reference cite (Goldstein et al. 1992) is available from the collection of TAPS EIS references at the Environmental Assessment Division of Argonne National Laboratory in Argonne, Illinois.

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00113128	In the middle of section 4.3.9.2 Hazardous Air Pollutants (page 4.3-18) a reference is made to Table 3.13-11 (in another section), which contains data on ambient concentrations of six HAPs collected at four monitoring sites in the Valdez area between November 1990 and October 1991. This study was completed when the TAPS average crude oil throughput was 1.8 million barrels per day and before the installation a vapor control recovery system for Berths 4 and 5. The DEIS then estimated that recovery of VOCs by the tanker vapor recovery system would result in elimination of 27,600 tons per year of VOCs containing HAPs, a value that is eight times the current estimate of potential VOCs emissions from the Valdez Marine Terminal. How can the DEIS claim credit for removal of more than is generated based on calculated efficiency alone? Furthermore, the tanker VOCs recovery system may remove a significant fraction of the VOCs from loading operations, but it does not address the issue of the BTEX released by the DAF units, an issue that is completely ignored in the DEIS.	The estimation that recovery of VOCs by the tanker vapor recovery system at the Valdez Marine Terminal and subsequent combustion of recovered vapors in the main power boiler furnaces as well as the incineration of any excess vapors in vapor incinerators would result in elimination of 27,600 tons per year of VOCs containing HAPs is derived from sound engineering analysis on the basis of the following data: (1) The VOC emission factor for the vapor-laden gas from tankers prior to the installation of tanker vapor recovery system at the Valdez Marine Terminal is based on the extensive site-specific emission tests performed at the Valdez Marine Terminal in 1990 on 20 different tankers ranging from 75,000 to 265,000 dead weight tons, as described in the Report on Valdez Tanker Loading Vapor Emission Testing and Evaluation (APSC 1990). (2) The VOC emissions factor for the stack exhausts of power boiler furnaces where recovered tanker vapors are combusted is also based on emission testing, and (3) The volume of vapor-laden gas from the tankers displaced by the crude oil loaded, which is equivalent to the volume of crude oil loaded in to the tankers.
00113130	On page 4.3-21 (section 4.3.11.4 Road) the DEIS states that Alyeska personnel drive over 11 million miles per year, and yet there is no air quality impact.	The estimated air pollutant emissions from the vehicles used for TAPS operation in 2001 are listed in EIS Table 3.13-5 for various TAPS facilities where vehicles were assigned or the roadway segments where vehicles were used. The assessment of the significance of these emissions is presented in Section 3.13.1.1 (DEIS page 3.13-5).
00113131	What about wear and tear on highways? How does this level of surface transportation compare to the next largest industry in the state?	The 11 million miles per year traveled by Alyeska vehicles is a very small percentage, approximately 0.24%, of the miles driven annually in Alaska. In addition, many of these miles are accumulated on TAPS private access roads and along the pipeline work pad. Therefore, TAPS operations have a minor contribution overall to wear and tear on Alaska's highways. Statistics are not available for comparison among industries in the state.

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00113132	Section 4.3.13.2.2 Hazardous Air Pollutants in Ambient Air and Potential Health Hazards (on page 4.3-39) discusses risk calculations based on the Valdez Air Health Study (Goldstein et al. 1992) but scaled to represent the varying throughput levels assumed for the duration of the thirty-year TAPS renewal project. We submit that the estimated BTEX concentrations from this analysis are low because the scaling did not take into account the BTEX emissions from the DAF units as described above. The risk analysis uses the data from Goldstein's 1992 study, and this section of the DEIS actually goes into more detail to partially describe that study. A key component of all of these analyses is the assertion that the tracer study completed as part of the Valdez Air Health Study allowed Goldstein et al. to estimate that Valdez Marine Terminal emissions only contributed up to about 10 percent of the residential area BTEX levels. The DEIS did not, however, describe the conditions under which the tracer study was completed or the study duration. This information must be presented in the final EIS to support the DEIS conclusion that no non-cancer adverse health impacts would be expected in the general public from inhalation of TAPS-associated emissions during the renewal period. In addition, the DEIS concluded that the fenceline ambient levels and potential cancer risks were less than the EPA's level of concern of 1 x 10-4 (1 in 10,000) and that this should be protective of the general population because no one lives at the fenceline. The DEIS gave no consideration, however, to the employees working around the BWTF or in the control room near the DAF units (they are covered by OSHA and their health and safety are considered to be outside the scope of the DEIS). Finally, the DEIS concludes that because two of the four tanker berths at the Valdez Marine Terminal now have vapor control systems, which decrease the VOCs emissions by a factor of more than 10, that cancer risks would be expected to be even lower than those estimated from the 1991 Valdez Air Health Study. The DEIS still needs to address the fact that although the VOC emissions from the tanker loading operations may have been cut by a factor of 10, emissions from the DAF units and the biological treatment tanks in the BWTF are still high, contributing an estimated 580 pounds of BTEX per day (105 tons per year) to the atmosphere in the Valdez area.	This comment addresses the DEIS, however, the following information is provided: The scaling to various crude oil throughput levels was based on the ambient BTEX concentrations obtained from the ambient data monitored during the 1990-1991 personal and ambient monitoring studies and the tracer studies conducted in the Valdez area when both the vapor emissions from tankers and the DAF units were released. The conditions under which the tracer study was conducted and the study duration will be provided in the

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00113133	On page 4.4-70 in section 4.4.4.6.2 Estimation of Emissions, the DEIS considers emission rates from crude oil spilled onto running waters. The HAPs emission rates from oil on flowing water are probably significantly underestimated if they were predicted from a rectangular slab of unspecified thickness. Oil actually spreads out onto very thin sheens in the central channels of most rivers and streams, and re-aggregates in rips and pools formed in eddies behind rocks and other obstructions. From oiled stream studies conducted in Alaska, it has been shown that evaporation is significantly enhanced for extremely thin (silver sheen) slicks, with all components below n-C 15 (including all HAPs plus several alkyl-substituted naphthalenes) released into the air within minutes (Clayton et al. 1985). This is probably not so much a factor in marine oil spills where the differential velocity of the water and oil layers is not as large. The estimates of HAPs emissions from the flowing water scenarios should be significantly increased to reflect these findings.	This comment addresses the DEIS, however, the following information is provided: The rates of HAPs emissions from the crude oil spilled on flowing water (Yukon River at Mile Post 353-354) were not underestimated. The thickness of oil slicks estimated for assumed spills of four frequency ranges (50 bbl - anticipated, 10,000 bbl - likely, 21,246 bbl - unlikely and very unlikely) are very small (approximately 0.08, 0.03, and 1 mm, respectively) and all HAPs contained in the spilled crude oil were estimated to have evaporated in relatively short time periods after spill (e.g., 4 minutes for benzene).
00113134	On page 4.4-71 (in section 4.4.4.6.3 Dispersion Modeling) the DEIS states that emissions of VOCs from crude oil spills, including HAPs, are known to be negligible for approximately 24 hours after a spill occurs. That statement is absolutely wrong. The evaporation rates are at their highest immediately after a spill occurs (Payne et al. 1984), and that is when the air quality impacts are at their highest. Inaccurate statements such as this detract from the credibility of the entire DEIS.	This comment addresses the DEIS, however, the following information is provided: The first sentence of the second paragraph in Section 4.4.4.6.3 will be revised as follows: "Emissions of VOCs from a crude oil spill, including HAPs, are known to be negligible approximately 24 h after an initial spill occurs (IT Alaska 2001)."
00113135	Page 2-13 discusses inputs to the BWTF, but it is unclear if the BWTF would be able to handle the surfactants (and seawater) used to flush the pipeline during cleanout and decommissioning. This should be addressed in the DEIS.	This comment was directed to the DEIS and the following is provide for information purposes: In Section 4.6.2.12.2 there is a more in depth discussion of the treatment of purge waters to be flushed through the pipeline and ultimately treated in the VMT. The DEIS does not speculate as to the exact technology changes that may have to be implemented to ensure the flushing wastewater is properly treated before discharge to Prince William Sound. Under federal and state regulations, all discharges would have to either meet the current effluent limitations under the NPDES Permit (AK-002324-8) or, if there are any activities that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in the current permit, and if that discharge may reasonably be expected to exceed the highest of the "notification levels" listed in the current Permit, the ADEC and the EPA must be notified (AK-002324-8, Section III.L). In addition, under the current Permit, the permit may be modified, or alternatively, revoked and reissued, to address the application of different permit conditions, if new information, such as future water quality studies or waste load allocation determinations, or new regulations such as changes in water quality standards, indicate the need for different conditions (AK-002324-8, Section V.M).

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00113137	It also claimed that vapor from tankers and crude storage tanks are pumped to the vapor recovery system. This may be true; however, there is no vapor recovery system for the Dissolved Air Floatation Tanks (DAF) used to treat the estimated 12 MGD of ballast water discharged to Port Valdez each day.	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.
00113138	Figure 3.1-4 (on page 3.1-19) fails to show the dissolved air floatation tanks for the ballast water treatment facility. The BWTF is identified, however, the component parts are not delineated. Unless considered in more depth later, this lack of detail would explain the absence of any information on atmospheric pollutant discharges associated with the BWTF. The location of the ballast water treatment facility diffuser is not indicated on the figure.	This comment addresses the DEIS, however, the following information is provided: Section 3.1.2.1.8 was intended to provide only a broad overview of the BWTF. See Appendix C for a more in depth discussion of the BWTF operation. The DAF is discussed in C-5. In response to the remainder of the comment, the text of C-5 has been amended to include the effluent limitations.
00113140	On page 3.7-11 in Section 3.7.2.5 (Surface Water Quality Along the ROW) the DEIS states that there are no data to compare water quality in the streams along the ROW with pre-pipeline conditions. Nevertheless, the DEIS states that operations have not significantly affected stream or river flows, and that existing surface water quality conditions along the ROW are expected to be similar to pre-pipeline conditions. The statements are based on ADEC measurements, observations by three watershed councils, and general compliance with NPDES	This comment addresses the DEIS, however, the following information is provided: As discussed in the text on p3.7-11, three arguments are presented that justify the conclusion that pipeline operations have not significantly surface water quality along the TAPS ROW. These arguments are: no imparied waters have been linnked to pipeline operations, observations by nonprofit ogranizations have not identified degradation of water quality attributable to TAPS operaqtions, and pipeline discharges are regulated by appropriate discharge permits. The text was changed to state that there have been no comprehensive water quality studies performed along the TAPS ROW since about 1975. Reference to comparisons of water quality along the TAPS ROW to State of Alaska Water Quality Standards or pristine waters was deleted.
00113145	Section 4.1.2.7 Ballasts Water Treatment at the Valdez Marine Terminal indicates that when originally constructed in 1976, the BWTF used three 18 million gallon steel primary gravity-separator tanks and six 240, 000-gallon secondary dissolved-air-flotation cells to remove oil before discharging the saline tanker ballast water to Port Valdez. The waste discharge limitations imposed on the BWTF in the NPDES permit were later revised to include a limit on BTEX. As a result, two aerated impound lagoons were replaced in 1990 by a permanent biological treatment facility consisting of two 5,500,000 gallon concrete aeration tanks equipped with a submerged-jet aeration and mixing system. To provide additional reliability and polishing, air strippers were installed downstream of the aeration tanks to remove occasional spikes of BTEX in the event of a biological upset. These systems are described fully in Payne et al. 2002.	This comment addresses the DEIS, however, the following information is provided: The comment is noted. There is no indication that the description is in error. The description as it appears is sufficient to describe the current situation with respect to the BWTF. It is understood that facility changes may have been required in response to changes to influent conditions or changes to water quality criteria. It is further understood that future changes may also be necessary. The NPDES permit anticipates this and requires APSC to give notice to EPA and to ADEC when changes to infrastructure or operation procedures are anticipated. This provides the regulatory authorities the opportunity to determine the necessity of amending current permit conditions or even requiring that a new NPDES permit be established.

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00113147	In this instance, neither section discusses the volatile emissions of BTEX associated with the dissolved air flotation units or the biological treatment system. As previously discussed in this review, these operations currently are estimated to release over 580 pounds of BTEX to the atmosphere at Port Valdez per day (Payne et al. 2002).	The BTEX emission estimate (105.7 tons/year) for the Valdez Marine Terminal listed in Table 3.13-6 includes the emissions from the BWTF (90.0 tons/year).
00113148	There is a small inset on page 4.1-13 describing the BTEX fraction as polar organic compounds routinely present in crude oil as well as refined petroleum products. There is no mention of the carcinogenicity of benzene and the toxicity or brain damaging effects from several of the other compounds. The inset incorrectly states that BTEX fraction can often be used to identify the chemical "fingerprint" of crude oil or refined petroleum products, but it does correctly state that they have the greatest mobility in the environment. These compounds are so mobile and volatile that they do not persist in spilled crude oil or petroleum products (to assist with “fingerprinting” as alluded), and they are instead significant contaminants of concern with regard to air pollution and worker exposure. None of these considerations are addressed in the inset.	This comment addresses the DEIS, however, the following information is provided: The commenter is incorrect regarding the environmental fate of BTEX fractions after the accidental release of crude oil or other petroleum products. Because of their inherent volatility, the chemicals that comprise the BTEX fraction will exhibit a tendency to evaporate to the atmosphere after a spill of crude oil or refined petroleum products. Ambient conditions dictate both the rate and the extent of BTEX evaporation. However, BTEX chemicals also exhibit appreciable solubility or miscibility in water. Thus competing equilibria are also routinely present at any oil/water interface that would allow some BTEX fraction to be extracted into the water phase. Because BTEX chemicals are easily identified in water samples, surface or groundwaters impacted by a spill are routinely monitored for the presence of BTEX fractions as an indicator of the extent to which components of the spilled material have migrated from the spill site. The environmental fate of BTEX fractions is, indeed important from the perspective of exposures of spill response workers to the BTEX chemicals. The potential for carcinogenic and other health effects due to exposures to BTEX compounds is addressed in Sections 3.17.2.4 and 4.3.13.2.2. A reference to these sections has been added to the inset.
00113150	Page 4.3-12. The first paragraph of section 4.3.8.1 should include treated ballast water as a category of discharges from the Valdez Marine Terminal.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

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ID	Comment	StateResponse
00113151	In the inset on page 4.3-12 it says that Valdez Marine Terminal releases resulting from normal operations under the proposed action would not be expected to be different from historical impacts and could decrease with decreasing throughput. The DEIS should acknowledge that existing discharges contribute 0.8-1.6 barrels of dispersed Alaska North slope crude oil per day to the Port, and that hydrocarbons associated with these discharges have been detected in mussels and sediments analyzed as part of PWS RCAC LTEMP (Payne et al. 2001,	Tis comment addresses the DEIS, however, the following information is provided: While we recognize that the PWS RCAC has recommended that NPDES permit levels for the BWTF be reduced, the EIS correctly identifies that BWTF discharges are below current NPDES permit limits and that concentrations of total PAHs in sediments are below the sediment quality guidelines for marine sediments. The methods used by Feder and Shaw (2000) to detect total PAH concentrations in sediment were sufficiently sensitive to allow comparison to the sediment quality guidelines. This does not mean that there is not some accumulation of PAHs in sediments surrounding the BWTF diffuser near the VMT, just that those levels do not exceed the current sediment quality guidelines for protecting aquatic organisms. As identified in the comment, PAH accumulation was detected in mussels used to monitor water quality in Port Valdez as part of a PWS RCAC-sponsored monitoring program (Salazar et al. 2002). In that study, it was found that all measured concentrations of PAHs in water and estimated on the basis of bioaccumulation in mussel tissues indicated that the concentrations of PAHs in Port Valdez waters are in the low parts-per-trillion range, well below the levels that have been associated with adverse effects in herring and salmon embryos (Salazar et al. 2002). In addition, Salazar et al. (2002) did not detect reductions in overall growth of caged mussels that could be attributed to PAH burdens. Instead of stating that BWTF effluent is unlikely to impair sediment quality, the EIS was revised to state that sediment concentrations of PAHs in sediments and water due to BWTF operations are not expected to change substantially as a result of the proposed action and to cite and discuss results of the recent monitoring efforts.
00113154	Section 4.3.8.3 (page 4.3-15) states that hydrocarbon discharges are discussed in section 4.3.8.1, but the discussions are without substance. There is no mention of hydrocarbon concentrations or total hydrocarbon loadings to the port in that section. If the DEIS redirects the reader to a different section to find specific information, the information should be present at the location cited.	This comment addresses the DEIS, however, the following information is provided: The EIS correctly identifies that BWTF discharges are below current NPDES permit limits and that concentrations of total PAHs in sediments are below the sediment quality guidelines for marine sediments.

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00113158	Also, the biological treatment tank component of the ballast water treatment facility is going to be more difficult to maintain as oil throughput and concomitant ballast water volumes (also influenced by double hulled tankers) decrease as predicted throughout the DEIS. Nothing is mentioned in the DEIS as to how those problems will be addressed in the future.	This comment addresses the DEIS, however, the following information is provided: The DEIS does not speculate as to the exact technology changes that may have to be implemented to ensure the decreased influent associated with double-walled tankers does not impact the operation of the BWTF. Under federal and state regulations, all discharges from the BWTF would have to either meet the current effluent limitations under the NPDES Permit (AK-002324-8) or, if there are any activities that would result in the discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in the current permit, and if that discharge may reasonably be expected to exceed the highest of the "notification levels" listed in the current Permit, the ADEC and the EPA must be notified (AK-002324-8, Section III.L). In addition, under the current Permit, the permit may be modified, or alternatively, revoked and reissued, to address the use of alternative treatment technologies or the application of different permit conditions, if new information, such as future water quality studies or waste load allocation determinations, or new regulations such as changes in water quality standards, show the need for different conditions (AK-002324-8, Section V.M).
00113159	On page 4.3-63 (Section 4.3.18.1 Impacts to Spectacled and Steller's Eiders) the DEIS states that water quality impacts from the Valdez Marine Terminal effluent discharge to Port Valdez have not resulted in water quality degradation during the past 25 years of operations, and no such degradation is anticipated during the renewal period, when discharges will be substantially reduced. As mentioned above, potential water quality degradation has only recently been recognized in Port Valdez, and BWTF-sourced PAH contamination of mussels along the shorelines has now been documented; see Payne et al. (2002) for a discussion of the effectiveness of the NPDES process and associated Alyeska monitoring programs.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. This issue is not within the scope of the TAPS lease renewal process.
00113162	Page 4.7-93 states the EVOS "probably had some impacts on fish." This statement does not accurately reflect the current science on the EVOS, which clearly indicates substantial impacts on herring and salmon in PWS occurred following the spill. See the literature cited below for scientific articles that document the adverse effects of Alaska North slope crude oil on fish.	

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00113163	Page 3.11-4 discusses background sources of hydrocarbons (coal, oil shale, soot, natural seeps, etc.) in Prince William Sound and (to a lesser extent) Port Valdez sediments, but it does not adequately discuss the significant elevation of hydrocarbons, including toxic polynuclear aromatic hydrocarbons (PAHs) that are released and contaminate intertidal and subtidal zones in a large-scale spill. This section also does not adequately convey that natural background PAH derived from coal, shale, soot, and other solid matrices presents a very low bioavailability form of PAHs. This is important because the text suggests that there is wide spread PAH contamination in PWS that discounts the elevation of bioavailable and toxic PAH contamination caused by a large scale spill such as EVOS. Additionally, oil spills may cause persistent PAH contamination in ecologically sensitive areas because of trapped subsurface oil (Short et al. 2002). . On page 3.11-5 of the DEIS, sediment hydrocarbon data are reported from Port Valdez studies completed by Feder and Shaw (2000) as part of the Alyeska Environmental Monitoring Program (AEMP). It is specifically noted in the DEIS that the levels are below various sediment quality guidelines, and total aromatic hydrocarbon concentrations in the shallow sediments near the BWTF diffuser ranged from 20-50 ng/g. Values in deeper sediments ranged from 15 ng/g near the diffuser to 30 ng/g in the far field. The two-fold increase in values away from the diffuser was interpreted as possibly suggesting hydrocarbon sources in Port Valdez other than the Alyeska Marine Terminal; however, a complete set of PAH analytes (including most of the alkylated PAH homologues associated with ANS crude oil) was not analyzed by the FID GC techniques used in the Feder and Shaw (2000, and earlier) studies, so definitive source identifications were not possible. Sediment samples at the Alyeska Marine Terminal and at Gold Creek (6 km across the port) have also been analyzed as part of the PWS RCAC LTEMP (see Payne et al. (2001) for a synthesis of 8 years of data). In general, significantly higher (200-800 ng/g) total PAH concentrations were measured in the Alyeska Marine Terminal sediments by selected ion monitoring (SIM) GC/MS, which specifically identifies alkylated-PAH homologues from a larger target analyte list that allows more accurate source identification. In those samples, the majority of the hydrocarbons detected could be attributed to input from Alyeska Marine Terminal operations, with lesser contributions from biogenic sources. By way of comparison, the Gold Creek sediments ranged from 40-111 ng/g, and a mixture of sources including biogenic, background anthropogenic, and AMT discharges could be identified. None of the PWS RCAC LTEMP studies (KLI 2000, and references therein, Payne et al. 1998, 2001, and 2002) were evaluated as part of the DEIS. As such, the final EIS should re-evaluate the results of the sediment hydrocarbon measurements	This comment addresses the DEIS, however, the following information is provided: The methods used by Feder and Shaw (2000) to detect total PAH concentrations in sediment were sufficiently sensitive to allow comparison to the sediment quality guidelines. This does not mean that there is not some accumulation of PAHs in sediments surrounding the BWTF diffuser near the VMT, just that those levels do not exceed the current sediment quality guidelines for protecting aquatic organisms. Instead of stating that BWTF effluent is unlikely to impair sediment quality, the EIS was revised to state that sediment concentrations of PAHs in sediments and water due to BWTF operations are not expected to change substantially as a result of the proposed action and to cite and discuss results of the recent monitoring efforts.

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ID	Comment	StateResponse
	available for Port Valdez and attempt to reconcile the differences in the measurements completed by Feder and Shaw and the PWS RCAC LTEMP to more accurately quantify the sediment impacts associated with past Alyeska Marine Terminal operations.	
00113167	Page 2-14 indicates that the analyses used to estimate carcinogenic risk through consumption of fish or shellfish were based on antiquated analytical methods and ignored the majority of petroleum-related PAH components present in BWTF effluent (Payne et al. 2002).	This comment addresses the DEIS, however, the following information is provided: Page 2-14 is the page from Table 2-1 (TAPS ROW Renewal DEIS Summary of Direct and Indirect Effects) that addresses Human Health and Safety Effects, and as such, does not address the analytical methods used to draw conclusions. Methods are either discussed in the text or in the referenced materials. However, the shellfish tissue data used in the DEIS to support risk calculations were those reported in Varanasi et al. (1993), a research group from the National Oceanic and Atmospheric Administration (NOAA). The discussion of "Method Shortcomings" in Payne et al. (2002) states that the NOAA methods are the preferred methods for analysis of hydrocarbons in tissues. The fish and shellfish tissue analytical data used were produced by a very credible institution and were published in peer-reviewed sources (see DEIS references).
00113169	Table 3.14-1 lists the 2001 population of the Zook subdivision of Valdez as 89. The DEIS should clarify why the entire population of Valdez wasn't used instead of a subdivision.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.

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ID	Comment	StateResponse
00113170	The inset on page 4.3-35 (Section 4.3.13 Human Health and Safety) states that effluent from the ballast water treatment facility has not been shown to present an elevated carcinogenic risk through the consumption of fish or shellfish from Port Valdez. Then again in Section 4.3.13.2.1 -- Ballast Water Treatment Facility Effluent (page 4.3-38), the DEIS concluded that human carcinogenic risk from consumption of fish and shellfish does not exceed 1 in 100,000, and that it does not exceed thresholds for mutagenic or teratogenic risks. The cancer risk threshold for residential exposures should more appropriately be 1 in one million. The statements in the DEIS were presumably based on monitoring programs executed by Alyeska; although the source of the data was not cited. It has recently been shown that the analytical chemistry methods used by Alyeska's consultants in those monitoring programs were inadequate to detect many of the compounds of concern (Payne et al. 2001 and 2002). The DEIS should be revised to reflect the most recent findings by Payne et al. cited above. In addition, measured concentrations of BWTF-sourced PAH in mussels from Port Valdez examined as part of the PWS RCAC LTEMP have been consistently higher than levels measured as part of NOAA's subsistence food monitoring program in Windy Bay following the Exxon Valdez oil spill. Those facts should also be considered in the DEIS before making statements about the lack of any impacts of the proposed action on human health and safety.	Effluents from the Ballast Water Treatment Facility are based on data from the Mixing Zone Application for NPDES Permit Renewal (Alyeska Pipeline Service Company 1995). The mussel tissue PAH concentrations reported in Payne et al. (2001) are total PAH concentrations. No human health risk assessment for ingestion of mussels is provided in that report. The total PAH concentrations also cannot be directly compared with the carcinogenic PAH concentrations measured by NOAA and reported in the DEIS for the assessment of foodchain impacts from oilspills. The total PAH concentrations measured by NOAA were much higher, comparable to the Payne et al. data. However, for the type of risk analysis conducted for the DEIS, only the carcinogenic PAH concentration would be relevant.

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ID	Comment	StateResponse
00113173	On page 4.4-71 there is an inset titled Impacts of Oil Spills on Human Health and Safety (in section 4.4.4.7). The air-quality/human health spill impact distances cited in the inset (and elsewhere throughout the DEIS) are too small based on the incorrect assumption that VOCs emissions (including HAPs) are negligible for approximately 24 hours after a spill. Also, in the same inset, there is a discussion about exposures from eating contaminated fish, shellfish, or marine mammals. The inset concludes by stating that unless the fish has visible oil on the surface or smells of oil, "adverse health effects would not be expected from eating fish, shellfish, or marine mammals from a spill area." Shellfish can have significant PAH loadings in spill areas even though they do not appear to be physically oiled. Stating that adverse health effects would not be expected from eating them is inaccurate and a gross oversimplification. This is particularly true for Alaskan Natives who have three times the stomach cancer rates of Whites, presumably from the higher incidence of eating smoked foods. While smoking fish and meats contributes far more PAH contamination than that associated with tainting due to oil spills, the speciation of PAHs associated with smoking processes is not the same as that released by Alaska North Slope crude oil. Any comparison would require the speciation for it to be valid. Nevertheless, it makes sense to try and limit the background PAH contamination in subsistence food diets as much as possible.	This comment addresses the DEIS, however, the following information is provided: The comment says the DEIS incorrectly assumes that VOC emssions are negligible for about 24 hours after a spill. This is exactly the opposite of what the DEIS analyses and supporting text actually assume, which is that "VOC emissions from a crude oil spill are generally negligible about 24 hours after the initial spill" (page 4.4-79, 1st paragraph). In effect, this meant that the analyses estimated the highest concentrations that would occur in the first 24 hours after a spill, and compared these with health risk-based short term concentrations limits. Since air concentrations after 24 hours would be less, this was a protective evaluation method. With respect to foodchain impacts, the extensive text of section 4.4.4.7.4 provides support for the statement that, for food that is not noticeably contaminated, adverse health effects would not be expected from eating fish, shellfish, or marine mammals from a spill area. For fish and mammals, this conclusion is reached on the basis of rapid and extensive metabolism of PAH compounds by these species, so that concentrations in edible tissues are generally non-detectable or very low within a short time after the exposure occurs. Shellfish, however, do not metabolize the PAH compounds, and therefore could more plausibly present increased cancer risk for individuals regularly ingesting shellfish meals. This increased cancer risk was evaluated using data from references suggested by the commenters (i.e., Varanasi et al. 1993; Field et al. 1999). Although the U.S. FDA had previously evaluated the increased cancer risk associated with contaminated shellfish ingestion, a re-analysis of the data was conducted for the DEIS incorporating newer risk factors that would increase the risk estimates. The conclusion was that the highest possible increased cancer risk from ingestion of contaminated shellfish was somewhat less than the lower bound of increased cancer risk from ingestion of smoked salmon (see Table 4.4-35). The speciation of the PAHs associated with the smoking process is not significant for this analysis, because only the 15 PAHs listed in Footnote a of Table 4.4-35 have enough available toxicity data to include in a quantitative risk evaluation. The text on page 4.4-98 of the DEIS discusses the increased stomach cancer rates of Native Alaskans in comparison with the U.S. white population, and that this may be due to frequent ingestion of smoked foods. The text also states that any additional exposures to

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00113175	On page 4.4-78 (in section 4.4.4.7.2 Impacts from Inhalation Exposures Resulting from Spills) the DEIS recommends that the general population within the impact distances downwind from an oil spill be evacuated for a period of up to 24 hours until the plume could dissipate. This statement is at variance with the incorrect assumptions presented earlier in the DEIS that evaporation is limited during the first 24 hours. This inconsistency should be corrected in the DEIS by correctly characterizing the evaporation behavior, which predominates during the first 24 hours. More importantly, in the context of this section, VOC emissions are not negligible after a 24-hour period. The alkylated benzenes, two-, and three-ring PAH contaminants, and aliphatic components continue to evaporate at significant levels from thicker pools of crude oil for days to weeks after a spill (Payne et al. 1984).	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113176	In Table 4.4-29 Inhalation Impacts of Pipeline Spills: Maximum 1-Hour Pollutant Concentrations and Impact Distances (on page 4.4-80) the DEIS notes that for hexane, the impact distances is over 1 km from the spill site. For other HAPs the distances range from 20-400 meters. Obviously cleanup workers can be seriously exposed if proper personal protective equipment (PPE) (air purifying respirators) are not used. In the case of spill cleanup workers responding to the EVOS, respirators were seldom used because they were informed that all of volatile and hazardous materials had already evaporated from the oil. The lingering health effects for EVOS-cleanup workers referred to in the DEIS suggests otherwise.	It is agreed that cleanup workers could experience adverse health impacts if PPE is not used during cleanup operations, particularly within the first 24 hours after a spill occurs. If spills occur in the future (particularly large volume spills), a procedure to address the concerns expressed in the comment could be to monitor ambient air to determine when concentrations of toxic air pollutants have fallen below health-based levels of concern.
00113178	As in several other sections of the DEIS, the utilization of completely unrealistic scenarios to predict the lack of significant impacts brings into question the credibility of the conclusions reached throughout the document. If all the impact analyses are predicated on such unrealistic scenarios, then the entire foundation of the DEIS is flawed	Thank you for your comment. Since it does not address a specific section, refer to Appendix A, Methodology Descriptions, in the DEIS, which describes the methodologies used to analyze the environmental consequences of implementing any of the alternatives presented in the DEIS, including the formulation and development of spill scenarios.
00113181	In Section 1.3 (page 1-7) it is stated that the Alyeska can shut down oil flow through electronic instructions from the pipeline control center at Valdez in a 4 to 12 minute period. What volumes of oil could be released in this 4 to 12 minutes time period? With an average flow rate of 1,000,000 barrels per day, we note that oil is flowing at the rate of 694 barrels per minute.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

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00113182	Additionally, each mile of pipe can contain as much as 11,818 barrels of oil. Are plans in place to prevent, mitigate, and clean up the discharge of the oil contained in a single mile of pipe? Because secondary containment generally consists of structures composed of earthen dikes with a geosynthetic liner, is their volume effectively reduced by accumulation of snow and runoff water? The DEIS should explicitly address these issues.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113183	Table 3.1-6 TAPS Oilspill Major Contingency Equipment (page 3-17) would be more useful if the disposition of each piece of equipment along the pipeline or at the Valdez Marine Terminal were described.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1 in commercial operation; 2 in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113184	The Alyeska's oil spill contingency plan, described briefly on page 3.1-21, has been significantly upgraded since EVOS, and the improved capabilities and standby contractor's should help with the containment and cleanup of a small to moderate sized oil spill in the future. It is unlikely that there are sufficient equipment and personnel available to respond to a spill of even half the magnitude of the Exxon Valdez. If that is in fact the case, then it would be impossible to contain a 6 million gallon spill after it has been at sea for 2 hours, and there is no point in including that spill response option in any of the spill scenarios.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113185	Brief mention is also made of PWS RCAC participation in the design of Alyeska's new response system and training activities; however, no details of PWS RCAC involvement or citations for the numerous studies and publications completed by the PWS RCAC are listed.	Involvement of the PWS RCAC in the development of Alyeska's new response system and training activities is briefly described in Section 3.1.2.2.1 of the DEIS. Citations to various studies conducted previously by RCAC and other organizations on EVOS and potential effects of oil spills in PWS are provided throughout the DEIS as appropriate.

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00113187	Contingency plans in the event of a spill along a river or creek are broken up into five regions. Region 5 covers the area from the MP 648-800. Each spill contingency area has specific response plans for different stream segments based on detailed environmental characterization. More than 220 sites along the right-of-way are designated as oil spill equipment staging areas. The DEIS should delineate what equipment is available at each location.	Detailed information on equipment available and procures in place at various locations along the pipeline is given in the TAPS Oil Discharge Prevention and Contingency Plan (CP-35-1) (APSC 2001g), which is available to the public through various libraries in several major cities in Alaska, including Anchorage, Fairbanks, and Valdez.
00113188	If water velocities in the rivers or streams exceed safe operating limits the Alyeska will monitor and track oil until an appropriate containment and recovery area becomes available. This appears to conflict with statements regarding rapid response times and cleanup efficiencies as discussed in Section 2.8 of this review on the adequacy of the spill scenarios presented in the DEIS. The plan has many of details about how to counteract the oil under different conditions, but there is very little discussion about impacts on the stream beds or banks or the flowing water itself. Any oil that escapes from containment by booms is assumed to form patches of sheen that evaporate, dissolve in the water column, bind with inorganic soil particles, or are removed from the water surface quickly because of vertical mixing.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113191	Page 4.1-14 states that a maximum volume of approximately 54,000 barrels (2,268,000 gallons) has been calculated as the amount of oil that could be lost due to a spill from a postulated guillotine break in the pipeline. This amount includes both the dynamic volume (the quantity forced through a break due to pumping action) and the static volume. The static volume is supposedly designed to be less than a 50,000 barrel limit. The DEIS should state this 50,000 barrel limit compares to actual spills volumes from the pipeline, including the spill caused near MP 400 in October 2001 by the bullet hole from a high caliber rifle.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113194	What is not considered is contamination of stream banks and stream sediments by the oil	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

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00113196	The DEIS contains information sufficient for only a cursory examination of these procedures; considerably more detail is required to verify whether the procedures will work during a spill and whether sufficient resources will be available. If a spill occurs, several management positions are given different levels of responsibility during the initial response. If it's a large enough spill additional response activities are assigned to 13 additional personnel each with checklists. Coordinating activities of all these positions to avoid conflicts in resources and counter productive actions requires appropriate levels of training for all involved individuals. Descriptions of procedures to ensure smooth coordination between all these groups should have been presented in the DEIS.	The spill prevention and response measures employed at the VMT are available through the Department of Environmental Conservation. Details on the equipment available and procedures in place are given in the Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan (CP-35-2) (APSC 2001h), which is available to the public through various libraries in several major cities in Alaska, including Anchorage, Fairbanks, and
00113198	Under the category of dispersants, it says "approval must be obtained from either the Federal On-Scene coordinator ….." but it doesn't say who else.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113199	In Section 4.1.4.3, Prince William Sound, the DEIS covers spills from the tanker vessel at a berth or traveling upon state waters in Prince William Sound. The section begins with a description of Ship Escort Vessel Response System (SERVS), and its role in escorting tankers within Port Valdez and through Prince William Sound to the Hinchinbrook Entrance. Responses to oil spills are described in the Prince William Sound Oil Discharge Prevention and Contingency Plan, which covers the following: vessel traffic lanes, ice navigation procedures, industry ice management procedures, maximum transit speeds, pilot and watch requirements, and weather restrictions. Given their importance in preventing a recurrence of an event such as the Exxon Valdez oil spill, more than a single paragraph should have been used to describe each of these critical elements	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002. The spill prevention and response measures employed at VMT are available through the Department of Environmental Conservation. Details on the equipment available and procures in place are given in the Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan (CP-35-2) (APSC 2001h), which is available to the public through various libraries in several major cities in Alaska, including Anchorage, Fairbanks, and

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ID	Comment	StateResponse
00113203	Section 3.1.2.2.1 Marine Transportation System (page 3.1-21) states that there is currently a fleet of 26 tankers (3 with double hulls and 13 with double sides) that service the Valdez Marine Terminal. Based on the mandates of the Oil Pollution Act of 1990, the fleet must consist entirely of double-hull tankers by 2015. It was estimated that the fleet of tankers would decrease from the present 26 to 8-10 tankers by 2020. It is stated that reduced tanker transit, use of double-hulled tankers, and other unspecified improvements in will reduce annual probabilities of accidents and oil spills; however, these projections may change if oil production increases. No contingencies for such increased oil production are considered anywhere in the DEIS. Page 3.11-6 discusses impacts on tanker traffic from TAPS. The discussion is largely predicated on the assumption of a reduction in tanker traffic resulting from declining oil production and TAPS throughput. In line with the previous comment, this section does not consider the potential for an increase in North Slope oil production. The DEIS should address environmental impacts under a scenario of increased oil throughput, in this section and throughout the report.	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.
00113204	Page 3.11-8 states that the maximum speed for tankers under ice escort is six knots. How long does it take to stop or change the course of a tanker at this speed? Does having an escort vessel one-half mile ahead of the tanker to assess ice hazards really allow enough time for the tanker to maneuver to avoid ice if it is encountered?	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.
00113207	On page 4.3-21 (Section 4.3.11.2 Marine) the DEIS states that in 1999 an average of 37 tankers were filled per month at the VMT when the pipeline throughput averaged 1.1 million barrels per day. It then adds that this level of activity could increase or decrease with changes in oil throughput if the ROW is renewed. This is the first instance in the DEIS where it is acknowledged that tanker traffic could increase; it is inconsistent with other parts of the DEIS that insist that oil throughput will only decrease over the renewal period. The DEIS should be revised to present a consistent set of scenarios that includes the potential for increased oil throughput.	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.
00113208	Section 4.5.2.8 states that the current size of the tanker fleet as 26 based on a possibly outdated 1991 reference source; this value is then used to speculate that the fleet will be substantially reduced in size. A more recent reference for the tanker fleet size should be cited and projected reductions in the tanker fleet should be restated based on current data.	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.

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ID	Comment	StateResponse
00113214	In addition to those materials, glycol based coolants are also present at most TAPS facilities. Hazardous wastes are delivered to permanent treatment, storage, and disposal facilities (TSDFs) in the lower 48 by truck and barge transport. The Valdez Marine Terminal is classified as a "large quantity generator" for hazardous materials. Routinely generated hazardous wastes include spent thinners and cleaning solvents, flammable paints and coatings, corrosive acids, flammable adhesives, used oils containing chlorinated compounds, spent coolants, spent aerosol cans, and crushed fluorescent lights. Sludge and residues regularly cleaned out from pump stations and Valdez Marine Terminal equipment and sumps also normal exhibit characteristics of hazardous waste. Tank bottoms and "materials in process" that are periodically removed from equipment and bulk crude oil and refined product storage tanks also exhibit hazardous waste characteristics and represent the largest volume of hazardous wastes generated. Spill debris and contaminated media also occasionally exhibit hazardous waste characteristics. Alyeska generated approximately 142,118 pounds of hazardous waste system-wide over the period of 1998-1999. Removal of this material by truck and barge certainly represents risks to the citizens in Valdez and the Natives and the villages surrounding Prince William Sound, and yet, this is not even mentioned in this section of the DEIS. The DEIS needs to assess the actual impact from this hazardous waste.	The definition of a hazardous material, hazardous chemical or hazardous liquid often depends on the context and the regulatory scheme being applied. On page 4.3-18 the footnote indicates that under Department of Transportation regulations hazardous liquids include petroleum and petroleum products. In the introduction to hazardous materials management (Section 3.16), crude oil is not discussed as a “hazardous material” because under the Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA), crude oil is not considered a hazardous chemical. In addition, under EPCRA, petroleum products in transportation (e.g., traveling in the pipeline) are not being stored or used at the facility and do not have to be reported under the Toxic Chemical Release Inventory (TRI) provisions of EPCRA. However, as shown in Table C-1, the crude oil in storage at the VMT is listed on the EPCRA TRI report (p. C-10, footnote g). The assessment described in Section 4.4.4.7.2 (page 4.4-90: Spills of Hazardous Materials Stored or Transported) was based on hazardous materials in storage at TAPS facilities, as reported by APSC to state and federal planning authorities (see Section 3.16.1 and Appendix C). The VMT reported having up to 28,000 lb ethylene glycol (often the main toxic component of antifreezes and coolants) in storage; antifreeze was reported as being in storage at many other TAPS facilities. Although ethylene glycol is categorized as potentially toxic for the spill assessment (TEEL-1 value = 50 mg/m3), it is not very volatile, so risks to the general public from accidental releases is low. As discussed in Appendix C (Section C.3), APSC contractors collect hazardous waste from the accumulation areas and transport it to out-of-state RCRA-permitted TSDFs. The waste is shipped under proper manifests to a rail terminal in Anchorage and then by rail to a ship terminal in Anchorage, where it is transported by ship or barge to a rail yard in the State of Washington. According to these manifests, all of the transporters are properly-licensed under RCRA and all wastes are transported in containers meeting DOT specifications. No spills or losses of APSC hazardous waste shipments have ever been reported (e.g., no exception reports for APSC manifested waste shipments between APSC facilities and the ultimate RCRA TSDF have been filed with the ADEC). Spills of hazardous waste were not specifically assessed, because it was assumed that these wastes would be more dilute than the hazardous materials stored for use at the TAPS facilities, and that therefore spills of these substances would result in lower health impacts.

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ID	Comment	StateResponse
00113215	On page 3.16-4 it is stated that contaminated oil spill debris is covered by an ADEC-approved remediation plan and that stockpiles are always removed for thermal treatment after less than two years of storage at any one of 12 ADEC preapproved contaminated media storage areas. The largest of these stockpiles is at the Valdez Marine Terminal, and the amounts of contaminated soils awaiting treatment ranged from 237.4 tons in 1996 to 1561.9 tons in 2001. Are the stockpiles getting larger because of delays in treating the contaminated materials, or was there simply more contaminated material generated in 2001? There were no data presented on where the thermal treatment of this contaminated soil occurs, and whether there were any potential air quality impacts associated with this thermal treatment. Appendix C states that the soil was thermally treated by a facility with an Air Pollution Control District permit, but the location was unspecified.	The size of the contaminated soil stockpiles is dependent on the amount generated each year. Soil can be stockpiled at the Valdez Marine Terminal for up to four years or until sufficient volumes have been aggregated to allow for cost-effective transport and treatment to a subcontractor, most recently, located in North Pole, Alaska. Air emissions from contaminated soil piles were incorporated into the air impact analyses for APSC facilities.
00113216	The decline in the Steller sea lion in the Gulf of Alaska and Prince William Sound is discussed (p. 3.22-17); however, it was concluded that declines in the 1990s could not be attributed to human activities. Possible explanations include: (1) competition for prey with large-scale commercial fisheries (isn't that a human activity?); (2) changes in prey abundance, composition, and distribution resulting from climactic change; and (3) ecosystem-level changes resulting from commercial harvest of predators such as whales and certain fishes (again, wouldn't that be considered the result of a human activity). There is one paragraph on the effect of the Exxon Valdez oil spill on the Steller sea lion; however, it is stated that the effect is not fully understood. Sea lions were observed swimming in and near oil slicks, oil was observed in numerous haulout sites, rookeries were fouled by oil at Seal Rocks and Sugarloaf Island, and the presence of hydrocarbon metabolites was detected in sea lion tissue. Nevertheless Calkins et al. (1994) concluded that population-level effects could not be demonstrated. They hypothesized that effects on Steller sea lion may have been less than for other species (e.g., harbor seals and sea otters) because the oil did not persist on sea lion rookeries and haulouts as long since they were located in areas of steep slopes and high surf activity. This discussion is an example of the uneven treatment which occurs throughout the DEIS. In some cases, oil spill affects are considered for certain species and in other cases they are not.	The factors listed in the comment were identified by Kruse et al. as possible explanations for the decline that occurred in the 1970s to 1980s. They concluded that human activities were not likely the cause of further declines that occurred in the 1990s.

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ID	Comment	StateResponse
00113217	The DEIS should include a discussion of the impacts of the Exxon Valdez oil spill on species of special concern. The inset on page 4.3-59 (section 4.3.18 Threatened, Endangered, and Protected Species) states that impacts to the listed and protected species from the proposed action would likely be within the range of those experienced over the past 25 years of operations. The range of impacts experienced over the past 25 years of operations included the Exxon Valdez oil spill. That event caused more than minor impacts of several threatened species and should be considered in the DEIS.	This comment addresses the DEIS, however, the following information is provided: The comment refers to a summary of the impacts of routine operations of TAPS on threatened and endangered species. The impacts of oil spills on these species is presented in Section 4.4.4.12 of the DEIS.
00113219	In Table 4.3-5 (Potential Impacts of the Proposed Action on Threatened, Endangered, and Protected Species) on page 4.3-60, the Steller's eider is identified as being present in Prince William Sound, and potential impacts from BWTF effluent are discounted because they are monitored and kept within permitted levels. During the winter and early spring in Port Valdez, PAH from the BWTF are believed to concentrate in the upper surface microlayer within the Port (Payne et al. 2001, 2002). Because of this possible exposure route to high concentrations of PAH, the DEIS should state whether the Steller's eider feeds on juvenile fish, eggs, or larval forms in the upper water column. In the same table a number of whale species are listed as frequenting Prince William Sound. Because of potential exposure to high concentrations of PAH in the surface microlayer within the Port, the DEIS should state whether or not any of these species frequent Port Valdez, and if so, which ones might feed on contaminated phytoplankton or larval fish. Finally, potential impacts from inhalation of PAH-contaminated microdroplets or PAH exposure from the surface microlayer during breaching should be considered.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113222	On page 4.3-6 the DEIS notes that the Great Alaska Earthquake was about 60 miles west of Valdez. The quake caused extensive ground cracks and landslides in the Chugach Mountains and the southern edge of the Copper River Lowland area (Ferrians 1966). Extensive damage was caused in the city of Valdez, and oil and asphalt products were lost from numerous tanks that were damaged by the earthquake and subsequent tsunami. Given that such an event has occurred in the recent past, it seems inadequate for the DEIS to address potential damage from a similar event in the future by stating "it is uncertain whether an earthquake as large and as close as the Great Alaska Earthquake of 1964 (also known as the Good Friday Earthquake, 9.2 moment magnitude) would damage the TAPS." The TAPS should address the potential for another earthquake in the Valdez area and the design features of the Valdez Marine Terminal that would protect it from an earthquake and possible tsunami.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

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ID	Comment	StateResponse
00113227	Much of the DEIS (e.g., Section 3.19) simply lists the habitat or potentially affected species and does not consider any of the papers on natural resource damages due to residual oil contamination in different substrate types. Likewise effects on fish and intertidal organisms have not been considered. The DEIS should include an expanded discussion of the potential impacts of spilled oil on	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113229	Table 4.4-1 lists various oil spill scenarios for TAPS. In general, this table and the accompanying text are unclear how the expected frequency of releases was calculated for various spill scenarios (p. 4.4-15). The DEIS should clarify whether the estimates were based on an analysis of small aircraft flight routes in proximity to the pipeline and the frequency of small airplane crashes in Alaska. The DEIS should also clarify if the frequency of releases from ground subsidence considered loss of permafrost from global climate change. Page 4.3-5 states that the risks of liquefaction of soils and landslides will increase, but it is unclear how an increased risk was incorporated in the scenario estimates. The DEIS should also clarify if aging of line pipe was considered in estimating the frequency of releases from corrosion leaks. The DEIS should compare the estimated spill frequency with the observed frequency of spills during the first 30 years of operation.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113230	Page 4.4-20 discusses inland spills, but the DEIS is unclear on the number of times the TAPS crosses streams in the Copper River drainage, and the length of pipeline in proximity (e.g., 1000 feet) of streams. The DEIS should specify the number of stream crossings and length of pipeline in proximity to streams, for each drainage system traversed by the TAPS. The DEIS should also explain how this information was used in estimating the volume and frequency of oil spills	Oil spill contingency planning and permitting processes are conducted in a separate public forum through the State ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113232	The analysis of oil spill impacts (pages 4.4-103 to 105) is flawed because it appears to implicitly assume that the only portions of a stream that will be adversely impacted from an oil spill will be the portions that directly contact free product oil. This analysis appears to ignore partitioning of the toxic water-soluble components of oil into the water column, which does not require mixing of product and water. For example, pipeline breaks involving middle-distillate oils show that aqueous phase oil can contaminant the water column of rivers to over 30 feet deep (e.g., VSWCB, 1983), thus the statement that only the upper portion of the water column would be affected is not supported.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

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ID	Comment	StateResponse
00113233	Page 4.4-104 states that TAPS is “unlikely to block or preclude migration” of fish. The basis of this statement is unclear because literature citations are not	The Alaska Department of Fish and Game has a representative in the JPO. One of the functions of this position is to enforce AS 16.05.870 and AS 16.05.840. These statutes, among other things, require that fish passage be maintained. In addition, lease stipulation 2.5.1 requires that fish passage be maintained. ADF&G conducted an assessment of compliance with state law and the lease (reference JPO document ANC-01-A-011 Stipulation 2.5 -- Fish and Wildlife Protection) and determined that Alyeska was in compliance with fish passage requirements.
00113238	A fairly detailed discussion of the specific populations of birds that utilize Prince William Sound and the Gulf of Alaska is presented in Section 3.20.3. However, the impact of the Exxon Valdez oil spill on birds within Prince William Sound is not even mentioned. It may be considered elsewhere, but the presentation does not logically flow, and the impacts of Exxon Valdez oil spill have not been adequately addressed. The DEIS briefly mentions the Exxon Valdez oil spill after the section on fish and amphibians, but an analogous treatment and discussion of the impacts on birds is needed in the DEIS.	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State’s review.
00113243	On page 4.4-103 (in section 4.4.10 Fish) the text briefly alludes to impacts caused by oil on prey for fish, however, no details or specifics are presented. Likewise, no references are given on fish toxicity to crude oil or dissolved components from crude oil.	This comment addresses the DEIS, however, the following information is provided: A short discussion of infaunal and epifaunal invertebrates that serve as food for fish has been added to Section 3.19.1. Of the DEIS. Additional information about the fate and effects of aqueous phase oil has been added to the discussion of impacts from spilled oil in Section 4.4.4.10 and a discussion of observed and potential effects of oil on infaunal and epifaunal invertebrates has been added.

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ID	Comment	StateResponse
00113247	Section 4.4.4.10.2 (beginning on page 4.4-105 deals with spill impacts from the Valdez Marine Terminal on Prince William Sound. It does not deal with spills resulting from tanker accidents (they are considered in yet another section, 4.7.4.4). On page 4.4-107 the DEIS states that in open waters (pelagic) fish have the ability to avoid a spill by going deeper in the water or further out to sea. Fish that lived closer to shore are at risk from oil that washes onto beaches or from consuming oil-contaminated prey. "In shallow waters, oil may also harm invertebrates used as food or sea grasses and kelp beds that are used for feeding, shelter, or nesting sites by many different fish species." This is the first mention of invertebrates used as food for fish or marine intertidal habitats. Because the intertidal zone receives the brunt of any marine oil spill, it should be given more than two or three sentences in the DEIS. This section should cite the two excellent symposium volumes on the EVOS (Wells et al. 1995; Rice et al. 1996), where additional details on intertidal impacts from oil spills in Alaskan waters can be found. This page also contains a brief discussion of pink salmon research, but the presentation appears to be biased towards Exxon-funded studies showing no effects. Work by NOAA scientists and other researchers was either ignored or dismissed as being subject to biased sampling protocols. The DEIS should be expanded to cover a broader range of published literature on impacts to fish and intertidal organisms resulting from oil spills in cold northern-latitude environments.	This comment addresses the DEIS and is not within the scope of the TAPS lease renewal process.
00113249	On page 4.7-13 (section 4.7.3.2 Proposals Considered but Excluded) the DEIS states that ANWR development was excluded because it was not currently feasible under existing regulations and laws. Specifically, ANWR has not reached a state of development where legislative approval, regulatory review, funding, or permitting has begun. Nevertheless, transport of ANWR production can easily be foreseen. Thus, it is reasonable for the DEIS to consider the environmental impact of increasing North Slope production or longer-term	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.
00113252	On page 4.7-43 (in section 4.7.4.9.4 Commercial Fishing) the DEIS fails to mention the impacts from fisheries closures following the Exxon Valdez oil spill to operators in Prince William Sound and the Copper River District.	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.

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ID	Comment	StateResponse
00113256	On page 4.7-70, the DEIS states that the spill scenarios assume that from 50,000 to 290,000 barrels (2 to 12 million gallons) of Alaska North Slope crude could be released instantaneously at various locations in Port Valdez, the Valdez Narrows, and Prince William Sound, AND THAT IT WOULD SPREAD FOR SIX HOURS BEFORE RESPONSE AND CONTAINMENT! While the potential release volumes are realistic for tanker spill scenarios, the assumption that the oil would spread for only six hours before response and containment is totally unrealistic. Does Alyeska have sufficient personnel, boom, boats, and other equipment to contain a 12 million gallon spill? Based on computer-model predictions, the DEIS estimated that 90 percent of the oil after six hours would be in an almost circular ellipse that would extend about 4.5 miles in diameter from the release point. The text then acknowledges that the shape of the slick could be influenced by winds and currents, but in general, if the winds were slightly different than the model predicted, the estimated area that would encompass the oil-spill plume after six hours would be an ellipse about 10 miles in diameter. It was then further assumed (on page 4.7-71), "That at the six-hour point, the spill would be contained, and further spreading of the oil would stop." The DEIS acknowledges, that it is possible that some oil would escape the initial containment and could impact other areas in Port Valdez and Prince William Sound, but that the impacts outside the initial containment area would be small and localized. The idea that a 10-mile diameter slick in the middle of PWS can be contained has not been demonstrated. Cleanup activities from the EVOS did not demonstrate this concept and, more recently, the cleanup activities on two small diesel spills from the Vanguard and the Windy Bay incidents did not demonstrate capability to fully contain a large spill. The DEIS needs to address whether APSC and SERVS could respond with all of their equipment to the middle of the Sound within six hours, and when they arrived whether it would be possible to corral a slick that size with their inventory of equipment. A 4.5 miles diameter slick could require more than 14 miles of boom to contain it. A 10-mile diameter slick would require over 31 miles of boom. Deployment and control of that much boom in the open ocean is feasible only in the fairest of weather. The DEIS needs to consider the effects of foul weather in containing spilled oil in PWS. Also, it is unlikely that that much boom response equipment even exists in Port Valdez.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113257	The DEIS assumes that "once the oil was contained, removal actions would begin." This significantly understates the difficulty in keeping the spill oil contained and in actually skimming (30% recovery of spilled oil is viewed as excellent) the oil.. There is no discussion of cleanup (oil recovery equipment) efficiency, problems with water-in-oil emulsification (mousse formation) and its effect on skimmers, rope mops, and pumps, and no discussion of what to what to do with recovered oil (and water).	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113259	On page 4.7-72 the DEIS states that releases nearshore would heavily oil shorelines and waters immediately around the area would be affected. The DEIS acknowledges that the waters of Port Valdez and Prince William Sound in the immediate area of the spill could continue to be affected for longer times after the initial release; but, because of dilution and the existing background hydrocarbon concentrations, changes in seawater hydrocarbon concentrations would be minimal and localized. This is a gross simplification. Existing or "background" hydrocarbon concentrations are orders of magnitude below levels that would be introduced from the spills considered in the various scenarios, so that changes in seawater hydrocarbon concentrations would NOT be minimal and localized. In the EVOS, over 800 miles of shoreline was oiled from a similar volume of oil to that described in the scenarios from the DEIS. How can that be considered localized? Impacts from dissolved components leaching from contaminated beaches are still being documented 12 years after the spill, a duration that hardly can be characterized as short-term (Short et al. 2002; Ballachey et al. 2000a,b; Monson et al. 2000; Esler et al. 2000; and Trust et al. 2000).	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00113260	On page 4.7-72 the DEIS states that mitigation for spills occurring during tanker transit from Port Valdez through Prince William Sound would include: (1) minimizing the time for response and the time required to contain the release, (2) deploying containment systems quickly, and (3) starting removal actions before weather or other adverse conditions could make containment difficult. This assumes that the spill occurs in a good weather. Most oil spills actually occur under or are driven by the worst of circumstances, when many factors (like storms, severe sea states, fog, or just darkness due to nightfall) are working together to complicate mitigation efforts. In addition, daylight hours are very short in the winter, so cleanup activities run on a 24 hour/day basis would require considerable nighttime operations. These factors need consideration in the DEIS.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113261	On the same page (4.7-72), the DEIS claims that under the less than-30-year renewal alternative, the impacts from a spill would be the same as those discussed for the proposed action, and that under the no-action alternative there would still be risks from other marine traffic activities. Wouldn't the probability of a spill be lower with the less-than-30-year renewal period? Risks from "other marine traffic" are not of the same magnitude as tanker accidents, so they cannot be compared to or traded off against one another.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113262	On page 4.7-72 (in section 4.7.6.7 Air Quality), the DEIS fails to consider HAPs released from ongoing operations at the Valdez Marine Terminal and the ballast water treatment facility, in particular. This treatment does not consider recent research on this issue. See the findings of Payne et al. (2002), which estimated that over 580 pounds of BTEX are released per day from the DAF units at the terminal. The DEIS also does not consider those occasions when Berth 3 (without any vapor recovery system) is used for loading when Berths 4 or 5 are occupied, shut down for maintenance, or damaged. Such an event was reported in the Oil Spill Intelligence Report (Vol. XXIV, No. 32, 8/9/01) when a loading arm accident caused the shut down of Berth 4 and Berth 5 was unavailable because of scheduled maintenance. The DEIS should consider HAPs emissions from maintenance loading operations at Berth 3.	This comment addressed the DEIS, however, the following information is provided: The DEIS did not ignore the hazardous air pollutants (HAPs) released from ongoing operations at the Valdez Marine Terminal including the Ballast Water Treatment Facility (BWTF). The benzene, toluene, ethyl benzene, and xylene (BTEX) emissions from the Dissolved Air Floatation (DAF) tanks and biological treatment system associated with the BWTF at the Valdez Marine Terminal (about 493 pounds/day or 90 tons/year) are included in the total emissions of hazardous air pollutants from the Valdez Marine Terminal (about 673 pounds/day or 122.9 tons/year) as listed in Table 3.13-6 of DEIS. This will be reflected in Table 3.13-6 of FEIS. ----- TEXT CHANGE FLAG. The BTEX quantity (approximately 580 pounds/day or 105 tons/year) estimated by Payne (2002) is the mass removal rate of the BTEX compounds at the Dissolved Air Floatation (DAF) system of the BWTF, not the rate of the BTEX emissions to the atmosphere from the BWTF. Although much of this mass is released to the atmosphere, a certain fraction of the BTEX removed by the DAF system remains in the oil skimmed off. Therefore, the rate of BTEX released to the atmosphere would be less than 105 tons/year. The atmospheric emission rate of the BTEX compounds from the BWTF estimated by APSC is about 493 pounds/day or 90.0 tons/year. Conservatively high ambient concentration estimates of BTEX and other toxic air pollutants emitted from the BWTF and other sources at the Valdez Marine Terminal were considered in estimating potential health impacts associated with ambient concentrations of these pollutants in Valdez area under the proposed action (at the crude oil throughput levels of 0.3, 1.1 and 2.1 million bbl/day) and other alternatives (see Section 4.3.13, 4.5.2.13, and 4.6.2.13). These ambient concentration estimates are based on the ambient BTEX concentrations monitored during the 1990-1991 personal and ambient monitoring studies and the tracer studies conducted in the Valdez area when both the vapor emissions from tankers and the DAF units were released. The baseline ambient concentrations used in the health risk calculations were given in the Affected Environment section (Table 3.17-4); a reference to this table has been added to the footnotes of Table 4.3-4 to clarify.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113268	On the same page, the DEIS states that a cancer risk of about 3 x 10-5 has been estimated for residents of Valdez from benzene inhalation from all sources. This cancer risk is based on monitoring and modeling studies that assumed that only 10 percent of the VOCs measured in Valdez came from the VMT (Goldstein et al. 1992). That estimate was based on the results of tracer gas studies completed in 1990-1991; however, the extent of those studies (duration, wind and weather conditions, number of tracer studies, etc.) were not described in any detail in the DEIS. What would the cancer risks be if those tracer studies turned out to be inaccurate? The DEIS should consider reasonable ranges, as determined from recent research, of HAPs emissions in assessing cancer risk.	This comment addresses the DEIS, however, the following information is provided: The estimated risk of 3 x 10-5 was only very slightly linked to the findings of the tracer study. In the Valdez Air Health Study (VAHS) by Goldstein et al. (1992), the annual average ambient benzene concentration at 3 Valdez residential area monitoring locations ranged from 4 to 5 ug/m3 (based on hourly sampling for one year from Nov 1990 through Oct 1991). Because the VAHS concluded that only 10% of the residential area benzene concentration was contributed by Valdez Marine Terminal emissions, only 10% of the ambient level was scaled with projected future throughputs. Therefore, the DEIS risk calculations assumed exposure to all the ambient benzene, regardless of its source. The risk results for the residential area would not change even if the tracer study results were wrong. The actual range of residential area benzene concentrations assumed for varying throughputs in the risk calculations was very narrow, from 4.6 to 5.1 ug/m3 (corresponding to increased cancer risks of from 3.0 to 3.2 x 10-5, see Table 4.3-4). The Valdez ambient air benzene value is similar to, but on the high side of, current ambient benzene values in large U.S. metropolitan areas. For example, the 2001 ambient benzene values in Anchorage, Portland, Chicago, and New York ranged from about 1 to 3.5 ug/m3; the values for Los Angeles ranged from 1 to 5 ug/m3. Ambient benzene concentrations have been decreasing in major cities in the past decade; an EPA study shows a 47% decrease at 95 urban monitoring sites between 1994 and 2000 (http://www.epa.gov/airtrends/toxic.html). EPA attributes the decrease to stricter car emissions standards, required use of cleaner burning gasoline, and standards requiring emission reductions at oil refineries and chemical plants. Based on these data, it is likely that ambient benzene levels in Valdez have also decreased in the time since the 1990/91 air monitoring effort. However, no new ambient air benzene data are available for Valdez at this time; such data would be useful in estimating potential long term health impacts.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113269	Table 4.7-8 (on page 4.7-82) presents the toxics release inventory of reportable emissions for the state of Alaska in 1999. To put the stated benzene emissions from the Valdez Marine Terminal into a context that the public can understand, the DEIS should explicitly state that the annual benzene emissions from the terminal alone are 3.3 times higher than ALL the other sources over the entire state combined. Furthermore, as mentioned above, it is doubtful that the VMT estimates in the DEIS include the emissions from the DAF units and biological treatment tanks of the BWTF. Also, the DEIS should include a footnote to the table that states the fact that APSC and North Slope producer facilities do not have to report their emissions to the EPA Toxics Release Inventory (because of the SIC code exemption), and as a result, they are explicitly excluded from the table. Oil industry activities easily generate the highest sources of BTEX in the state, and to ignore their contributions to air pollution because of a SIC code exemption is inexcusable. Their omission from Table 4.7-8 gives an inaccurate picture of the true cumulative impacts to air quality from ongoing TAPS operations, and this should be corrected in the final EIS.	The 13 tons of benzene emissions from 7 sources in the State of Alaska in 1999 listed in Table 4.7-8 of the DEIS (page 4.7-82) include only those Toxic Release Inventory reportable emissions, which do not include benzene emissions from all other emission sources, including the TAPS facilities. As pointed out in Section 4.7.6.11.2, industrial sources are estimated to contribute only about 14% of benzene emissions in the United States and not all industrial sources are required to report. Therefore, it would be misleading to state that the annual benzene emissions from the [Valdez Marine] terminal alone are 3.3 times higher than ALL the other sources over the entire state combined. The benzene, toluene, ethyl benzene, and xylene (BTEX) emissions from the Dissolved Air Floatation (DAF) tanks and biological treatment system associated with the Ballast Water Treatment Facility (BWTF) at the Valdez Marine Terminal (about 493 pounds/day or 90 tons/year) are included in the total emissions of hazardous air pollutants from the Valdez Marine Terminal (about 673 pounds/day or 122.9 tons/year) as listed in Table 3.13-6 of DEIS. This will be reflected in Table 3.13-6 of FEIS. A footnote will be added to Table 4.7-8 (page 4.7-82) that states that “TAPS and North Slope producer facilities do not have to report their toxic pollutant emissions to the EPA Toxics Release Inventory (because of the SIC code exemption), and as a result, they are explicitly excluded from the table.”

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113277	Table 4.7-9 (on page 4.7-103) states that the "existing baseline incorporates the effects of current ongoing activities and residual past effects (i.e., effects of past activities that continue to influence baseline conditions)." The data Table 4.7-11 appear to indicate that EVOS is now a part of the "baseline" and that very large spills are "unlikely" or "very unlikely" to occur having "impacts ranging from no effect to large effect depending on the location and extent of the area affected." The DEIS should address the issue, and place a separate table in this section that specifically delineates the cumulative impacts to threatened, endangered, and protected species that can be attributable to EVOS. On page 4.7-107, the DEIS states that "anticipated" or "likely" spills are expected to be relatively small, and if existing oil spill contingency plans for response and cleanup are followed, any impacts from the spills should be short in duration. "Large spills (not included in Table 4.7-11) that are considered "unlikely" or "very unlikely" could contribute substantially to the cumulative impacts on listed and protected species in Prince William Sound." "The impacts of such a spill would depend on many factors including location, weather, time of year, and area affected." Large spills should be included in Table 4.7-11, even the one that occurred in the first 25 years of TAPS operations.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113288	On page 4.4-94 (in section 4.4.4.7.4 Impacts from Foodchain Exposures Resulting from Spills to Water) the DEIS concludes that after the Exxon Valdez oil spill, subsistence foodchain exposures were as follows: the PAH levels were low in finfish and marine mammals (blubber). Smoking the fish significantly increased PAH levels making the smoked fish more toxic than non-smoked EVOS-exposed fish. The upper bound lifetime cancer risk for ingesting contaminated shellfish was 2 x 10-6 versus 2 x 10-4 for ingestion of smoked salmon. In a reassessment of foodchain risks associated primarily with contaminated shellfish two data sets were used from NOAA analyses completed in 1989 and 1991. Mussel data from Windy Bay in July 1989 showed the highest levels from among the 13 subsistence use areas investigated as a result of the Exxon Valdez oil spill. The second data set evaluated in the DEIS was collected from Windy Bay in April 1991. The sum of the 15 PAHs examined in the 1989 data set was 160 ppb; the sum of the PAHs for the 1991 data set was 2 ppb (and many of the individual PAH were below the method detection limit). Clearly the mussels had undergone significant depuration over the two-year period after the initial exposure from the Exxon Valdez oil spill. By way of comparison, the TPAH attributed to the effluent from the ballast water treatment facility measured in mussels as part of the PWS RCAC LTEMP in Port Valdez ranged from 87-500 ppb (excluding samples after the Eastern Lion and BWTF oil spills) at the Valdez Marine Terminal and from 80-900 ppb at Gold Creek, 6 km across the Port. From these data, it is obvious that the "background" levels within Port Valdez are higher than the post-EVOS levels of subsistence concern measured at Windy Bay. Therefore, it is not appropriate to simply dismiss the BWTF discharges as being within NPDES limits as is done throughout the DEIS. To put all these values into the context of a human health perspective, the smoked salmon analyzed as part of the NOAA study had average total carcinogenic PAHs in edible tissue of 8,700 ppb (page 4.4-98). Caution must be exercised in comparing PAH contamination from smoking foods to PAH from exposure to crude oil. Cancer risk calculations include only 15 PAH whereas crude oil contains over 100 different PAH compounds (most selected-ion-monitoring GC/MS methods used in state-of-the-art chemistry laboratories today focus on 43-45 different components). The toxicological response to exposure to these more complex mixtures is more difficult to predict than from a single chemical exposure. As noted on page 4.4-98 of the DEIS, the threefold increase in stomach cancer in Alaska Natives might be associated with frequent ingestion of smoked foods. With this increased rate of stomach cancer, however, any additional exposure to PAHs should be avoided whenever possible.	This comment addresses the DEIS, however, the following information is provided: For the final EIS, the foodchain risk results are corrected. The new values are as follows: The sum of the 15 PAHs for the 1989 data set was 5,300 ppb (160 in draft EIS), the sum of the PAHs for the 1991 data set was 34 ppb (2 in draft EIS), the risk from ingestion of highly contaminated shellfish for 10 years would be 3 x 10-5 (1 x 10-5 in DEIS), the risk from ingestion of moderately contaminated shellfish for a lifetime would be 1 x 10-6 (3 x 10-7 in DEIS). These changes do not change the basic conclusions about risk drawn in the DEIS. The total of 15 carcinogenic PAHs measured in the Windy Bay samples (Varanasi et al. 1993) cannot be directly compared with total PAH levels in mussels from the Valdez Marine Terminal and Gold Creek areas as part of the PWS RCAC LTEMP (Payne et al. 2001). Measurement of total PAHs includes many more substances. The text on page 4.4-98 of the DEIS addressed the fact that crude oil contains over 100 different PAH compounds. Only those that have been found to be carcinogenic in toxicity testing are included in cancer risk calculations (There is some question about the condensed thiophenes; this is also discussed in the text of page 4.4-98). The uncertainties associated with the evaluation of mixtures and the lack of data on condensed thiophenes are acknowledged in Section 4.4.4.7.4 . Although there currently is not a definitive method to address these uncertainties, the risk assessment method used for the DEIS calculations intentionally overestimated the intake of the carcinogenic PAH compounds with the intent of compensating for the lack of toxicity data on all the PAHs. For example, it was assumed that all the shellfish consumed by an individual would be mussels, although surveys show that mostly the less contaminated butter clams are consumed by Alaskan Natives (Reference: Appendix 3 of Field et al. 1999). The text on page 4.4-98 of the DEIS discusses the increased stomach cancer rates of Native Alaskans in comparison with the U.S. white population, and that this may be due to frequent ingestion of smoked foods. The text also states that any additional exposures to PAHs should be avoided where possible, in agreement with the commenter.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113291	On page 4.3-28 the DEIS states that incineration of domestic and nonhazardous industrial solid waste at the pump stations and the Valdez Marine Terminal have played a pivotal role in solid waste management by providing for substantial volume reductions to wastes requiring disposal. Solid waste and ash from the incineration process is landfilled. Alyeska is a minor contributor to most landfills, and Glennallen and Valdez receive only 22 percent and 14 percent of their total waste from Alyeska, respectively. The DEIS should state what provisions are implemented to ensure that this incineration process does not introduce hazardous air pollutants to the atmosphere near Valdez. Is the ash tested for leachablilty of hazardous constituents before disposal at either the Glennallen or Valdez landfill?	The solid waste incinerators operate under ADEC-issued air quality operating permits (ADEC 1996). The permits address all stationary air emission sources at the pump station, including the incinerators. The permits establish any limits for hazardous air pollutants that may be emitted from the pump station facilities, including the incinerators. Sampling over time of incinerator ash has shown the ash to be nonhazardous, provided waste segregation controls remain in effect (APSC 2000c). However, the City of Valdez and the Boroughs of North Star and North Slope require laboratory analyses verifying nonhazardous character for each delivery of ash to their facilities. Consequently, each shipment of ash from incinerators at PS 1 and 2 and the Valdez Marine Terminal is sampled for hazardous characteristics before delivery to designated landfills. Ash from all other incinerators is sampled annually.
00113292	On page 4.3-34 (section 4.3.12.6 Special Wastes) the DEIS implies that small quantities of medical wastes are currently incinerated at VMT. What provisions are implemented to ensure that complete destruction of those wastes occurs and that the ash is completely sterilized before being disposed of at the Valdez	Under Alaska regulations (18 AAC 60.030), landfill operators may accepted treated medical waste. A very small amount of medical waste is incinerated at the pump station and VMT incinerators (0.026% of the total quantity of solid waste so treated) (See, Table C-10). The APSC-operated Solid Waste Disposal Site (landfill) permits simply state: “Prohibit the disposal of unsterilized medical waste. Medical waste must be decontaminated or sterilized, and then packaged to prevent a health hazard before disposing of in the landfill.” There is no requirement in the landfill permit to sample or monitor ash waste. Appendix C (Section C.4, page C-15), states that statistically relevant sampling over time of incinerator ash has shown the ash to be nonhazardous, provided waste segregation controls remain in effect (APSC 2000c). However, the City of Valdez and the Boroughs of North Star and North Slope require laboratory analyses verifying nonhazardous character for each delivery of ash to their facilities. Consequently, each shipment of ash from incinerators at PS 1 and 2 and the Valdez Marine Terminal is sampled for hazardous characteristics before delivery to designated landfills. Ash from all other incinerators is sampled annually.
00113294	On page 4.4-119 (in section 4.4 24.13.2 Recreation and Tourism) the DEIS should quantify the impact on lost revenues from declines in tourist and recreational fishing activities in Prince William Sound as a result of the Exxon	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State’s review.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113301	There is inadequate discussion of biological impacts from non-Exxon Valdez spills during the past approximately 30 years of routine TAPS operations. Figure 4.4-1 (page 4.4-11) summarizes information for the largest historical spills for pipeline and Valdez Marine Terminal operations over the past approximately 30 years of routine TAPS operations. Some of the latter spills are associated with large release volumes (e.g., 672,000 gallons/16,000 barrels from the pipeline near Steele Creek at MP-474 in February 1978). No discussion of potential biological impacts for these historical spills is provided in Section 4.4.1.1. A brief discussion is presented in Section 3.3.3 for the status of existing contaminated sites related to construction and operational activities of the TAPS, although the latter does not address any associated biological impacts that may have occurred at the sites. For perspective, information for biological impacts of non-Exxon Valdez spills during the past approximately 30 years of routine TAPS operations would be helpful to include in the DEIS.	Relatively little information is available on the biological impacts of spills that have occurred along TAPS during its operational history. Observed effects on vegetation have included initial mortality of most plants followed by recovery of a number of species (see Section 3.18 of the DEIS). ADF&G personnel are not awareof wildlife mortality from any TAPS oil spills (a reference to this has been added to Section 4.4.4.11 of the DEIS). The maximum expected land-based oil spill (the potential for which is very unlikely) could impact up to 84 acres. While such a spill could cause the death of some wildlife, no population-level impacts would be expected. Sections 4.4.4.11 and 4.7.7.3.5 discuss oil spill impacts to wildlife.
00113306	Section 4.1.2.3, Corrosion Control Features, briefly describes cathodic protection technologies employed to mitigate corrosion of the buried pipeline. Both impressed-current and sacrificial galvanic anode technologies are used. The descriptions in the DEIS are relatively vague, however, and will not be easily understood by the average citizen as intended by NEPA. In addition, the Corrosion Control inset on page 4.1-11 contains an inaccuracy. It states that, "The metal acts as a cathode (a source of electrons) in a galvanic cell." In actual fact, reduction occurs at the cathode, and it is the anode in a galvanic cell that is in the source of electrons. That is where oxidation occurs (Mahan, 1965). Later in the same inset, the DEIS correctly indicates that sacrificial magnesium anodes connected to the pipe are oxidized (give up electrons) more readily than the iron in the pipe. This type of inconsistency in the explanation is confusing, and it is an example of how inaccuracies throughout the document bring its credibility into question. Also, the DEIS does not readily explain how "corrosion coupons" (made up of the same metal as the pipeline and buried in the same trench but not "bonded" to the pipeline) inhibit pipeline corrosion. Ultimately, there is additional discussion of the use of corrosion coupons in a footnote on the bottom page 4.1-18, but this is just another example of how unwieldy the DEIS is and how difficult it is to ferret out information on any particular topic.	The sentence "The metal acts as a cathode (a source of electrons) in a galvanic cell" in the inset on page 4.1-11 of the DEIS will be revised to state: "The metal in the pipeline subject to corrosion acts as an anode (a source of electrons) in a galvanic cell (electrochemical circuit)." The tenth to twelfth sentences in the inset on page 4.1-11 of the DEIS will be revised to state: "Sacrificial anodes composed of twin zinc-ribbon anodes are buried with the buried pipeline over 376 miles and electrically "bonded" to the pipeline. Zinc oxidizes more readily than iron and will oxidize completely before the more resistant steel pipe begins to oxidize. That is, the zinc anode is "sacrificed" to save the pipe." Footnote 2 at the bottom of page 4.1-11 of the DEIS will be revised to state: "As used in the context of the TAPS, corrosion coupons are used with buried pipelines to monitor the effectiveness of cathodic protection. Corrosion coupons are small pieces of steel with the same metallurgical properties as the pipeline. They are buried next to the pipeline and connected to it by wires. Corrosion on the coupons is representative of pipeline corrosion."

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00113307	Assumptions cited or implied in DEIS and Commissioners Determination should be included as conditions of renewal and their validity needs verification every 5 years. If the assumptions are found not to be valid, re-evaluation of potential impact is to be re-done.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease.
00113308	The DEIS should also consider cumulative and potential impact for off-normal operations such as those that have been observed in the operation of the Ballast Water Treatment Facility and in the maintenance of the fire protection assets.	The EIS focuses its attention on those off-normal events that are expected to have adverse public health and environmental consequence. Thirteen credible spill scenarios are identified and analyzed. Many of these spill events are precipitated by off-normal conditions within TAPS. Further, the EIS describes those design elements of the pipeline that are intended to provide controls and mitigations of impacts that can result from off-normal conditions. The surge tanks present at some pump stations that would serve as temporary storage for oil in the event that overpressure or other system failures occur are one example of such design features. The mainline RGV's and check valves are also examples of how impacts to the environment would be mitigated or limited in the event of off-normal conditions through existing design elements. For example, there is no evidence that the alleged off normal operations in the BWTF 90s tanks have resulted in off-normal effluent discharges from the BWTF, which have had an adverse impact on the environment or public health and safety. The Alyeska Annual Data Report for June 2000-May 2001, filed with the EPA and ADEC pursuant to Part III.B.6 of NPDES Permit No. AD-002324-8, shows the effluent from the BWTF did not exceed the specific limits established in the Permit. Since the effluent limits in the Permit are established by the EPA, and certified by the ADEC, at levels expected to prevent adverse effects on receiving waters, it is reasonable to conclude that when these effluent limits are met there is no significant adverse effects to existing water quality of Port Valdez from BWT effluent discharges regardless of certain less than optimum plant operations.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00114002	My comments are based on my experience living in a community that the oil company and government representatives visited in the early 70's and promised there wouldn't bean oil spill in Prince William Sound. The oil companies made many other promises such as tankers would have double hulls and we would have a state-of-the-art traffic control system in the sound. Had these promises been kept, we might not have had the Exxon Valdez oil spill.	This issue is not within the scope of review for the TAPS lease renewal process. BLM has provided the following comment that may interest the commenter: Based on lessons learned from the Exxon Valdez spill, a number of improvements have been made (e.g., the creation of the Ship Escort Response Vessel System (SERVS) and phase-in of double-hull tankers) that will reduce the likelihood of a catastrophic tanker accident and the expected outflow given an accident. Shortly after the Exxon Valdez oil spill, A National Transportation Safety Board report stated that had the Exxon Valdez been fitted with a double hull, "the risks of an oil spill owing to collision or grounding would have been significantly reduced."
00114003	Some, but not all, of the oil companies' promises were stated as a set of conditions and stipulations in the original agreements and right-of-way grants. The Interior Department and its designees were assigned the job of ensuring those promises to the American people were kept. Even a brief review of history shows that many of these promises were broken and that the companies were allowed to operate for literally years in noncompliance with their federal grant	The DNR and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00114005	The vapor recovery system at the tanker terminal didn't work for decades--since startup until 1998 when vapor controls were built into two of the four berthing docks. When it didn't work it dumped literally tons of benzene into the air and jeopardized public and worker health and safety in violation of the federal grant, state lease, and operating permits.	Potential health impacts associated with ambient concentrations of benzene, toluene, ethyl benzene, and xylene (BTEX) in Valdez area under the proposed action (at the crude oil throughput levels of 0.3, 1.1 and 2.1 million bbl/day) and other alternatives were estimated on the basis of conservatively high ambient concentration estimates of BTEX and other toxic air pollutants emitted from the BWTF and other sources at the Valdez Marine Terminal. These ambient concentration estimates are based on the ambient BTEX concentrations monitored during the 1990-1991 personal and ambient monitoring studies and the tracer studies conducted in the Valdez area when both the vapor emissions from tankers and the BWTF were released. Exposures to these concentrations during the 1977-2003 period were factored into estimating the lifetime residential cancer risks.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00114008	The oil companies also promised in stipulations attached to the federal grant and state lease to “take all measures necessary to protect the health and safety of all persons affected by their activities...” (Stipulation 1.20.1). I believe this promise includes taking care of residents and cleanup workers after a spill. Yet, after the Exxon Valdezspill, Tatitlek villagers observed that Exxon was willing to spend $800,000 on each sea otter for rehabilitation, but nothing or very little on mental health care for people traumatized by the spill. Further, thousands of cleanup workers got sick during 1989, despite Exxon’s worker safety program. I am just learning that hundreds of people may still be sick from overexposure to oil vapors, fumes, and aerosols during the cleanup. All the oil companies promised to “immediately abate any health or safety hazards” (Stipulation 1.20.1): it seems all the companies not just the spiller, are responsible to ensure that people don’t get sick during the cleanup--and to take care of the ones who do as per the original promise.	Protection of the workers is regulated under the Occupational Health and Safety Act.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00114009	I think that the oil companies are now currently in noncompliance with the federal grant and state lease. For example, the fire-fighting ability at the tanker terminal is virtually nonexistent. Oily sludge (hazardous waste) has collected several feet deep in tanks at the BWT facility--and the sludge incinerator was never built as per the original facility design. There is still no independent quality assurance program. The contingency plans for river spills are grossly inadequate--drills show the plans won't work to contain and cleanup oil spilled into rivers. I'm sure this list is incomplete and pipeline regulators could add to it if they were to seriously look for problems and not just respond to ones brought to their attention by citizens or concerned employees.	Any information regarding potential hazards associated with TAPS should be provided to the JPO. The Valdez Marine Terminal (VMT) has a number of fire protection systems. Fire-detection systems are used at the VMT to give early notification of smoke, flame, or heat. Various devices detect anomalies and alert people through alarms. When a fire has been detected, fire-suppression systems are activated to extinguish the fire before it becomes unmanageable. These systems use ionization or photoelectric detectors for smoke, ultraviolet for flame, and thermal detectors for heat. Except for certain local fire-alarm systems that are separate from the VMT systems, an activated fire-detection system sounds an alarm at the operations center and activates the alarm system. The fire-detection systems may also provide ventilation-unit automatic control, initiate equipment and process shut down, and activate the fixed automatic fire-suppression systems. Combustible-gas detection systems are installed in buildings or areas where potentially explosive atmospheres can develop in the presence of flammable vapors or gases. All large-volume process areas/zones are protected by gas-detection voting logic. The gas-detection systems automatically start emergency ventilation units, control the equipment and process shutdown, and activate the fixed automatic systems. Halon or carbon dioxide is automatically discharged when a fire condition is sensed and alarms sound. The chemicals are dispersed only in the area potentially exposed to the fire. Carbon dioxide total-flooding suppression systems are installed in the switchgear room, the lifeline generator room, and selected power-distribution centers. Halon is available only in the analytical laboratory. The VMT fire-fighting systems consist of onshore and offshore firewater systems, a foam system for tanks, a separate foam system for the East and West Metering Buildings, a Halon extinguishing system, carbon dioxide at some locations, and other auxiliary water systems involving fire trucks and other fire-fighting equipment. The onshore firewater system supplies seawater from Port Valdez to hydrants near critical buildings, tanks, and equipment. Water from the firewater system also supplies two fixed foam systems protecting tanks in the East and West Tank Farms, and a separate Metering-Building foam system. Three pumping systems serve the three primary VMT areas: lower Terminal, upper Terminal east, and upper Terminal west. Jockey pumps maintain pressure in the main firewater lines. Booster pumps supply water to the East and West Tank Farms.

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		The firewater system is a closed-loop system. Any point on the main firewater lines can be supplied from two directions. Electric heat tracing is installed on sections of firewater line installed above the frost line (8 feet below grade). Cathodic protection protects the buried pipe from external corrosion. Each of the four tanker berths has a separate fire-control system. A firewater supply pump is located in the pump building on the offshore structure of each berth. The pump supplies firewater to the foam system on the berth. Each berth's system is tied into the onshore fire system by a redundant firewater line running along the berth causeway. The redundant firewater supply provides an alternate source of water to the berths. If the berth firewater pump fails, water may be supplied to the berth from the onshore firewater system. These systems can be supplemented with fire trucks and other portable equipment and by fire-protection equipment on tugboats. The fire protection systems are under continuous upgrade and the fire-alarm panels and detection devices in VMT buildings were recently improved. Firewater piping was relined in 2000 for corrosion protection and a fire-hydrant replacement program is in place, which will change out ten units every year until all are complete. All components of the firewater system have built-in redundancies so that fire protection is virtually guaranteed. Alyeska performs periodic maintenance and follows operating procedures to inspect and test the fire-and gas-detection and -suppression systems regularly. Procedures are being upgraded to improve consistency and documentation, and to fill any identified gaps. The State Fire Marshal Office is a member of the the JPO and oversees fire-protection measures. Regarding the sludge accumulation at the BWTF, under normal operation, sludge is expected to accumulate in a number of locations within the BWTF. For example, settleable solids are expected to accumulate in the influent holding tanks and in the initial oil/water separation chambers. Sludge, including non-biodegradable solids and biomass (i.e. dead bio-organisms) is expected to accumulate in biodigesters. Sludge and condensate can also accumulate in petroleum storage tanks (the 90s tanks and the 80s tanks). Operational procedures for the BWTF account for these accumulations of sludge and provide for their periodic removal. All sludges removed from any portion of the BWTF, including associated storage tanks are tested for hazardous character and managed accordingly. The "TAPS Oil Discharge Prevention and Contingency Plan" (APSC 2001g) for the pipeline and in the "Valdez Marine Terminal Oil Discharge Prevention and Contingency Plan" (APSC 2001h) for the VMT describe Alyeska's oil spill response capabilities and plans for TAPS. The Plans provide for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from anywhere along the

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		pipeline, including the river crossings, or at the VMT. The Plans are available to the public through various libraries in several major cities in Alaska. These documents are updated and reviewed by various State and Federal agencies periodically ranging from every year to every 5 years. The substantive elements of the contingency plans are controlled by ADEC rules (18 AAC75), which include provisions for public review and comment as part of the plan update procedures. The lessons learned from occurrences such as EVOS, and the MP 400 bullet hole incident are incorporated into the documents when they are updated.
00114012	I was further shocked and offended by the following statement in the draft EIS. "While the Exxon Valdez oil spill was a significant event in the operation of TAPS, creating significant benefits to the state and local economy that more than offset the economic damage to the fishing and tourism industries in Prince William Sound, it is unlikely that a spill of such magnitude, even if it occurred again would create the same level of economic activity" (DEIS, page 4-7-116). This offensive statement clearly shows that the government regulators have a completely different perspective of their job of pipeline oversight than we were all lead to believe by the federal grant and state lease. The original right-of-way documents do not mention that economics of spill cleanup would be weighed against economic damages to the few communities at risk. Instead the oil companies promised to protect, repair, replace, rehabilitate, etc. fish and wildlife resources, and their habitat——and the regulators are supposed to hold the companies to this promise. Specifically, the companies also promised to protect subsistence resources, lands, and users, which have a zero dollar economy and can't be compared to economics of spill cleanups at all. Oil spills are expensive to clean up--I'm sorry that I can't see this as good for the economy, but that's really irrelevant. Even if there was zero economy as measured by exchange of dollars, the oil companies are authorized to operate only if they take steps to minimize risk of oil spills and damage from spills. It's the government regulators' job to see the oil companies are held to this standard--the statement in the draft EIS seems to indicate that the regulators are not doing their job and are out of compliance themselves with the federal grant and state lease.	The Department of Natural Resources thanks you for your comment. The comment is addressed to the DEIS and is not within the scope of review for the TAPS lease renewal process.

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ID	Comment	StateResponse
00114014	Some possibilities for meaningful penalties for noncompliance by the oil companies include requirements for: 1) reporting the circumstances of noncompliance to their shareholders in quarterly newsletters as the events unfold (not after the fact); 2) CEOs and other responsible officers of oil companies to conduct public service in the TAPS corridor communities most at risk from the consequences of the noncompliance; 3) accruing penalties with interest on a daily basis as long as the infraction occurs; and tying penalties in with the cost of the fixing the problem so that penalties are 10 times the money saved by failure to do the maintenance work in a timely manner. This latter would force owners to change perspective and view maintenance as a cost savings compared to prospective penalties.	The DNR does not have the authority to impose fines on the operator of TAPS under the existing lease. The DNR has no authority to require specific corporate reporting to shareholders. The Security and Exchange Commission has authority to compel the reporting of certain corporate activities to the public and shareholders.
00114017	TAPS owners should be required to pay for increased mental health care in the years during and immediately after a spill in affected communities. This care should include focused peer listening circles to mitigate community-level emotional trauma. Since oil spill cleanups are considered a hazardous waste cleanup, long-term health care studies should be required as the health symptoms associated with crude oil exposure (long-term respiratory damage; disorders of the central nervous system, liver, kidney, blood, and skin; endocrine disruption; and immune suppression) could take years to manifest as physical health problems. Oil companies should also be required to provide chemical decontamination treatments for individuals with acute health symptoms from high body levels of crude oil and other substances present during the cleanup. Individuals who become disabled from overexposure to chemicals present during the cleanup should be compensated by the oil companies, as should the estate of individuals who die from overexposure to chemicals present during the cleanup.	The Department of Natural Resources thanks you for your comment. The mental health care of communities affected by the oil spill is outside the scope of renewal.
00114020	The federal grant and state lease are three decades old and no longer reflect current science, technological advances, and law changes. For example, global warming and melting permafrost threaten to make at least one-third of the 77,000 vertical support members of the TAPS unstable with potentially catastrophic effects on the pipeline. Studies from the Exxon Vaidez spill show that oil is 1,000 times more toxic previously thought, and that it can cause long-term environmental damage. Federal laws are still based on outdated research from the 1970s and 1980s and are grossly under-protective of fish and wildlife. This makes the original promises to protect fish, wildlife, and habitat even more important as basically these promises mean the owners and TAPS regulators will take measures beyond existing laws in order to protect fish and wildlife, habitat, and other subsistence needs.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.

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00114021	Further, the original grant and lease agreements were signed by some companies that no longer exist because of mergers and buyouts. I assume, but would like proof, that the new companies are signatories to the current right-of-way grants and leases.	The existing owners have assigned (transferred) their interests in the right-of-way lease to other companies. These assignments were done with the approval of the state. The owners that applied for renewal of the lease are our existing lessees.
00114026	By transferring the operation, maintenance, and termination of TAPS to a single source with no North Slope production, the internal conflict of interest is broken. This operator would take more 'reasonable' steps, from the public perspective, to reduce its liability from spills by attention to TAPS operations and maintenance. Performance bonds could be required for additional protection	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory authority under the renewal process to take the right-of-way leae from the owners.
00121001	The way they've operated this pipeline up to date can't go on.	The Department of Natural Resources thanks you for your comment.
00121002	Things have to change. The comment period of 45 days is too short.	DNR is required to give the public a minimum of 30 days to review and comment on a decision. Because of the size and scope of this project, the department decided to extend that timeframe out to 45 days. Significant effort was made to advise people of the schedule and duration for the review well in advance. The Commissioner's Determination was published on schedule and many substantive comments on the content of the Commissioner's Determination, including yours, were received during the 45-day period.
00121005	An alternative that should be considerd if you cannot address, adequately address the concerns of the people who live along the pipeline and in Prince William Sound is to shut down the pipeline and get the oil out some other way because I don't want this to go on like it has been	The Department of Natural Resources could not find any legal or regulatory basis not to renew the lease for a term of 30 years. The Lessees met the requirements for renewal of the lease as specified in statute and regulation.
00122001	Three weeks before the meeting in question, on September 20, 2001, I stated to the conveners of the grant and lease renewal scoping meetings that, quote, many of the serious operational problems discussed in earlier AFER reports on TAPS are associated with pipeline restarts.	The Department of Natural Resources thanks your for your comment.
00122002	Both the Commissioner's Proposed Determination and the DEIS rely heavily on the JPO reports. I submit that they are fatally flawed.	As part of the application for renewal process, the applicant provides DNR with a description of how TAPS would be operated. The description of the operation then becomes a component and starting point of the determination made by DNR.

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00125001	First off, as far as the .810 hearings, as far as subsistence one thing jumped out at me in the EIS, which I can actually say I've read and that's that subsistence is very important in Cordova. It's just simply incorrect to say that the quote out of the EIS it is not very important in Cordova, that's flat untrue. In fact, as you read that page, you know, the description of Cordova, it's obvious whoever wrote that hasn't ever been here. I hardly recognized the community and I live here.	The Department of Natural Resources thanks you for your comment.
00125004	The second reason we ought to shut it down is that the benefits are decreasing, I think everyone acknowledges that, while the costs and the risks are increasing. Less and less oil is going through the pipe. It's worth less and less. It seems like we're getting less and less benefit from it. We're learning more and more about how dirty it is. Petroleum is a dead end. I mean it takes a three year old to recognize when you only have so much of a thing, if you keep using it you're going to run out. Real obviously that's the path we're on and it's sort of astounding that still mature adults can't come to admit that in a document like this EIS.	The Department of Natural Resources thanks you for your comment.
00125005	Irretrievable commitments of resources, it occurred to me maybe oil was one of those things we're committing irretrievably. I mean it's not going to grow back. So I was surprised to see that that wasn't even acknowledged, that we're using up oil.	The Department of Natural Resources thanks you for your comment.

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00125006	The third reason that it needs to go is that the oversight is a joke. And I think this is important. It's gone through and, I've only been here a few years, and the more I learn of the history it seems like there are just small circles that happen over and over from the first time an oil person came up and thought it was a good idea to start drilling up there and ship it down a pipe, there have been meetings like this where we're talking to, we're not exactly sure who, they appear to listen, a report's drawn up, paperwork is generated, nothing ever changes. I think you get the sense in this room there's a real profound distrust. I think distrust is really the operative word and that's a dangerous thing. There are good reasons why we don't trust JPO, don't trust Exxon, don't trust UNOCAL, BP, Phillips, Amerada-Hess, Williams, any of the people calling the shots. It's because they've made promises and broken them over and over and over and over. There's no reason to expect it's different this time. The last reason the pipeline eeds to go has to do with who it is who operates it. And I want to single in here on a couple of companies, UNOCAL and Exxon. These are entities that really don't deserve to even have a place on the planet. I mean the crimes they've committed are so unspeakably heinous it's shocking that we're even thinking about giving them our oil and rights across ourpublic land. Just a couple of the specific reasons, UNOCAL, I'm sure many of you are maybe somewhat familiar with the Adona Pipeline Project in Burma. These folks used child slaves for Christ's sake. I mean there were villages massacred for UNOCAL to make a profit. An UNOCAL as a small owner of the pipeline, it seems to me why do we have to grant them the right to operate the pipeline, we could grant it to the other five. But sorry, if you've used child slaves, you're off the list, that seems like a reasonable proposition to me. The second mark against UNOCAL of renewed relevance now a days, I suppose, is their strong advocacy on behalf of the Taliban. You remember those guys, they were good friends with UNOCAL, that's been well documented in the press. And again, I'm just astounded that we're even thinking about giving them public resources. They don't deserve to exist let alone take stuff from us. As far as Exxon goes, I think the one reason is obvious and that's the junk they spilled into the Sound out here. The way they lied about how it couldn't happen, the way they lied about how much it was, the way they lied about the cleanup, the way they dealt with the cleanup. The way they've dealt with compensation to, you know, following the lawsuits and the judgments against them. It's real transparent, shear cowardliness and denial on their part. I think there's no doubt that they've destroyed something. Even if we wanted to forgive them we	The Department of Natural Resources thanks you for your comment.

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	couldn't because they're not sorry. To me, it makes no sense that we would even want to -- I wouldn't let these people in my home, you know, why are we looking at giving them our resources, you know, our children and grandchildren's resources? The second reason Exxon, we don't need to deal with them is things they've done down in Assa Province,Indonesia. These are issues, by the way, I raised at the scoping hearing and I was kind of disappointed to see that they weren't addressed somewhere in those 1,700 pages. You know, I would have appreciated, at least, a reason why you were ignoring my comments. In any event, Exxon's guilty of some pretty heinous crimes down in Assa Province, Indonesia. They called it the Exxon Battalion. Committed some pretty heinous -- well, pretty heinous, they, you know, massacred villagers, there's some slavery involved there. This stuff is documented and I've directed you all previously places to find first-hand information. To me, those kinds of crimes against humanity at the point where you're using children for slaves, at the point where, you know, you're supporting tyrannical regimes, you kind of need to stop and step back and think about who it is you're dealing with and whether or not you even go the next step and say, okay, well, what is your idea, is it something that's profitable to us both? There's certain people you just don't deal with. There's certain companies we just shouldn't deal with and UNOCAL and Exxon are two of those.	
00125007	Reasons I believe that, first is that the EIS is downright impossible to read. Like I said, I have actually read the whole thing and it was mind-numbing. And I also learned very little.	The Department of Natural Resources thanks you for your comment.
00125010	And the last reason, as I said, the scoping comments that I and others have given previously don't appear to be addressed in the EIS and that, aside from sort just of personally being a little bit insulting indicates a lack of a good faith effort to honestly evaluate the impacts of this pipeline.	The Department of Natural Resources thanks you for your comment.
00125011	. I think if you look at what this pipeline means, it's real clear that the costs far outweigh the benefits, especially when you take into account the risk, really catastrophic things could happen, you know, God forbid a spill into the Yukon River, it'd wipe that sucker out. That's not the kind of risk I'm willing to take. So if it's all the same to you, I'd appreciate it if you'd just shut the pipeline down and take it back.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00127002	We need to also resolve the issues of the Exxon Valdez. Many people have testified and spoken on how that impact is and it's very serious, it continues to be very serious. Fourteen fishing seasons later we're still suffering and we will continue to suffer. Whatever happens in EVOS settlement will never make us whole and we can't let that happen again.	The oil spill planning and prevention effort in the JPO is a large-scale, multi-agency endeavor. Each of five participating agencies (Alaska Department of Environmental Conservation, Environmental Protection Agency, BLM, Alaska Department of Natural Resources, and the Office of Pipeline Safety) has a particular focus, but these are all considered collectively in the JPO TAPS oil spill response and planning group. This inter-agency group meets monthly and maintains a continuous monitoring program on TAPS oil spill planning and related issues. The emphasis of all agencies is on the prevention of spills. This is accomplished through a combination of: 1) oversight of spill contingency planning (including 64 exercises on TAPS annually) and, 2) through JPO's comprehensive TAPS operations oversight, monitor issues which could contribute to a spill in the future. In the event of a spill, however, JPO has a number of highly-trained individuals who are fully prepared to respond quickly and effectively.
00133001	My concern is with the industry attitudes and whether or not we can trust the kind of material that they present as facts to the government monitoring entities.	The DNR and member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: •On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), •Field surveys of stipulation requirements, such as fish passage inspections, •Comprehensive Monitoring Reports (12 published since 1996), •Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), •Inspections by the State Fire Marshal as part of the JPO, and •Routine surveillance that is outside of formal audits. In addition, the DNR and member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.

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ID	Comment	StateResponse
00133002	Now, I fear that we're looking at the same type of scenario here on this renewal of the TAPS pipeline. As has been said, it's nearing the end of its original design life, 30 years, they're asking for another 30 years, which, under the circumstances you can understand because the oil's still up there and they got ANWR and I'm sure Murkowski's going to keep beating the drum on ANWR until he finally gets it so there's a million gallons a day coming down out of ANWR for another	The Department of Natural Resources thanks you for your comment.
00133005	I'm going through this historical drill because I don't have the technical information here, but I would far prefer to be able to comment on flaws in the pipeline that you should be addressing. But, you know, I do know that there have been may maintenance people at Alyeska who have raised alarms about standards, quality issues. Their shut-down procedures that have been mentioned shifted the pipeline 21 inches on a restart. In several instances the pipeline is sitting on the edge of its vertical support beams. What's that mean in terms of an earthquake? Those are supposed to give motion stability under the pipeline. Well, do you think the earthquake's going to know that it's on this edge so the earth's going to shift that way so the pipe will have room to roll, no, it might just go the other way and then it falls over or breaks.	Routine surveillance of the pipeline includes identifying conditions of pipeline movement as noted in your comment. In addition, the monitoring system includes monitoring for seismic events and activating alarms within the VMT control center when seismic events could threaten the pipeline integrity so that shutdown could be initiated, if warranted. It is important to note, however, that pipeline shifting along the width of each horizontal support member was anticipated because of such factors as thermal expansion and contraction, as well as movements related to start-up or shut-down activities.
00141001	NOW THEREFORE BE IT RESOLVED that the Greater Fairbanks Chamber of Commerce fully supports the Draft Environmental Impact Statement for the Trans Alaska Pipeline System (TAPS) right-of-way renewal for another 30 years without additional requirements or oversight.	The Department of Natural Resources thanks you for your comment.
00142001	...Title 16, 5 AAC 95, State ROW Lease Stipulation 2.5 (Fish and Wildlife), Stipulation 2.12 (Restoration), and Stipulation 2.2 (Pollution Control) over the last 5 year period. The results of these compliance activities are reported in JPO Assessments No.: ANC-01-A-011, ANC-01-A-015. amd ANC-02-A-003. In summary, the ADF&G determined that there are no outstanding (or open) "findings" associated with Title 16, 5 AAC 95 or Stipulations 2.5, 2.12, or 2.2 of the lease. Therefore, we concur with the Commissioner's Determinationan that the Lessee is in compiance with state laws administered by the ADF&G.	The Department of Natural Resources thanks your for your comment.
00143002	My comments are based on my experience living in a community that the oil company and government representatives visited in the early 1970s and promised there wouldn’t be an oil spifi in Prince William Sound. The oil companies made many other promises such as tankers would have double hulls and we would have a state-of-the-art traffic control system in the Sound. Had these promises been kept, we might not have had the Exxon Valdez oil spill.	This issue is not within the scope of the TAPS lease renewal process.

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00143003	Some, but not all, of the oil companies' promises were stated as a set of conditions and stipulations in the original agreements and right-of-way grants. The Interior Department and its designees were assigned the job of ensuring those promises to the American people were kept. Even a brief review of histciiry shows that many of these promises were broken and that the companies were allowed to operate for literally years in noncompliance with their federal grant	The DNR and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00143005	The vapor recovery system at the tanker terminal didn't work for decades--since startup until 1998 when vapor controls were built into two of the four berthing docks. When it didn't work it dumped literally tons of benzene into the air and jeopardized public and worker health and safety in violation of the federal grant, state lease, and operating permits.	Prior to installation of the vapor control system, the estimated annual emission of benzene from the VMT was about 500 tons/yr (see Valdez Air Health Study, Goldstein et al. 1992). Current benzene emissions are about 50 tons/yr. Although VOC emissions prior to installation of the vapor control system were 10 times higher, the health risks associated with those emissions were evaluated and were found to be within EPA guideline levels.
00143007	More recent examples occurred after the Exxon Valdez oil spill. Still now over 13 years later, most of the species studied by the Trustee Council have not recovered from the spifi. Yet the federal grant and state lease promise that damages to public lands will be promptly repaired or replaced and that damages to public fish and wildlife resources, arid their habitat, will be rehabilitated. This	While renewal would result in continued operation of oil tankers in Prince William Sound, that activity is beyond the limits of the right-of-way corridor. Moreover, the DNR has no authority over oil spill cleanup and damage assessment within Prince William Sound. Regulation of activities associated with the transport of oil by tankers in Prince William Sound is under the jurisdiction of the U.S. Coast Guard and the U.S. Department of Transportation. The member agencies of JPO enforce a number of stipulations that are protective of fish and wildlife resources within the right-of-way corridor.
00143008	The oil companies also promised in stipulations attached to the federal grant and state lease to "take all measures necessary to protect the health and safety of all persons affected by their activities..." (Stipulation 1.20.1). I believe this promise includes taking care of residents and cleanup workers after a spifi. Yet, after the Exxon Valdez spill, Tatitlek villagers observed that Exxon was willing to spend $800,000 on each sea otter for rehabffitation, but nothing or very little on mental health care for people traumatized by the spill. Further, thousands of cleanup workers got sick during 1989, despite Exxon's worker safety program. I am just learning that hundreds of people may still be sick from overexposure to oil vapors, fumes, and aerosols during the cleanup. All the oil companies promised to "immediately abate any health or safety hazards" (Stipulation 1.20.1): it seems all the companies not just the spifier, are responsible to ensure that people don't get sick during the cleanup--and to take care of the ones who do as per the original promise.	It is beyond the scope of the lease renewal to determine whether the EVOS cleanup activities caused adverse health impacts in individual cleanup workers.

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ID	Comment	StateResponse
00143009	I think that the oil companies are now currently in noncompliance with the federal grant and state lease. For example, the fire-fighting ability at the tanker terminal is virtually nonexistent. Oily sludge (hazardous waste) has collected several feet deep in tanks at the BWT facility--and the sludge incinerator was never built as per the original facility design. There is still no independent quality assurance program. The contingency plans for river spills are grossly inadequate--drills show the plans won't work to contain and cleanup oil spified into rivers. I'm sure this list is incomplete and pipeline regulators could add to it if they were to seriously look for problems and riot just respond to ones brought to their attention by citizens or concerned employees.	The DNR and member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: •On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), •Field surveys of stipulation requirements, such as fish passage inspections, •Comprehensive Monitoring Reports (12 published since 1996), •Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), •Inspections by the State Fire Marshal as part of the JPO, and •Routine surveillance that is outside of formal audits. In addition, the DNR and member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The DNR and member agencies of JPO are committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.
00143010	In light of these past and still ongoing problems, I strongly disagree with statements made by both the state and federal regulators in the draft EIS documents. The Alaska Department of Natural Resources found the oil companies to be in compliance with the state lease. This determination is obviously a requirement for reauthorization as it has nothing to do with reality.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.

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ID	Comment	StateResponse
00143011	Federal and state regulatory agencies also stated that the aging 800-mile pipeline and its support systems that were originally built to last 30 years "can be sustained for an unlimited duration" with minimal costs and change in the operating and maintenance procedures. This statement demonstrates a lack of credibility—-and no grasp of reality. The recent spate of accidents including the failed response to the Livengood bullet hole spill, and the 21-inch shift in a section of pipeline that went undetected for several months show that both industry and the regulators are ill-prepared for serious problems along the overland section of TAPS. The 3 spills at pump stations on pipeline startup after routine maintenance last fail clearly demonstrate this pipeline is aging and not aging well as frequent spills on startup are one sign of increasing problems that should be anticipated--not ignored--in an aging pipeline.	The DNR and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00143012	I was further shocked and offended by the following statement in the draft EIS. "While the Exxon Valdez oil spifi was a significant event in the operation of TAPS, creating significant benefits to the state and local economy that more than offset the economic damage to the fishing and tourism industries in Prince William Sound, it is unlikely that a spill of such magnitude, even if it occurred again would create the same level of economic activity" (DEIS, page 4-7-116). This offensive statement clearly shows that the government regulators have a completely different perspective of their job of pipeline oversight to believe by the federal grant and state lease. The original right-of-way documents do not mention that economics of spifi cleanup would be weighed against economic damages to the few communities at risk. Instead the oil companies promised to protect, repair, replace, rehabilitate, etc. fish and wildlife resources, and their habitat—and the regulators are supposed to hold the companies to this promise. Specifically, the companies also promised to protect subsistence resources, lands, and users, which have a zero dollar economy and can't be compared to economics of spill cleanups at all. Oil spills are expensive to clean up-—I'm sorry that I can't see this as good for the economy, but that's really irrelevant. Even if there was zero economy as measured by exchange of dollars, the oil companies are authorized to operate only if they take steps to minimize risk of oil spills and damage from spills. It's the government regulators' job to see the oil companies are held to this standard—the statement in the draft EIS seems to indicate that the regulators are riot doing their job and are out of compliance themselves with the federal grant and state lease.	The settlement claim for punitive damages related to the Exxon Valdez oil spill in Prince William Sound is currently in litigation and is outside the scope of the lease renewal process. The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment. This includes the ability to ensure that adequate steps are taken to prevent spills and to alleviate the damage caused by spills.

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00143014	#1 Stiff meaningful penalties for failure to comply Some possibilities for meaningful penalties for noncompliance by the oil companies include requirements for: 1) reporting the circumstances of noncompliance to their shareholders in quarterly newsletters as the events unfold (not after the fact); 2) CEOs and other responsible officers of oil companies to conduct public service in the TAPS corridor communities most at risk from the consequences of the noncompliance; 3) accruing penalties with interest on a daily basis as long as the infraction occurs; and tying penalties in with the cost of the fixing the problem so that penalties are 10 times the money saved by failure to do the maintenance work in a timely manner, This latter would force owners to change perspective and view maintenance as a cost savings compared to prospective penalties.	The DNR has no authority to require specific corporate reporting to shareholders. The Security and Exchange Commission has authority to compel the reporting of certain corporate activities to the public and shareholders. The DNR does not have the authority to impose fines on the operator of TAPS.
00143017	#4 Require independent, long-term epidemiology studies, and short- and long-term treatment of physical and mental health effects,for workers and affected residents after major TAPS spills. TAPS owners should be required to pay for increased mental health care in the years during and immediately after a spill in affected communities. This care should include focused peer listening circles to mitigate community-level emotional trauma. Since oil spill cleanups are considered a hazardous waste cleanup, long-term health care studies should be required as the health symptoms associated with crude oil exposure (long-term respiratory damage; disorders of the central nervous system, liver, kidney, blood, and skin; endocrine disruption; and immune suppression) could take years to manifest as physical health problems. Oil companies should also be required to provide chemical decontamination treatments for individuals with acute health symptoms from high body levels of crude oil and other substances present during the cleanup. Individuals who become disabled from overexposure to chemicals present during thecleanup should be compensated by the oil companies, as should the estate of individuals who die from overexposure to chemicals present during the cleanup.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to DNR in assuring the protection of human health and the environment on state lands. Stipulations (the guiding conduct of operations for the operator of TAPS) within the lease contain numerous provisions that are protective of human health and the environment.

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00143020	The federal grant and state lease are three decades old and no longer reflect current science, technological advances, and law changes. For example, global warming and melting permafrost threaten to make at least one-third of the 77,000 vertical support members of the TAPS unstable with potentially catastrophic effects on the pipeline. Studies from the Exxon Valdez spill show that oil is 1,000 times more toxic previously thought, and that it can cause long-term environmental damage. Federal laws are still based on outdated research from the 1970s and 1980s and are grossly under-protective of fish and wildlife. This makes th.e original promises to protect fish, wildlife, and habitat even more important as basically these promises mean the owners and TAPS regulators will take measures beyond existing l in order to protect fish and wildlife, habitat, and other subsistence needs.	The DNR and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00143021	#6 Thoroughly review and update the original right-of-way grants and stipulations in light of past experience, current science, new technology, new laws, and public comments. Further, the original grant and lease agreements were signed by some companies that no longer exist because of mergers and buyouts. I assume, but would like proof, that the new companies are signatories to the curnrnt right-of-way grants and leases.	The member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease. The current owners of the TAPS that applied for renewal of the state right-of-way lease have acquired their interest through assignment or acquisiton. We have verified they are the current lessees of the TAPS.
00143025	10 Transfer of TAPS operations to single source with no North Slope production. By transferring the operation, maintenance, and termination of TAPS to a single source with no North Slope production, the internal conflict of interest is broken. This operator would take more ‘reasonable’ steps, from the public perspective, to reduce its liability from spills by attention to TAPS operations	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory authority under the renewal process to take the right-of-way lease from the owners.

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00144001	I have learned that the 30-year right-of-way agreements between the federal and state goverumen and the owner of the Trans-Alaska Pipeline System (TAPS) are up for renewal for another 30 years. A. 30 old pipeline transporting a million barrels of oil daily 800 miles from the North Slope oil fields to Valdez must be due for a major overhaul. As the pipeline crosses 80 rivers and streams, three mountain ranges and some of those most spectacular locations in Alaska, we certainly don't want any spills. Yet the federal DEIS and the state's Proposed Determination are relying on Joint Pipeline Office (documents that ignore these issues. They rely on TAPS owners saying they'll maintain the aging pipeline in good condition for the next 30 years. They didilt do very well with the spills on pipeline startup, the Livengood bullet hole spill, or the 21-inch shift in a pipeline section at Atigun Pass that was undetected for several months.	The entire Milepost 400 ("bullet hole") incident response was the subject of an inter-agency (including industry) report "Joint After-Action Report For The TAPS Bullet Hole Response" dated February 8, 2002. Major findings include: quick detection of the leak by Alyeska's security force; apprehension of the alleged shooter by the State Troopers within hours; activation in Fairbanks of the State/Federal/Industry Unified Command with several hours; rapid isolation of the affected pipe section and appropriate pressure relief actions; containment of the spilled oil was effectively achieved with trenches, berms and pits; safety concerns were appropriately the paramount consideration throughout the incident; and permanent repairs were effected as soon as the situation permitted. A number of recommendations to improve future responses were made. Generally, the applicable State oil spill regulations (18 AAC 75.430) requires control or containment and clean up within 72 hours. The oil leak was controlled in about half this time. Current efforts to improve responses include: ·Incident Command communications and coordination have been improved and drilled. Alyeska is developing an "go team" of field operations support personnel to provide relief and expanded capability to the on-scene organization. ·Work continues on line leak detection improvements. ·A leak training and testing facility has been fabricated in Fairbanks. ·An aluminum sleeve has been developed to direct the flow of oil into a hose for controlled containment until pressures can be lowered. ·A new clamp device has been purchased and modified to allow use at high pressures (ongoing work). ·Modification of "pump-around" skid to provide more flexibility and capability in pumping crude oil in a variety of situations. ·A fire foam module is being designed for dealing with the hazards of a high-pressure leak. ·Generic safety plans have been developed for operations like MP 400. ·Additional improvements to containment and clean up (including additional tankage and oil transfer equipment) plans are being studied by the company and the inter-agency team. Similarly, other incidents (such as, those mentioned in the comment)have resulted in modifications to the manner in which TAPS is operated. In order to be more proactive, the member agencies of JPO in close cooperation with Alyeska have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical

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ID	Comment	StateResponse
		systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is widely used in the airline and other industries as the standard tool for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to
00145004	The socioeconomic impact of less state revenue on the general population could be enormous. Without TAPS and the oil revenue it facilitates there would be much fewer social services, less employment, and, the final nail in Alaska's economy, a loss or our major export product, petroleum. Without TAPS, Alaska would be a net importer instead of an exporter of petroleum and petroleum	The Department of Natural Resources thanks you for your comment.
00145010	A study commissioned by the Alaska Oil and Gas Association and the Alaska Support Industry Alliance, based on 1999 purchasing and payroll records, found that the oil and gas industry generates about 33,500 jobs and $1 .4 billion in payroll in Alaska. This represents approximately 12% of private sector jobs and 20% of private sector payroll in the state. The employment and payroll cited by the study includes: • Direct impact: 4,532 jobs and $422 million in payroll for the oil and gas companies active in production, transportation and refining; • Induced impact: The impacts resulting when 4,532 employees spent the money they received in their payroll checks were an estimated 4,703 jobs and $133 million in payroll; • Indirect impact: $1 .7 billion in spending in Alaska by the oil industry generates 24,338 jobs and $880 million in payroll through the rest of the Alaska economy. Of this, 13,295 jobs, and $527 million in payroll, is generated in Alaska among the oil company support industry businesses. Combining the $1 .7 billion used to purchase goods and services in the state with the $422 million direct payroll of the primary producers represents an amount that is roughly equal to the state's general fund budget spending.	The Department of Natural Resources thanks you for your comment.
00151006	Back in the early right of way agreements, we were promised double-hulled tankers. The Exxon Valdez was a new ship. If it had a double-hull, how much less oil would it have spilled? Back in the '70s, during Governor Hammond's administration, Chevron sued the state on the double-hull issue and the state lost. Hammond never pursued it further. Congress could have overridden Hammond vs. Chevron, but they chose not to, even though they had made a promise to Alaskans. This court case gave the oil industry and Congress an easy out. Today, we have only one company actively building new double-hulls, the rest of the TAPS trade is old tired ships.	This issue is not within the scope of the TAPS lease renewal process.

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00151008	I hope someone else will address the Ballast Water Treatment Plant and how it has badly polluted our air and water. It is another example of aging infrastructure suffering from corrosion and age, which is always put on the deferred list for future maintenance. Meanwhile, it continues to pollute our harbor. We should be working toward zero pollution going into our waters.	The operating record, including effluent monitoring conducted by Alyeska in accordance with its NPDES permit, shows that discharges from the BWTF have been within the limits established in the NPDES permit. The discharge limitations contained in the NPDES permit were established by the permitting authority (EPA) and were believed to be sufficiently protective of public health and the environment. Those limits are subject to change, based on all available evidence of impact. The NPDES permit renewal process provides a mechanism for EPA and state authorities to review available information to determine if changes to the effluent limitations are necessary to reduce impacts on the public health and the PWS marine ecosystem. With respect to "deferred maintenance, all major TAPS components, including the BWTF, are subject to evaluation under the Reliability-Centered Maintenance (RCM) program. That program evaluates the consequence of failure of any given TAPS subsystem and directs the development of preventative maintenance activities sufficient to preclude such failures when the consequence of failure would lead to adverse environmental or public health impacts.
00151011	Big reorganizations occur every couple of years. Budgets are slashed, work is deferred and it is impossible to do a long-range plan because there's no stable source of funding for TAPS.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment. The JPO oversight will ensure that TAPS is properly maintained and operated over time.
00151012	Alyeska is constantly having to be reactive instead of proactive. The owners committee members also play musical chairs. There is little continuity.	The Department of Natural Resources thanks you for your comment.
00151014	AFER recommends that a part of the review of the application for grant and lease renewal, the reviewers should convene an advisory panel to consider how best to provide a single, responsible, managing party. We have had 25 years of broken promises and misstates under existing structures. It's time to change. If you have a single management system and stable funding, I think your RCM program could work.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory authority under the renewal process to take the right-of-way grant from the owners.

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00151015	A few years back, BP was dumping poisonous liquids down wells. This saved them money, as they didn't have to pay to ship them out for treatment and so on, they were caught. Criminal action was brought against them and the Justice Department put them on probation. Since then, workers on the BP operation on the Slope have brought forth many maintenance problems that because of budget restraints were not being addressed. These amounted to safety violations that were in direct violation of their probation. The people who are charged with monitoring BPs probation chose to look the other way. The law also requires there to be a leak detection system from the wells to Pump Station One. The State never enforced this. When one of the State regulators tried to enforce it, she was removed from her position. The State wanted her to look the other way. Do you really want us to believe that with these kind of relationships between the industry and the State and Federal government that the JPO has a chance to enforce compliance. BP is knowingly and willingly breaking laws and regulations on the North Slope and ADEC is knowingly and willing letting them.	The regulation of BP activities on the North Slope is separate and apart from TAPS operations at Pump 1.
00151016	We were told quite a few years ago that the microwave system would eventually have to be replaced, for it was not as reliable as it needed to be. Alyeska put in a fiber optic system but that also did not meet the reliability standards they needed. I learned the other day that a contractor doing roadwork had to reroute the cable, but couldn't because there was no cable available to reroute it. The contractor ended up digging the cable deeper and putting the road over it. They were also warned that they shouldn't drive in certain areas with heavy equipment because the cable wasn't buried deep enough and could be damaged. My question is, how does RCM address this point?	The fiber optic system is currently used for used for noncritical voice and data communications. Reliabilty issues (potentially to include those mentioned in the comment) will have be resolved before the system is allowed to be used for critical communications. If the system were to be used for critical communications, it would be included in RCM and potential modes of failure identified and addressed (e.g., repaired, replaced, or backup provided).

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00151019	Are budget cuts also the reason we haven't done new core samples for soil changes at all the critical river and stream crossings? Are we going to peer review Alyeska inspections of the bridges and culverts with an independent contractor, not in any way connected to the government or Alyeska?	The DNR and member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the DNR and member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.

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00152002	During the scoping meeting that was held here last fall I asked that the environmental impact statement consider the social economic impacts of this rapid decline of property values on Valdez. After reviewing the draft, I don't see where this has been addressed.	Tax revenues from ANS production and TAPS have provided considerable financial benefits to local governments throughout Alaska. In addition to the royalties and severance taxes paid to the state on oil production, a share of which is distributed to local governments throughout the state, a number of local governments are able to collect property taxes on oil company property located within their jurisdictions. A large proportion of revenues collected by local governments in the North Slope Borough and in the City of Valdez come from oil sources, meaning that these communities have become highly dependent on these revenues. The taxable base is shrinking as the TAPS facilities are depreciated in Valdez and elsewhere. The ability to predict further depreciation for the life of the project is also critical for local government planning. Falling state tax revenues from declining ANS production would also potentially limit state support for local government programs. While it is becoming clear that even with TAPS renewal, new sources of revenue in addition to likely cutbacks in expenditures, will be necessary in the near future at both the state and local level, the nature and timing of any changes that might be made to the structure of government finances in Alaska are unclear at this time. Because of this uncertainty, it was assumed that existing levels of revenue and expenditure growth would be maintained throughout the renewal period, and that the evaluation of decisions made by the state and by local governments to change the way tax revenues are raised to support existing expenditure programs, including changes in property tax rates and in the size of transfers between state and local governments, was considered to be beyond the scope of the analysis. Specifically, proposed changes in assessment rates for property taxes suggested by the commentor that might be made in order to maintain adequate levels of local government service provision in the City of Valdez, would be the result of negotiation between the

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ID	Comment	StateResponse
00152003	Volume II, Section 4.3.19.3.5 social and local tax revenues discusses the very issues that Valdez is concerned about. The Draft EIS projects that the total state tax revenues from oil production will decline at an average rate of 5/10ths of a percent over the 30 year renewal period. It further states that oil revenues are projected to decline at a fairly rapidly rate over this same renewal period. Valdez has seen this decline and we live with it every day. Table 4.3-13, which is found on Page 4.3.75 projects that the local property taxes generated by tax will decline by approximately 4.8 percent annually. Today the TAPS -- the value of TAPS property within the city of Valdez is 658,944,010, using your projection of a 4.8 percent decline annually in 2034, the value is projected to be $150,645,778, that's a decline of 77 percent.	Tax revenues from ANS production and TAPS have provided considerable financial benefits to local governments throughout Alaska. In addition to the royalties and severance taxes paid to the state on oil production, a share of which is distributed to local governments throughout the state, a number of local governments are able to collect property taxes on oil company property located within their jurisdictions. A large proportion of revenues collected by local governments in the North Slope Borough and in the City of Valdez come from oil sources, meaning that these communities have become highly dependent on these revenues. The taxable base is shrinking as the TAPS facilities are depreciated in Valdez and elsewhere. The ability to predict further depreciation for the life of the project is also critical for local government planning. Falling state tax revenues from declining ANS production
	The report goes on to say that although TAPS throughput is declining, that would also potentially limit state support for local government programs. TAPS revenues collected by the local municipalities are expected to grow at an average rate of .8 percent. This is based on the assumption that State transfers to local government are not being affected by the declining straight revenues. Basically what they're saying is that the State and the Federal government will transfer money into the municipalities along the pipeline corridors to make up for that decline. I'm not sure if you have a letter from the state of Alaska that says that they'll guarantee to do that but in the last five years, state revenue sharing to the city of Valdez has declined by 50 percent. In 1996, the city received approximately $742,000 in state revenue sharing money. In 2001, Valdez received $376,000. There's never been an increase in those five years.	While it is becoming clear that even with TAPS renewal, new sources of revenue in addition to likely cutbacks in expenditures, will be necessary in the near future at both the state and local level, the nature and timing of any changes that might be made to the structure of government finances in Alaska are unclear at this time. Because of this uncertainty, it is assumed that existing levels of revenue and expenditure growth would be maintained throughout the renewal period, and that the evaluation of decisions made by the state and by local governments to change the way tax revenues are raised to support existing expenditure programs, including changes in property tax rates and in the size of transfers between state and local governments, was considered to be beyond the scope of the analysis. Specifically, proposed changes in assessment rates for property taxes that might be made in order to maintain adequate levels of local government service provision in the City of Valdez, would be the result of negotiation between the City and the State of Alaska, the outcome of which is unknown at this time. The nature of the fiscal relationship between the local government jurisdictions and the State of Alaska and any proposed change in

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ID	Comment	StateResponse
00152005	As I mentioned before, during the scoping session that was held here last fall, I asked that the Draft EIS look at the economic impact of the devaluations of the pipeline and related properties and the impact that it has on the municipalities along the pipeline and, I don't believe that you've done that.	Tax revenues from ANS production and TAPS have provided considerable financial benefits to local governments throughout Alaska. In addition to the royalties and severance taxes paid to the state on oil production, a share of which is distributed to local governments throughout the state, a number of local governments are able to collect property taxes on oil company property located within their jurisdictions. A large proportion of revenues collected by local governments in the North Slope Borough and in the City of Valdez come from oil sources, meaning that these communities have become highly dependent on these revenues. The taxable base is shrinking as the TAPS facilities are depreciated in Valdez and elsewhere. The ability to predict further depreciation for the life of the project is also critical for local government planning. Falling state tax revenues from declining ANS production would also potentially limit state support for local government programs. While it is becoming clear that even with TAPS renewal, new sources of revenue in addition to likely cutbacks in expenditures, will be necessary in the near future at both the state and local level, the nature and timing of any changes that might be made to the structure of government finances in Alaska are unclear at this time. Because of this uncertainty, it is assumed that existing levels of revenue and expenditure growth would be maintained throughout the renewal period, and that the evaluation of decisions made by the state and by local governments to change the way tax revenues are raised to support existing expenditure programs, including changes in property tax rates and in the size of transfers between state and local governments, was considered to be beyond the scope of the analysis. Specifically, proposed changes in assessment rates for property taxes suggested by the commentor that might be made in order to maintain adequate levels of local government service provision would be the result of negotiation between cities and the State of Alaska,

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00152006	On Page 4.3-82, it states with the availability of state funds for local expenditure programs together with moderate population and economic growth in the pipeline corridor region, impacts of the TAPS renewal on local public finances and public service employment in a region is therefore not expected to be significant. The reduction in oil property tax was addressed by the assumption that reductions in revenue would be made up somehow. The Draft EIS says the reduced local revenue would be made up by State and Federal transfers. Revenue from the State is declining and has been declining.	It is becoming increasingly clear that even before the decision to renew or terminate TAPS is made, declining ANS production and TAPS throughput will mean that new sources of revenue in addition to likely cutbacks in expenditures will be necessary in the near future at both the state and local level to cover increasingly large potential budget deficits. There are various means of increasing revenues at the state level to offset the decline in oil revenues, including a state income tax, a sales tax, a cap on the Permanent Fund Dividend, increases in petroleum sector tax rates and the use of some portion of the earnings from the Permanent Fund to support state general fund expenditures. Each of these measures is being considered by the state legislature as a means of covering increasing state budget deficits in the near future. At the local level, changes in property tax rates and in the size of transfers between state and local governments are also being considered and are likely to be the subject of negotiation between local governments and the State. The nature and timing of any changes that might be made to the structure of government finances in Alaska are unclear at this time. It is likely that a combination of the various measures for increasing revenues will have to be implemented to cover increasing deficits. Because of the uncertainty surrounding which measures are likely to be used and precisely how each would be implemented, it is assumed that existing levels of revenue and expenditure growth would be maintained throughout the renewal period. The evaluation of decisions made by the state and by local governments to change the way tax revenues are raised to support existing expenditure programs at both the state and local level, including use of the Permanent Fund Dividend to support state general fund expenditures, and the relative impact of each measure, or combination of measures, on the economy of the state and pipeline corridor region was considered to be beyond the scope of the EIS.

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00152007	I believe that one option that needs to be considered by both the State and Federal government is one of placing a floor on the value of the TAPS property for property tax considerations. Again, using your Draft EIS projections, the city will need to make up between 29 million dollars annually, all the way to 425 million dollars annually in assessed valuations to make up for the projected decline.	Tax revenues from ANS production and TAPS have provided considerable financial benefits to local governments throughout Alaska. In addition to the royalties and severance taxes paid to the state on oil production, a share of which is distributed to local governments throughout the state, a number of local governments are able to collect property taxes on oil company property located within their jurisdictions. A large proportion of revenues collected by local governments in the North Slope Borough and in the City of Valdez come from oil sources, meaning that these communities have become highly dependent on these revenues. The taxable base is shrinking as the TAPS facilities are depreciated in Valdez and elsewhere. The ability to predict further depreciation for the life of the project is also critical for local government planning. Falling state tax revenues from declining ANS production would also potentially limit state support for local government programs. While it is becoming clear that even with TAPS renewal, new sources of revenue in addition to likely cutbacks in expenditures, will be necessary in the near future at both the state and local level, the nature and timing of any changes that might be made to the structure of government finances in Alaska are unclear at this time. Specifically, proposed changes in assessment rates for property taxes suggested by the commentor that might be made in order to maintain adequate levels of local government service provision in the City of Valdez, would be the result of negotiation between the City and the State of Alaska, the outcome of which is unknown at this time.

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ID	Comment	StateResponse
00152008	The state of Alaska is not going to help Valdez with this because property taxes are a tarrifable expense that reduces the value of the well head price, therefore, reducing the amount of money the State receives on its royalty oil and severance taxes. The State receives most of its money from royalty and severance taxes, not from property taxes. The Draft EIS is taking the easy way out in dealing with the social economic impact of the devaluation of TAPS property. The value of TAPS for property tax purposes needs to be addressed and it most definitely will have an impact on the finances of the city of Valdez.	Tax revenues from ANS production and TAPS have provided considerable financial benefits to local governments throughout Alaska. In addition to the royalties and severance taxes paid to the state on oil production, a share of which is distributed to local governments throughout the state, a number of local governments are able to collect property taxes on oil company property located within their jurisdictions. A large proportion of revenues collected by local governments in the North Slope Borough and in the City of Valdez come from oil sources, meaning that these communities have become highly dependent on these revenues. The taxable base is shrinking as the TAPS facilities are depreciated in Valdez and elsewhere. The ability to predict further depreciation for the life of the project is also critical for local government planning. Falling state tax revenues from declining ANS production would also potentially limit state support for local government programs. While it is becoming clear that even with TAPS renewal, new sources of revenue in addition to likely cutbacks in expenditures, will be necessary in the near future at both the state and local level, the nature and timing of any changes that might be made to the structure of government finances in Alaska are unclear at this time. Because of this uncertainty, the EIS assumed that existing levels of revenue and expenditure growth would be maintained throughout the renewal period, and that the evaluation of decisions made by the state and by local governments to change the way tax revenues are raised to support existing expenditure programs, including changes in property tax rates and in the size of transfers between state and local governments, was considered to be beyond the scope of the analysis. Specifically, proposed changes in assessment rates for property taxes that might be made in order to maintain adequate levels of local government service provision in the City of Valdez, would be the result of negotiation between the City and the State of Alaska, the outcome of which is unknown at this time. The nature of the fiscal relationship between the local government jurisdictions and the State of Alaska and any proposed change in

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ID	Comment	StateResponse
00152009	Again, Alaska Statute 43.56 is exempted out the Phillips L&G facility from taxation by the State. The Kenai Borough assesses this property and it's assessed as any other commercial property in the borough down there. The city of Valdez is asking and has asked for a number of years for similar consideration. We request that the Environmental Impact Statement recommend and encourage the state of Alaska to establish a floor on the value of TAPS. This floor should not be lower than $3 billion. It is the expressed desire that the value of TAPS not go below this number while there is still oil flowing through it.	Tax revenues from ANS production and TAPS have provided considerable financial benefits to local governments throughout Alaska. In addition to the royalties and severance taxes paid to the state on oil production, a share of which is distributed to local governments throughout the state, a number of local governments are able to collect property taxes on oil company property located within their jurisdictions. A large proportion of revenues collected by local governments in the North Slope Borough and in the City of Valdez come from oil sources, meaning that these communities have become highly dependent on these revenues. The taxable base is shrinking as the TAPS facilities are depreciated in Valdez and elsewhere. The ability to predict further depreciation for the life of the project is also critical for local government planning. Falling state tax revenues from declining ANS production would also potentially limit state support for local government programs. While it is becoming clear that even with TAPS renewal, new sources of revenue in addition to likely cutbacks in expenditures, will be necessary in the near future at both the state and local level, the nature and timing of any changes that might be made to the structure of government finances in Alaska are unclear at this time. Because of this uncertainty, the EIS assumed that existing levels of revenue and expenditure growth would be maintained throughout the renewal period, and that the evaluation of decisions made by the state and by local governments to change the way tax revenues are raised to support existing expenditure programs, including changes in property tax rates and in the size of transfers between state and local governments, was considered to be beyond the scope of the analysis. Specifically, proposed changes in assessment rates for property taxes suggested by the commentor that might be made in order to maintain adequate levels of local government service provision in the City of Valdez, would be the result of negotiation between the
00153001	One obvious error in the DEIS pertains to economic benefits of oil spill. A proper analysis of the economic data cited in Section 4.7 should indicate that on the whole there are no economic benefits to an oil spill and if there are no economic benefits to be had, any damage to fishing and tourism cannot be offset	This issue is not within the scope of review for the TAPS lease renewal process.
00153002	Additionally, the comments in the executive summary stating that the most significant impacts will be economic can be true only if catastrophic spills are avoided.	In addition to the economic analysis presented in the DEIS, an extensive analysis of potential spills presents several worst case scenarios of oil spills. The environmental impacts from these worst case spill scenarios is also presented in the DEIS.

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ID	Comment	StateResponse
00153004	Some issues were included [should say 'excluded']from the scope summarily. The issues summarily included [excluded]from the scope or the DEIS may have significant environmental impact.	The Department of Natural Resources thanks you for your comment.
00153005	For example, the ownership model is important because owners control the use of resources devoted to minimizing environmental impact. Impacts of various ownership models should be examined. In particular, the current ownership model allows for owners committee to micromanage operations in a manner that could have significant environmental impact.	A review of the organizational structure of the owner companies and Alyeska was outside of the scope of the state renewal.
00153006	Recently the owners directed that the maintenance budget be cut by 10 to 25 percent without decreasing scope. Let me ask, how does one eliminate 10s of millions of dollars worth of maintenance without listing the scope and what is the environmental impact of this?	The impact of the cuts depends on the specific items to be cut. The state lease provides authority to the state in assuring the protection of human health and the environment. With this authority, the JPO can ensure that the appropriate level of maintenance is
00153007	Renewal conditions requiring that TAPS be operated and maintained in accord with the assumptions underlying the predictions of future impact are appropriate and very important.	The Department of Natural Resources thanks you for your comment.
00153009	Additionally, regulatory enforcement tools sufficient to enforce regulatory compliance must be given to the regulators.	The state right-of-way lease provide the state with the authority needed to oversee operation of the TAPS and to impose strict and enforceable requirements upon Alyeska to comply with necessary operational procedures.
00153011	The DEIS places considerable reliance on data provided by Alyeska and the owners and citation of TAPS owners 2001(A). This is the Draft Environmental report provided by the owners and in citations of personal communications. Considerable amounts of data are taken from cited literature. Data from recent measurements appear to be used less frequently. Very little validation of data provided by the owners can be found in the DEIS. More recent literature has been overlooked. Studies funded by the oil industry seem to have been favored. Contradictory studies funded by others appear to have been overlooked. For example, NOAA and Auke Bay Laboratory Toxicity Studies indicate that North Slope crude oil is much more toxic than originally thought and that the toxicity is amplified by sunlight. Likewise, recent research funded by RCAC indicates that the dispersant now dedicated for use on an oil spill in Prince William Sound are likely to be ineffective and are much more toxic than originally thought.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00153012	The DEIS appears to be primarily concerned with designed basis operation, normal operations appear not to have been reasonably considered in assessing impact. For example, the Ballast Water Treatment Facility, which is a gravity separation of crude oil from ballast water are having problems with waxy solids that prevent timely removal of the waxy solids and recovered crude oil from the process. The waxy buildup is a recurring problem in the '90s tanks along with other scheduled maintenance has limited the operational capacity of the gravity separation process to less than 50 percent of its design. The impacts associated with the operation of processes away from their design basis need to be assessed.	The lease holds APSC responsible for maintaining normal operating conditions throughout the lease term. The Design Basis for TAPS has undergone review and approval, as have any subsequent changes to the design basis. Thus, the normal operating condition of TAPS is a legitimate reference point from which to identify and evaluate environmental impacts. However, the substantial operating record of TAPS provides a unique opportunity to reflect on the environmental impacts that have resulted from past occasions of off-normal conditions, including wholesale failures that have resulted in release of oil to the environment. These off-normal conditions and their subsequent environmental impacts were incorporated into the assessment of environmental impact, as were the design basis changes and additional controls that were established to preclude future impacts to the environment from off-normal conditions. Not all off-normal conditions will automatically lead to adverse consequence. The condition you offer is one such example. There is no evidence that the alleged problems with waxy solids in the BWTF 90s tanks have resulted in off-normal effluent discharges from the BWTF, which have had an impact on the environment or public health and safety. The Alyeska Annual Data Report for June 2000-May 2001, filed with the EPA and ADEC pursuant to Part III.B.6 of NPDES Permit No. AD-002324-8, shows the effluent from the BWT did not exceed the specific limits established in the Permit. Since the effluent limits in the Permit are established by the EPA, and certified by the ADEC, at levels expected to prevent adverse effects on receiving waters, it is reasonable to conclude that when these effluent limits are met there is no significant adverse effects to existing water quality of Port Valdez from BWT effluent discharges regardless of certain less than optimum plant operations. Other sections of the DEIS deal with the impact of contaminants, from all sources, on the physical marine environment. JPO has required APSC to adopt a Reliability-Centered Maintenance (RCM) posture in order to better evaluate all TAPS components for the consequence of their failure. The RCM evaluation process allows attention and resources to be focused on those off-normal conditions that do.

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ID	Comment	StateResponse
00153014	frequent reorganizations, mainly less qualified personnel responsible for various operation, the increased risk associated with untrained and inexperienced personnel also needs assessment. For example, the reorganization now being implemented has combined the responsibility for operation of marine assets. This is the loading of tankers and operating the Ballast Water Treatment Facility under a single individual who previously had neither responsibility for nor detailed knowledge of the processes.	Under the state lease, Alyeska has the continuing obligation to operate TAPS safely and in a manner protective of public safety and the environment. Alaska regulations require Alyeska to develop and submit for review contingency plans for dealing with accidental releases of crude oil or other hazardous materials. Alaska regulations are prescriptive, detailing what must be included in contingency plans. Resource commitments (of both equipment and trained personnel) must be addressed in the Contingency Plans. All contingency plans are subject to review and approval by various regulatory bodies and the approval process provides for public input. Contingency plans notwithstanding, Alyeska is solely responsible for developing appropriate operating procedures and making resource commitments that are sufficient for their execution. Under its Comprehensive Monitoring Program, JPO maintains oversight of Alyeska operations. When deficiencies are identified, JPO's oversight involves root cause analysis that can potentially address resources. Alyeska is directed to develop and submit for JPO's approval corrective action plans which may address the resources necessary for completion of the corrective actions or preculsion of reoccurence of the deficiencies noted.
00153016	Compliance with environmental regulations is cited as evidence of minimal impact. Environmental impact and regulatory compliance are not equivalent. Impact assessment needs additional metrics based on up to date science and technology. Special vigilance is needed when industry has assisted in developing the regulations and the exemptions thereto. For example, Alyeska NPDES permit for the Ballast Water Treatment Facility has upper discharge limits that can be met without much challenge. Well, Alyeska's Title IV, air quality permit application has been pending without action at the Alaska Department of Environmental of Conservation for five years. In the interim, Alyeska has been operating the Valdez Marine Terminal under a more liberal prevention of significant deterioration permit. At the suggestion of Alyeska and industry, the National Emission Standard is currently being proposed by EPA excludes emissions from Alaska North Slope crude oil and from the Ballast Water Treatment Facility. What the result is that a source emitting 25 tons per year of hazardous air pollutants is defined by EPA to be a major source. Yet the proposed rule exempts the source, the VMT, exceeding a threshold by a factor of five to 10. Even the DEIS contains data indicating that hazardous air pollutants exceed the major source threshold by a factor of five.	BWTF permit and regulatory effluent and emission levels are established (through a process that includes public participation) to prevent adverse effects on the environment. Therefore, it is reasonable to conclude that compliance with environmental regulations and BWTF permit conditions ensures there is no adverse effects to existing environmental quality. That is not to say there is no discharge or emission of contaminants and no resulting impact to environmental media.

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ID	Comment	StateResponse
00153017	Citizens have had great difficulty in looking at the TAPS operational and maintenance processes because Alyeska claims that such information is proprietary to its business activities. JPO has related to RCAC its own difficulties in getting the information it needs to assess compliance with its regulations and the laws it is to administer. It's unclear how the environmental impact of a system as complex as TAPS can be properly assessed if complete information regarding operations and maintenance is withheld from those making	The DNR and the member agencies of JPO had full access to all information related to TAPS operations.
00154003	Alyeska is far from operating in an error free environment. Failure to manage several restarts has resulted in many small oil spills, failure to respond to a bullet hole in the pipeline resulted in a 35 hour spill that should have been closed in much less time. This is not particularly the fault of the Alyeska personnel in the field who have to do the work, it is the fault of the budgets which are provided by the owner companies to accomplish the task.	The Department of Natural Resources thanks you for your comment.
00154004	Alyeska and its owners were taken to task by the Alaska Oil Spill Commission, which I chaired for failure to maintain the response program that was in existence in 1977 when the pipeline and terminal opened and that was systematically cut back on and disbanded during the period from 1980 to 1989 when after the Chevron versus Hammond case was lost by the State due to incompetent representation. At least that's what the attorneys I hired at the Alaska Oil Spill Commission said.	The Department of Natural Resources thanks you for your comment.

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00154006	None of Alyeska's response equipment is designed to operate in our fast current rivers despite Minerals Management Service testing of skimmers in 1996 for the U.S. Coast Guard showing several effective high current skimmers. However, the pressures brought on response programs in the Sound have not been present on the pipeline. The DEIS makes no effort to explore the need for new technology or expand response team training in critical areas such as river crossings. There's no push to pick up on the host of different chemical responses that came forward during the Alaska Oil Spill Commission's hearings, indeed, even in Prince William Sound during that substantial part of the year when weather precludes mechanical recovery, why the backup systems are little different from what they were in 1989.	All potential spill volumes are listed in the Trans-Alaska Pipeline System Pipeline Oil Discharge Prevention and Contingency Plan, CP-35-1 GP, prepared in 2001 by the Alyeska Pipeline Service Company (C-plan). The C-plan provides for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline. Response crews and equipment for initial deployment are stationed at Pump Station 9, Glennallen, Pump Station 12 and Valdez. The entire region crossed by the pipeline has been characterized with respect to the potential flow of spilled oil. Appropriate containment tactics are described in the C-plan with site-specific descriptions for each identified containment site. For example, the Region 5 plan, which contains all contingency areas that could affect the Copper River, lists 12 contingency areas and 38 segment areas. Each of these 38 segment areas lists priority control actions, and specific containment instructions. Each regional plan includes tables detailing materials and equipment available for oil spill response at all stations and containment sites. A primary objective of these strategies is to contain oil before it reaches the Copper River. The C-plan includes establishing containment at the point of entry into the Copper River if oil were to travel that far. While discussions of control actions to take if oil does reach the Copper River are limited, there are descriptions of suitable strategies, tactics, personnel and equipment for containment and recovery of oil for the river. In the General Provisions Section 2.4, “Realistic Maximum Response Operating Limits”, the C-plan describes environmental conditions that could occur that would negatively impact the effectiveness of a response. The described conditions would potentially delay the deployment of mechanical containment and recovery equipment, or present a threat to the safety of the responders. C-plan Section 1.7.4.1.6 Crude Oil and Suspended Solids Interaction in Silty Rivers –The Copper River and several of its tributaries have a seasonal silt loading sufficient to remove a significant portion of a surface oil slick. The amounts of oil removed from the surface slick depends on the amount and rate of oil released in the river, the amount of solids in the river, the volume of water discharge rate, and the mixing energies available downstream of the release. The surface slick may break up into small droplets, bind with silt particles, and be suspended in the water column. The aggregate particles would travel along the course of the river channel(s). Particles remaining in suspension would be widely dispersed downstream of the release point and would not resurface. Particles having negative

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		buoyancy would be expected to widely disperse along the river bottom and in side eddies. The small size and distribution of these particles make them ideally available for biodegradation. An important factor affecting the potential for oil and silt interaction is the volume of water in the river. For example, the discharge rate of the Tsina River is 1,930 cubic feet per second for summer compared to the Copper River summer discharge rate of 140,000 cubic feet per second. As part of a Source Control project being developed to address lessons learned from the MP 400 incident a conceptual study is evaluating other measures that may be feasible but which are not now in place, such as Kevlar jacketing at crossings to reduce the likelihood of a bullet entering the pipe. The BLM and JPO will also evaluate the use of chemicals to enhance biodegradation of oil. The following activities are designed to reduce the potential of a spill and if a spill does occur, to reduce the potential consequences. Several of these actions have already been completed. Others are either underway or being planned. •Construct berms on river banks in areas of above ground pipe and defined drainage on the Gulkana, Tazlina, and Klutina Rivers – complete •Purchase of a LCM style support boat and an on board skimmer system - complete •Increase area responders by staffing a Glennallen based response team – complete •Deliver to PS 11 new response trailers and 45' van to improve overall response – complete •Develop a rapid containment boom deployment system on the lower Tonsina River – underway. •Alyeska and the RPG have conducted public meetings with Copper River area stakeholders. •Alyeska has conducted a number of containment site evaluations and training sessions in this region. •3 additional Gulkana River access sites have been developed. •An equipment complex is located at the Gulkana River Richardson Highway bridge. •12,000 feet of smaller dimension (fast water boom) has been added (2,400 feet is located within the PS11/12 area) •Alyeska will develop pre deployed anchor systems on the Klutina, Gulkana, and Tazlina Rivers •Alyeska will develop boat access for the Copper River

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00154007	The tankers, with the addition of the two double-hulled millennium class tankers by Phillips to the Valdez fleet obscures the fact that there are 26 or so aging tankers still in use and only gradually replaced until 2015.	Section 4115 of the Oil Pollution Act of 1990 (33 CFR 157.10d) imposes certain requirements on tankers calling at U.S. ports and specifies which vessels are permitted to use U.S. ports by year, size of vessel, hull design (single hulls, double bottoms, or double sides) and age of vessel. By the year 2015, all tankers calling on U.S. ports must have double hulls (double bottoms and sides). The U.S. Maritime Administration published a schedule, which indicates that the last of the present fleet serving the VMT will be phased out by the end of the year 2013 and the fleet will consist exclusively of double-hulled tankers beginning in year 2014.
00154008	However, no ship is any better than the crew that operates it. We tried to take care of part of this in OPA90, a great deal remains to be done. The effort launched several years ago to introduce an evaluation of human factors as they effect risk in oil tanker operations was allowed the die at birth after an acrimonious hearing in Seattle. Ridge [should be 'bridge']response training is a word of the addition [should be 'is a worthy addition']but this is not expanded on in the DEIS nor any improvements to training programs scoped out or	Tanker operations are under the regulatory control of the U.S. Coast Guard and the U.S. Department of Transportation and are outside the scope of the renewal.
00154009	In my days in air traffic control, 15 percent of the personnel budget was spent on training and recertification. How much are the Alyeska and government budgets are spent on mitigating the risks of inadequate training?	Training of employees is critical to successful safe operation of TAPS and it is an integral part of employee development at JPO and Alyeska. The DNR and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide BLM and JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00156001	I stated Friday night that on reviewing the DEIS and the documents supporting the State's Proposed Determination, I was surprised and chagrined to realize how little the folks from Argonne and the preparers of the State document seemed to have heard of what we presented in the scoping meetings.	The Department of Natural Resources thanks you for your comments.
00156002	First, I wish to submit for the record a copy of my recent report, the Emperor's New Hose, How Big Oil Gets Rich Gambling with Alaska's Environment. Many of the issues discussed in the report, as well as five of the report's six recommendations, were presented formerly to this process during the scoping meetings in September and October of 2001. As I stated, I'm, therefore, disappointed that neither the State nor the Federal documents supporting a grant and lease renewal have addressed the substantive issues in that report or the recommendations that followed from the discussion of those issues.	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease.

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00156005	This view is echoed by the State Pipeline Coordinator's Reports, which says the TAPS facilities are routinely maintained and upgraded to ensure safe and efficient operation and to minimize the likelihood of releases.	For clarification, the entire paragraph from which the referenced sentence was extracted is provided below. The purpose of this paragraph was to provide the reader with background information related to TAPS. The TAPS facilities are routinely maintained and upgraded to ensure safe and efficient operation and minimize the likelihood of releases. In addition to visual inspections, use is made of "pigs" which are launched into the pipeline at Pump Stations 1 and 4 and carried along with the flow of oil. Pigs are mechanical devices that can be used to clean accumulated wax from interior pipe walls, to survey interior pipe diameter, to detect corrosion on the inside or outside walls of the pipe, and to measure pipe movement. If necessary, repairs can be made to the pipeline to correct problems. The largest repair to date was the replacement of 8.5 miles of corroded pipeline at Antigun Pass in 1991.
00156008	Now, the five reasons it's liable to fail. There's been a constant dialogue between JPO and Alyeska, in which Alyeska seeks to simplify or streamline RCM. Most recently JPO reported that Alyeska will use a streamlined RCM process. But the RCM process according to its designers is a process on which you cannot cut corners. The process cannot be hurried. It is highly structured and depends on that structure. What is going on here.	The DNR is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is widely used in the airline and other industries as a tool for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks. RCM has gone through an evolutionary process in industry over time. RCM allows some latitude in how it is implemented. The JPO will ensure that RCM is appropriately applied to TAPS.
00156009	Number 2. There is no historical or theoretical basis to assume that an industrial management process can prevail against the inexorable pressure of the TAPS owners discussed above and by others, not just because I deleted it from my remarks but others have raised the point, to cut costs. The creators of RCM specifically warn that the process will not work if it is conducted by outsiders because the operational users must buy in. As I indicated in the first point and it's clear from the JPO/MOAs, the written, the detailed reports, that this is a JPO process that Alyeska has not fully endorsed the same way the JPO has. And Alyeska specifically has agreed to use streamlined RCM	The DNR is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS and the BLM has the authority to ensure that RCM is implemented. The DNR and member agencies of JPO in close cooperation with Alyeska have begun the RCM process.

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00156010	So JPO, as an outside entity is attempting to use the RCM program. I think I can't count my bullets very well, if that weren't -- if three strikes against RCM were not enough there is this point, the focus of RCM is physical assets but many of the critical management problems on TAPS, the chronic problems with restart, for example, are associated with operating procedures and human factors rather than equipment failure. These problems may fall beyond the scope and purpose of RCM.	The DNR is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. The review under RCM of critical components and failure modes considers the interface between humans and equipment.
00159002	one of the issues that we alluded to was the quality of literature cited. And in review, you know, a lot of recent literature has been overlooked. Studies funded by the oil industry seem to have been favored and contradictory studies funded by others appear to have been overlooked.	The Department of Natural Resources thanks you for your comment. However, this is outside the scope of the State Right-of-Way Lease Renewal.
00159003	RCAC is pleased to note in the DEIS that research by Jeff Short has been cited. However, we note that his work associated with the possible sources of hydrocarbons in Prince William Sound from other than Alaska North Slope crude was cited. RCAC believes that some of Dr. Short's other research regarding the lingering effects of the Exxon Valdez Oil Spill might be of interest when changes to the DEIS are considered. Indeed, there are other sources of hydrocarbons from coal, seeps at Katalla and other geological features. However, we believe that the discussion of the other sources of hydrocarbons discussion is incomplete and misleading. For example, these sources are located in deep water and in general are not bio available. If one were to examine the inter-tidal zone of the beaches oiled by the Exxon Valdez, considerable quantities of hydrocarbons will be found. These hydrocarbons will show high levels of bio availability and the hydrocarbons will bear the unmistakable signature of Alaska North Slope crude oil. Considerable recent research on this subject is available from Jeff Short and others.	The Department of Natural Resources Thanks you for your comment.
00159004	A more detailed discussion supported by recent literature citations of the lingering effects of the Exxon Valdez Oil Spill for the cumulative effects discussion in the DEIS is necessary if there is to be any reasonable claim that the cumulative impact that the Exxon Valdez Spill has been addressed.	This issue is not within the scope of review for the TAPS lease renewal process.

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00159005	we'll leave you with a bibliography, but in this bibliography there are six papers, for example, implicating the Exxon Valdez Oil Spill and long-term damage to sea otters and ducks. There are two papers listed that talk about the long-term effects of the Exxon Valdez Oil Spill on pink salmon. Two papers about oil persistence in Prince William Sound. Two papers, in general, why oil is bad for fish. And a single reference on why the Exxon Valdez and government sponsored studies of the same oil spill arrive at such different conclusions.	The Department of Natural Resources thanks you for your comment.
00159006	there's more than a hundred tons per year of hazardous air pollutants emitted at the Valdez Marine Terminal. More than a thousand tons per year of volatile organic compounds are emitted. And basically we have no real numbers on these things, so we want to know what the real numbers are.	The total estimated potential emissions of hazardous air pollutants (HAPs) from the Valdez Marine Terminal as 122.9 tons/year, which is approximately 5 times the threshold level of HAPs emission rate for a major source as defined by EPA (25 tons/year of any combination of HAPs). The total estimated potential emissions of volatile organic compounds (VOCs) from the Valdez Marine Terminal as 3,464 tons/year.
00159007	We want to know what the impact of the emissions are and even given the numbers in the DEIS, we exceed some of the EPA criteria.	EIS Sections 4.3.13, 4.5.2.13, and 4.6.2.13 present potential health impacts associated with the exposures to ambient concentrations of benzene, toluene, ethyl benzene, and xylene (BTEX) in Valdez area under the proposed action (at the crude oil throughput levels of 0.3, 1.1 and 2.1 million bbl/day) and other alternatives. These potential health impacts were estimated on the basis of conservatively high ambient concentration estimates of BTEX and other toxic air pollutants emitted from the BWTF and other sources at the Valdez Marine Terminal. As described in EIS Sections 4.3.13.2, 4.5.2.13 and 4.6.2.13, the increased lifetime cancer risk at Valdez residential locations and for all assumed future crude oil throughput would be essentially the same and below levels of concern established by the EPA.
00159008	The DEIS references old literature in this area which was controversial in its day and today might not be relevant because of changes in operations.	The Department of Natural Resources thanks you for your comment.
00159009	What is the cumulative impact of these?	The Department of Natural Resources thanks you for your comment. This comment is outside the scope of the State Lease Renewal. However, the following is the Federal response which is being included for your convenience. The cumulative impacts of air emissions from the Valdez Marine terminal are described in Section 4.7, Cumulative Impacts.
00159010	What is the future impact?	Potential future health impacts associated with the exposures to ambient concentrations of benzene, toluene, ethyl benzene, and xylene (BTEX) in Valdez area under the proposed action (at the crude oil throughput levels of 0.3, 1.1 and 2.1 million bbl/day) and other alternatives are presented in EIS Sections 4.3.13, 4.5.2.13, and 4.6.2.13.

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ID	Comment	StateResponse
00159011	There is some literature worth considering. We're going to actually leave copies of the papers with you plus we also have them on this CD- rom. The Valdez Marine Terminal Air Quality Oversight Project, Phase I by Environmental Solutions, May 2002. The Valdez Marine Terminal Air Quality Issues, which was done by Prince William Sound RCAC and Environmental Solutions. It's a powerpoint presentation that sums up the issues very quickly. And then comments on the proposed rule for National Emission Standards for hazardous air pollutants, organic liquid distribution. And we submitted that to the EPA on May 27th, 2002. We believe that these will cover a lot of the air quality issues and provide you some additional literature with which to research this.	We commend RCAC for its efforts to contribute to the enhancement of environmental quality in the Prince Williams Sound Region, and appreciate the information on the availability of the recent report, Valdez Marine Terminal Air Quality Oversight Project, Phase I, by Environmental Solutions (May 2002).
00159012	the BWTF is putting out 10 millions a gallon or more per day of treated ballast water. This hydrocarbon content of this water is two to eight parts per million and this is equivalent of one barrel or more of oil discharged into Prince William Sound. And we're getting conflicting analysis that this is the most hazardous stuff known to man and/or in some cases from Alyeska that this might be new kind of fish food. So there's a wide range of opinion on how harmful this stuff is. And so we think the Environmental Impact Statement ought to address 30 years of this type of discharge and what this type of discharge will do for us in the next 30 years.	The EIS correctly identifies that BWTF discharges are below current NPDES permit limits and that concentrations of total PAHs in sediments are below the sediment quality guidelines for marine sediments. The methods used by Feder and Shaw (2000) to detect total PAH concentrations in sediment were sufficiently sensitive to allow comparison to the sediment quality guidelines. This does not mean that there is not some accumulation of PAHs in sediments surrounding the BWTF diffuser near the VMT, just that those levels do not exceed the current sediment quality guidelines for protecting aquatic organisms. Instead of stating that BWTF effluent is unlikely to impair sediment quality, the EIS was revised to state that sediment concentrations of PAHs in sediments and water due to operations are not expected to change substantially as a result of the proposed action and to cite and discuss results of the recent monitoring efforts.
BWTF		
00159013	Recent research shows port-wide spread at low levels of hydrocarbons with the distinctive signature of Alaska North Slope crude, we want to know, you know, what the real numbers are because it's not being measured. We have submitted appropriate reports to EPA and DEC and they're actually considering as part of the NPDES permit and mixing zone permit renewal to include increased monitoring reports. They want to know what is in the fluid.	While we recognize that the PWS RCAC has recommended that NPDES permit levels for the BWTF be reduced, the EIS correctly identifies that BWTF discharges are below current NPDES permit limits and that concentrations of total PAHs in sediments are below the sediment quality guidelines for marine sediments. This does not mean that there is not some accumulation of PAHs in sediments surrounding the BWTF diffuser near the VMT, just that those levels do not exceed the current sediment quality guidelines for protecting aquatic organisms.

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00159014	we want to know what the impact of the discharge from the BWTF. And, you know, the actual impact now and we want to know what the future impact is. We believe that the DEIS should address this.	The EIS correctly identifies that BWTF discharges are below current NPDES permit limits and that concentrations of total PAHs in sediments are below the sediment quality guidelines for marine sediments. The methods used by Feder and Shaw (2000) to detect total PAH concentrations in sediment were sufficiently sensitive to allow comparison to the sediment quality guidelines. This does not mean that there is not some accumulation of PAHs in sediments surrounding the BWTF diffuser near the VMT, just that those levels do not exceed the current sediment quality guidelines for protecting aquatic organisms. Instead of stating that BWTF effluent is unlikely to impair sediment quality, the EIS was revised to state that sediment concentrations of PAHs in sediments and water due to BWTF operations are not expected to change substantially as a result of the proposed action and to cite and discuss results of the recent monitoring efforts.
00159015	Some literature worth considering. The Final Report, 2001 report of the Port Valdez Water Monitoring Contract which was done by Mike Salazar and others. And this is actually a very large report, has lots of raw data in it. These are the real measurements that we have made and it cites appropriate literature. And let me just talk about some of the folks that did this. This was prepared by Mike Salazar, Ph.D., Jeffrey Short, Ph.D., working for Auke Bay Laboratory, Jim Payne, Environmental Consultant Ph.D., so we're not talking about some stuff that was made up in, you know, our backyard down there in Valdez, you know, these are real measurements, real analysis.	The Department of Natural Resources Thanks you for your comment.
00159016	And we'll talk about the evaluation of mixing zone, NPDES permit and this is the report that we gave to DEC and the EPA regarding, you know, what additional things should be monitored, what can be done to improve your lessening the amount of hydrocarbons in the discharge.	While we recognize that the PWS RCAC has recommended that NPDES permit levels for the BWTF be reduced, the EIS correctly identifies that BWTF discharges are below current NPDES permit limits and that concentrations of total PAHs in sediments are below the sediment quality guidelines for marine sediments. This does not mean that there is not some accumulation of PAHs in sediments surrounding the BWTF diffuser near the VMT, just that those levels do not exceed the current sediment quality guidelines for protecting aquatic organisms.
00162001	watching it and its oversight be dismantled by budget cuts	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00162004	run through the Spill Commission's report again and realize that it can happen to you here tomorrow. We predicted that the next oil spill in Prince William Sound based on world-wide figures and you don't want to pay too much attention to this but August 14th is the anniversary date of the next catastrophic oil spill in Prince William Sound if the figures work out.	The Department of Natural Resources thanks you for your comment.
00164001	By what means, if any, have BLM or ADNR assure that an RCM procedure, i.e., either can or will mitigate prenitious effects of owner cost- cutting on TAPS?	The DNR is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is widely used in the airline and other industries as a tool for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks. Risk will always be presence, but RCM will help reduce that risk.
00164002	I would also like to know by what measures you determined that economics and the operational organization are beyond the scope and where the citizen is supposed to go at that point if they are beyond the scope?	It isn't clear what is meant by the comment that economics are beyond the scope. To the contrary, one of the three renewal requirements is that the Lessee be in commercial operation. Assuming the operational organization comment relates to divesting the TAPS owners of their operational responsibilities, the renewal process for the state grant of right-of-way for TAPS begins with certain rights and privileges for the applicant. DNR has no statutory
00164003	Appendix B, by the way, is a report I prepared and submitted specifically during scoping and I find no reference to it in the some 1,900 pages of State and Federal documents.	The Department of Natural Resources thanks you for your comment.
00164004	I would very much like to see the EIS deal with the questions that citizens brought to you on the condition of the pipeline in good faith during the scoping.	The Department of Natural Resources thanks you for your comment.
00164006	Please bear in my mind that one of my concerns on the pipeline is that Alyeska is chronically too slow to identify and mitigate problems of three kinds; operational, physical facilities and management problems.	The Department of Natural Resources thanks you for your comment. This is outside the scope of the renewal process. The JPO continues to work with Alyeska to identify and mitigate problems that may affect the pipeline.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00164007	When the problems at Squirrel Creek with the above ground pipe were identified, roughly 1990, they were probably identified soon after construction we believe it moved very soon after construction but nobody paid much attention until 1990, it was roughly a nine year hiatus between identification and repair. Objective measurement, I suggest nine years is too slow, subjective own opinion. Again, we are committed to proper maintenance in the future. The corrective action program at Squirrel Creek was initiated by JPO and ordered only after a risk assessment by Alyeska in July of 1999 determined the repairs were not necessary, then JPO came in. This does not give me confidence in the risk assessment program. I find nothing like it discussed.	What you point out is the authority of DNR and the JPO memeber agencies to ensure that the operation and maintenance is properly performed. Problems were first noted shortly after construction in the Squirrel Creek (Mile Post 717). The area has been monitored for movement since. Features found in this area include tilting supports, rotating bents, out-of-level crossbeams, uneven shoe/beam contacts, and significantly hanging shoes. Eighteen longer supports were installed in the summer of 2000. This area, as well as other locations having slope stability concerns has been addressed in several JPO reports.
00164008	let me go to the table of contents because you have to hunt and peck to find them, which is impacting factors and 4.3.1 -- 4.3.2, which is proposed alternative action, that's the only place it comes anywhere near being discussed adequately in the alternative, not in the repairs where you think you would find it, the routine and preventative maintenance in the impacting factors. And it's not clear to me why those aren't 500 pages earlier in -- it's just not clear why they're buried in the different places in the report and they are in the process,	The Department of Natural Resources thanks you for your comment.
00164009	seismic is segregated from slope stability and the point is that the two are very closely related, not adequately dealt with at all.	DNR has determined that Alyeska Pipeline Service Company is in compliance with lease stipulation 3.4 (Earthquake and Fault Displacements) and stipulation 3.5 (Slope Stability). Specific information is located in JPO Assessments ANC-02-E-00, Stipulation 3.4 -- Earthquakes and Fault Displacements and ANC-01-A-013, Stipulation 3.5 -- Slope
00174002	We're not an owner of TAPS but we do have production already from Alpine and like I said, we have a lot of acreage that we think is prospective. The other issue for us is Alaska's got to be competitive in its environment and it has the potential to provide a lot of energy for the United States and revenue, both to the Federal government and the state of Alaska, but the costs of developing have to be competitive world-wide, so we would encourage any costs that don't add value not be added to this particular project.	The Department of Natural Resources thanks you for your comment.
00174003	So just to summarize, I would say we have the interest, the acreage and the technology to find oil in Alaska. We are excited about the prospects but we have to make long-term investments and decisions about reauthorizing the pipeline Right of Way, will affect those.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00176002	The investments we are contemplating here today in oil and the potentially huge investment we're considering in gas are both predicated on the long-term availability of TAPS to move our liquids to market. Without certainty of our ability to sell the associated liquids, there can't be no gas project. Because of the importance of this transportation system, the industry has invested billions of dollars over the last 25 years in the maintenance and upkeep of the system and will continue to do so into the future. This is reflected in the JPO finding that the line is in good shape today. And with continued investment it will remain in good shape into the future.	The Department of Natural Resources thanks you for your comment.
00178001	The production from the North Slope fields and the creation of TAPS has had and continues to have positive impacts on all Alaskans. From Venetie to Wainwright, from Anchorage to Nome, residents from the entire state have benefited from TAPS. More important, to my people, Alaska Natives, from every region have benefited, both directly through Federal and State opportunities and directly through employment on the line or in the field.	The Department of Natural Resources thanks you for your comment.
00178004	I'd like to stress that this issue is not only a local or state issue, it is an issue of national security. As America's largest producing oil region, the North Slope provides the United States with roughly 20 percent of its domestic oil, roughly one million barrels per day. If the cost of doing business on the North Slope is unattractive, America will be forced to replace the oil traditionally extracted from the North Slope with imported oil. Many times that oil comes from unstable regions of the world where there is little or no environmental protection.	The Department of Natural Resources thanks you for your comment.
00182008	We do know that the 420 miles above ground pipe has major insulation problems. With the colder oil temperature, increased sludge and paraffin and slower movement of oil through the line, how are these insulation issues being	Any such operational issues are the subject of JPO's Comprehensive Monitoring Program (CMP) as well as the Reliability-Centered Maintenance Program. When assessment under either of these two JPO oversight programs identifies a potential problem, JPO may choose to issue findings or orders to Alyeska to develop and submit for JPO approval a corrective action plan and schedule for correcting the deficiency.
00182011	We do know the leak detection system on the pipeline cannot measure a loss between 4,000 barrels a day.	The Transient Volume Balance (TVB) system in use at the TAPS can detect leaks down to 100 barrels per hour within 20 hours, i.e., 2,000 barrels. A 1 gallon per minute underground leak should be detected and located within 3 months (which is

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00182014	We do know that Port Valdez has suffered badly from discharges into its waters the last 25 years. What will the impact of marine resources be the next 30 years.	The Department of Natural Resources thanks you for your comment. This issue is not within the scope of the TAPS Lease renewal process. However, we felt the federal response may be of interest to you and have attached it below for your convenience. The impacts to Port Valdez water and marine organism from an additional 30 years of TAPS operation are discussed in Section 4.3.8.
00182016	We do know that the terminal is emitting five times more hazardous air pollutants into the Valdez Basin than the law allows.	The total emissions of hazardous air pollutants (HAPs) from the Valdez Marine Terminal as 122.9 tons per year, which is approximately 5 times the threshold level of HAPs emission rate for a major source as defined by EPA (25 tons/year of any combination of HAPs). The 25 tons per year value is merely a threshold value used to define “major source of HAPs,” not the upper limit of the HAPs emissions that the law [Clean Air Act] allows.
00182017	We do know that we have hydrocarbons from the BWT outside the mixing	The BWTF discharges are below current NPDES permit limits and that concentrations of total PAHs in sediments are below the sediment quality guidelines for marine sediments. This does not mean that there is not some accumulation of PAHs in sediments surrounding the BWTF diffuser near the VMT, just that those levels do not exceed the current sediment quality guidelines for protecting aquatic organisms.
00182022	We do know that oil is more toxic than we originally thought. How does this affect Port Valdez and the BWT?	The operating record, including effluent monitoring conducted by Alyeska in accordance with its NPDES permit, shows that discharges from the BWTF have been within the limits established in the NPDES permit. The discharge limitations contained in the NPDES permit were established by the permitting authority (EPA) and were believed to be sufficiently protective of public health and the environment. Those limits are subject to change, based on all available evidence of impact. The NPDES permit renewal process provides a mechanism for EPA and state authorities to review available information to determine if changes to the effluent limitations are necessary to reduce impacts on the public health and the PWS marine ecosystem.
00182023	We do know that photosynthesis increases toxicity which we didn't know	The Department of Natural Resources thanks you for your comment.
00182024	We do know that Alyeska is drastically cutting their budget and reducing	The operation and maintenance of TAPS is under the scrutiny of the JPO. Alyeska must meet the stipulations of the grant and lease. Alyeska has some latitude in how this is accomplished organizationally.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00182025	Let me speak for a moment about the North Slope and accumulative impacts that the Draft EIS did not consider. We do know that there is no leak detection system, which is required by law, on BP's section of the North Slope. We do know that there are major spills on the North Slope and they are not always reported. We do know and, in fact, there was just one last week -- we do know that there are many leaking pipeline valves on the North Slope facilities and the rest of the pipeline. We do know that there are open pads on the North Slope which get encased in ice in the winter and crews cannot get to the frozen shut down valves. We do know that they cannot cleanup an oil spill on the North Slope on the tundra, on the ice or in the water.	The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and specifically references North Slope facilities. This comment does not fall within the scope of the State's review to renew the TAPS right-of-way-lease.
00183001	It is critically important to Alaska that a long-term reliable oil transportation system exist for continued development of North Slope resources.	The Department of Natural Resources thanks you for your comment.
00183003	I want to thank you for the opportunity to comment on my support for the Right of Way renewal of the TAPS line.	The Department of Natural Resources thanks you for your comment.
00184002	The web of faulty assumptions and inaccurate information invalidate the conclusions of both the DEIS and the State's Proposed Determination that TAPS is in compliance with all operational requirements and will continue to operate safely if the grant and lease are renewed without modification.	The Department of Natural Resources thanks you for your comment.
00184003	The key State and Federal renewal documents did not consider modifying the grant and lease terms. The key grant and lease renewal documents did not provide sufficient reason for refusal to consider significant citizen concerns raised during scoping. Again, I provide documented specifics on each of these in the written testimony. The subjects that are considered by key grand and lease documents appear to be selected arbitrarily and not by consistent and well	The DNR and member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide the JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.
00184005	The proposed decisions rely on regulatory agency conclusions that are either inadequately supported or are contradicted by the record.	The Department of Natural Resources thanks you for your comment.
00184006	And finally, and I will try to do this one to give the listeners the flavor in some detail, the interpretation of compliance with grant and lease terms is subject to question. Two areas here to deal with are the concept of substantial versus full compliance and specific agency and enforcement actions that call into question the undefined standard of substantial compliance.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00184007	First substantial compliance. JPO and the State pipeline coordinator defined their task regarding compliance as ensuring Alyeska obtain all permits, know all requirements and these are the big two I want to deal with, reasonably detect deficiencies related to these requirements and correct them in a timely manner. While this interpretation sounds reasonable it also appears to contradict the State's Right of Way Leasing Act which requires the lessee to be in full compliance with all state law, not to bring yourself into compliance at some	Regular monitoring is used to determine compliance and to take appropriate action.
00184008	Now, let us assume for the sake of argument, since nobody's perfect, even a pipeline with 99.99999 percent reliability. That was not a stutter by the way. Let's assume that full compliance with all state law can be interpreted to mean substantial compliance as described by JPO. JPO has not defined or set guidelines to determine what constitutes timely identification and abatement of non-compliance issues. Therefore, it's very difficult to answer questions such as these: How many years in a row of restart problems does it take for the TAPS owners to be non-complaint with grant and lease requirements for failure to prevent and abate a hazard? Section 22 of the State Lease and 24 of the Federal Grant. How many times can Alyeska fail to detect significant pipe movement that it caused through operational errors, by the way, for months on end before the monitors determine that the TAPS owners are violating grant and lease stipulations requiring safe operation and engineering practices?	The DNR and member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the DNR and member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00184009	In closing, I want to note that citizens in three prior hearings have noticed numerous factual mistakes in the DEIS, I'm sure you will learn of more as you move to the north to take later testimony this week. It is unfortunate that private citizens must waste their valuable time correcting simple factual errors made by the well-paid creators of the voluminous grant and lease documents that we were given 45 days to review. I feel that we're more in the role of fact-checkers than -- and unpaid fact-checkers than being given the right to review policy in a meaningful way.	The Department of Natural Resources thanks you for your comment..
00185001	The Alyeska Pipeline is the lifeline for continued delivery to U.S. and Alaska depends on the pipeline for the future of Alaska. You all know that we have a Permanent Fund and right now it's amount is around 22 billion in spite of the stock fall.	The Department of Natural Resources thanks you for your comment.
00185002	Over the past 25 years of actual pipeline operation, TAPS has greatly exceeded virtually everyone's expectations regarding reliability and health and safe and environment performance. I personally have been involved in many projects, many operations in both environments and I can assure you both the clients that I work for and the contractors that work for them behave in a very safe manner and we do the best we possibly can under the circumstances and sometimes that's not enough. The client is 100 percent for safety and environmental management. It's unbelievable to me that Alyeska is consistently 99 to 100 percent reliability over the 800 mile pipeline. Alyeska and the people of Alyeska and various regulatory bodies have always made health, safety and environmental issues their number 1 priority.	The Department of Natural Resources thanks you for your comment.
00187001	Let me begin by stating the obvious, that the Trans-Alaska Pipeline is fundamental to oil sales and liquid sales off the citizen's North Slope of Alaska which people have been alluding to all evening.	The Department of Natural Resources thanks you for your comment..

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00187002	Now, what benefits flow from that? Past and current benefits include those to the citizens of the North Slope Borough and the North Slope Borough government in the form of property taxes. Benefit to the citizens of Fairbanks, Anchorage and Valdez in terms of jobs and also property taxes. Benefits to the state of Alaska in royalty, corporate income taxes, severance jobs, et cetera. And as previous speakers have quoted a significant portion of the State budget is derived from these revenues. Benefits to the producers, obviously. Currently TAPS carries about one million barrels of production per day. Benefits to the citizens of the Lower 48, California included and other states. And also benefits to the Federal government in terms of reducing our trade deficit from imported oil.	The Department of Natural Resources thanks you for your comment..
00187003	Future benefits of TAPS are all of the above plus continued exploration in NPRA and ANWR. New developments like North Star and investment in mature fields and EOR projects and also viscus oil development. These future benefits are only derived if the 30 year term is continued. Thirty years is critical because of the cycle time for new developments on the North Slope. Indeed, previous speakers have talked about 30 years and beyond production life, possibly from Prudhoe Bay and given the long time between exploration appraisal, development and field life, a 30 year term is vital.	The Department of Natural Resources thanks you for your comment.
00187004	So in conclusion, I support the continuation and renewal of the TAPS Right of Way for 30 years under current terms and conditions.	The Department of Natural Resources thanks you for your comment.
00188003	When there was a question about durability or safety, the engineers always defaulted to the most conservative design parameters.	The Department of Natural Resources thanks you for your comment.
00188004	Second, Alyeska as operator of TAPS and the TAPS owners have maintained and upgraded the system regularly and prudently. The pipeline has been referred to as aging, implying that it is deteriorating. Quite the opposite is true. It has been cared for and enhanced over the years. In many respects it is in better shape today than when it first went into service. The what ifs of 25 years ago were well addressed in the original design and in the 25 years of operation, the challenges of operating in Alaska's environment have become well understood and	The Department of Natural Resources thanks you for your comment.
00188005	In addition, new technologies have been developed. New information has been applied and Alyeska continues to improve maintenance and operational approaches. For example, when it comes to the very important function of corrosion prevention and control, TAPS is considered a leader in the use of state of the art technology.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00188006	Another part of the answer to the question regarding TAPS condition rests with its role in Alaska's oil industry. Quite simply, a sound TAPS is central to the continuation of the oil business in Alaska. To suggest that the owners of the line would allow it to deteriorate or become unreliable through inadequate maintenance makes no sense. The system must remain in good operating condition because the industry depends on it. And that dependability is proven. TAPS has operated over 25 years with a reliability factor as you've all heard tonight, in excess of 99 percent. Additionally, in the last 15 years alone, the TAPS owners have invested over $9 billion in operations, maintenance and upgrades, that's more than the original cost of construction.	The Department of Natural Resources thanks you for your comment.
00188007	Along with safe and environmentally sound operations, one of the primary commitments is to Alaska's Native community. The success Alyeska has demonstrated in development of its programs to train, hire and retain Native Alaskans is a model for all businesses in Alaska. In addition, Alyeska contracts with Native-owned businesses. Last year those contracts represented over $170 million worth of work. The TAPS owners and Alyeska remain committed to these programs.	The Department of Natural Resources thanks you for your comment.
00188008	Public accountability is also central to the mission of the staff and agencies of the Joint Pipeline Office. The technical and regulatory expertise collected in this office represents a unique approach to oversight of a private industry. The JPO's review and examination of all facets of TAPS operation is thorough and transparent and the public has access to their reports, to their data and to their staff and management. TAPS operations are now and will continue to be conducted with an unparalleled level of public oversight and the JPO concept is the effective and responsible way to achieve that oversight.	The Department of Natural Resources thanks you for your comment.
00194002	Now, I will get into my written statement. Section 3.25.1.2 inaccurately portrays evens related to the passage of the Alaska Native Claims Settlement Act. It does not accurately reflect that there were many Alaska Natives left out of the process of the passage of ANCSA or the fact that the sovereignty of Indian tribes in inherent. IT did not emerge as the Draft EIS repeatedly states, with the passage of	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00194003	The Draft EIS incorrectly states that with the onset of statehood, land claims became an area of dispute and Alaska Natives began to organize themselves. (Section 3.25.1.2, Page 3.25-15) Tribes had long before filed land claims that had never been addressed or resolved by the Federal government. Neither statehood nor pipeline construction was the original impetus for land claims. Aboriginal rights to land were at the issue long before Alaska was a state. Further, tribes have had extremely complex, organized social structure and complex political systems since time immemorial. The Europeans and the Americans did not introduce nor invent politics.	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.
00194004	The Draft EIS implies that the village and regional corporations disperse large amounts of cash and land to individuals (Page 3.25-16). This is simply not	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.
00194005	The Draft EIS states as sociocultural systems initially consisted of semi-nomadic egalitarian bands with little formal organized leadership structure and limited relationships to others outside extended kin units and that the settlement into permanent villages required the emergency of a leadership structure (Page 3.25-16). It has long been established that complex leadership structures existed amount tribes and they were not semi-nomadic but instead established traditional and customary use areas better characterized as seasonal occupation.	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.
00194007	We disagree with the statement that Alaska Native peoples today live in sedentary settlements and maintain vestiges of their traditional sociocultural system (Page 3.25-16). To characterize the wealth of cultural values, resources, heritage, traditional and customary use areas, homelands, subsistence harvest techniques, Alaska Native languages, art, handicrafts and oral history passed down from generation to generation that is alive and well and has persisted despite attempts to eliminate it as a vestige is an absolute insult to tribes and aboriginal peoples across the world.	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.
00194008	The Draft EIS incorrectly states that those living in villages formally elect a village governing body and are associated with both a village and a regional corporation (Page 3.25-16) Federally- recognized tribes are governed by elected tribal councils. Those tribes may be in the middle of a municipality or borough, they are not confined to villages. Further, Federally-recognized tribes are not associated with state-chartered corporations. In most cases board members of the corporations are separate and apart from tribal council members and tribal members may or may not be shareholders and vice versa.	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00194009	The preparers of this Draft EIS obviously have little to no knowledge of tribes in Alaska, their history, pre-history and present day status.	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.
00194010	Section 3.25.1.3 focuses on social problems that befall not only Alaska Natives, but also the world at large. The Draft EIS does not mention the multitude of programs and services that tribes provide, the progress that they have made and the fact that they are leaders in research, health and social services. It, instead, lists substance abuse and suicide as prevalent and does little to place this in context with the larger population or even to compare rates with Lower 48 tribes. Citing rates of suicide and alcoholism among Alaska Natives means little when it is not done in an appropriate comparative manner. This section serves to belittle Alaska Natives and to suggest that limited financial resources are at the core of these problems and that money would solve these problems. This comes on the heels of extolling the virtues of Alaska Native Corporations and all the economic benefit they have brought. To state Alaska Natives experience high levels of violence, substance abuse and behavior leading to personal and social destruction (Section 3.25.1.3, Page 3.25-16) is misleading. These are social ills that plague society as a whole and not solely Alaska Natives. Moreover, it is not quantified with appropriate comparative statistical analyses as stated above. This section also relies too heavily on one source for the conclusions it draws.	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.
00194011	An Overview of Modern Alaska Native Sociocultural Concerns and Benefits should include, instead, the true concerns that were expressed again and again by tribes and individual Alaska Natives, subsistence has been affected and will continue to be affected by TAPS and mitigation with tribal involvement must be implemented to deal with it effectively. If this section is an attempt to convey the present day status of tribes in Alaska, it has failed miserably.	The comment addresses the DEIS and is not within the scope of review for the TAPS lease renewal process.
00197001	I had suggested the use of the unmanned aerial reconnaissance for a more timely and consistent surveillance of the pipeline for spills for security and so forth.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00197007	I've talked to reviewers of spill technology around the world and, in particularly, at MMS, just recently I was speaking to the manager of the Omset facility (ph) for MMS who was saying that the ACS equipment on the North Slope to work in ice-bearing waters was a joke. A little grill that's placed in front of a brush skimmer has absolutely no capability to get oil to the brush skimmer. It would stop the oil before it ever got to the collection point.	It is unclear from the comment which specific piece of equipment that is being referred to. A listing of the various recovery equipment and their capabilities are available at the Clean Seas web site (http://www.asgdc.state.ak.us/maps/cplans/ns/cleanseas/tactics.html). A specific tactic for use in broken ice (<70%) is the deployment of a J-boom with two workboats (http://www.asgdc.state.ak.us/maps/cplans/ns/cleanseas/vol1_tactics/f_recovery/RECOVERY_10-19/R19A.pdf). This tactic does not appear to be the comment's view of a brush skimmer with a grill in front. The Joint Pipeline Office (JPO) oil-spill-planning and prevention program is a large-scale, multi-agency endeavor. Each of five participating agencies (Alaska Department of Environmental Conservation (ADEC), Environmental Protection Agency EPA), Bureau of Land Management (BLM), Alaska Department of Natural Resources (ADNR), and the Office of Pipeline Safety (OPS)) has a particular focus; however, their individual objectives are considered collectively in the JPO TAPS oil spill response and planning group. This inter-agency group meets monthly and maintains a continuous monitoring program on TAPS oil-spill-planning and related issues. The emphasis of the five agencies is the prevention of spills. Spill prevention is accomplished through a combination of: 1) oversight of spill contingency planning (including 64 exercises conducted on TAPS annually) and, 2) through JPO's comprehensive TAPS operations oversight, monitor issues which could contribute to a spill in the future. In the event of a spill, however, JPO has a number of highly trained individuals who are fully prepared to respond quickly and effectively. River crossings are important elements of the strategy for prevention and response to oil spills. The TAPS Pipeline Oil Discharge Prevention and Contingency Plan (APSC 2001g) provides for significant resources, including equipment, trained personnel, and effective organization, to respond if oil does spill from the pipeline. The owner companies address spills resulting from exploration and production facilities on the North Slope. The oil exploration and production activities are not part of renewal.
00197009	And there is a clear mandate to the authorized officer to make an assessment of technology, not only in Paragraph 3 on Page 1 of the Right of Way grant, but also in Section 9, Section 24, Section 30, grant stipulations, 1.3.2, 2.2.1.1, et cetera, et cetera. It's all in the notice of appeal listed for your consideration as adopted and incorporated.	The JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00200003	Alyeska lied about the contingency plan and they were not capable of doing anything to clean up the Exxon Valdez, you know.	Since the Exxon Valdez Oil Spill in 1989, and the enactment of the Oil Pollution Act in 1990, significant improvements have been made in the procedures, staffing, and the equipment needed to prevent and respond to potential oil spills from tankers in the Prince William Sound. Among the improvements made were the following: (1) Alyeska's Ship Escort/Response Vessel System was established in July 1989 to help tankers navigate through the PWS and to respond to potential oil spills, (2) New procedures were established and regulations put in place by the United States Coast Guard to better control the tanker traffic in the PWS, (3) PWS Regional Citizens' Advisory Council was created to help plan for and oversee the oil spill prevention and response operations, (4) The amount of equipment and personnel available for oil spill prevention and response was increased, (5) more stringent training and personnel monitoring programs were established, (6) Government oversight was increased, and (7) the spill prevention and response budget was increased dramatically. The currently available oil spill response capabilities and plans for the PWS are provided in detail in the Prince William Sound Oil Discharge Prevention and Response Plan (Prince William Sound Tanker Plan Holders 1999).
00200004	I see you as having an opportunity to make amendments to make improvements, not just rubber-stamp this pipeline renewal, but to say, you know, we think we -- you know, oil is good, let's let the oil flow but we need to make improvements, we need to make a lot of improvements.	The Department of Natural Resources thanks you for your comment.
00203001	I'm here today to voice Phillips' support for the 30 year Right of Way renewal for the Trans-Alaska Pipeline system. Phillips is not only a 26.7 percent interest owner of TAPS, but is also one of the original six companies that joined together in 1969 to take on one of the most challenging engineering feats ever undertaken, that is the design and construction of TAPS.	The Department of Natural Resources thanks you for your comment.
00203002	Clearly TAPS is an economic engine that provides tax revenues for the State and the communities along the pipeline corridor. In 2001, six communities in the state of Alaska received more than $60 million from pipeline property taxes alone. The State and communities also received an additional $2.2 billion from corporate income taxes, production taxes, royalty and other property taxes paid by the oil and gas industry.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00203003	It's clear that the original engineers designed TAPS for the long haul and with environmental protection in mind. The pipeline was uniquely designed for Alaska's harsh environment at an initial cost of 8.5 billion. This investment has paid off. TAPS has operated safely for 25 years and this level of continued safe operations could not have been achieved without Alyeska's proactive maintenance programs which provide for continued investment in new and advanced technologies. With this continued investment, TAPS will operate safely for another 30 years.	The Department of Natural Resources thanks you for your comment.
00203005	Extending the pipeline Right of Way for less than 30 years will add uncertainty to oil and gas development and investment in Alaska and will make Alaska a less attractive place to explore. A reduced extension will add unnecessary costs, is unnecessary and unjustified.	The Department of Natural Resources thanks you for your comment.
00203006	I urge you to renew the Trans-Alaska Pipeline system Right of Way for a term of 30 years, not only for the economic future of my company but for the future of Alaska and generations yet to come.	The Department of Natural Resources thanks you for your comment.
00204001	Basically we want the DEIS to be right and without errors because it's likely to become the last word in publicly available information on TAPS.	The Department of Natural Resources thanks you for your comment.
00204003	We now want to address some other issues that we haven't looked at before. The DEIS places considerable reliance upon data provided by Alyeska and the owners. I n citations of TAPS owners 2001A. This is a draft environmental report provided by the owners and in citations of personal communications. Considerable amounts of data are taken from cited literature. Data from recent measurements appear to be used less frequently. Very little validation of the data provided by the owners can be found in the DEIS. One interesting aspect of TAPS owners 2001A is that it claims to be a draft. It is unreasonable that the DEIS should place so much use of a draft report, i.e., a report for which the authors will not take responsibility and then fail to include published works by experts. The TAPS owners 2001A should not be used in the DEIS unless the authors sign off on it.	As part of the application for renewal process, the applicant provides the DNR with a description of how TAPS would be operated together with its environmental report. Those materials then become a component of the analysis conducted by DNR. DNR, through the JPO, conducted an independent analysis of Alyeska compliance with state laws and lease requirements.

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00204004	Equivalence of regulatory compliance and environmental impact. Regulatory compliance has been cited in the DEIS as an indication of lack of environmental impact. These two concepts are not equivalent. It is important to know the environmental impact associated with an operation regardless of whether it's in compliance with existing rules and regulations. In fact, new rules and regulations originate from situations wherein adverse environmental impact is being caused by a process that is in full compliance with existing rules and regulations. The DEIS should acknowledge the difference between regulatory compliance and environmental impact and should not cite regulatory compliance as evidence of benign environmental impact, especially when evidence to the contrary exists.	Complicance with stipulations is intended to minimize and mitigate environmerntal impacts, but it cannot eliminate them entirely.
00204005	Normal operations and off normal operations. A considerable portion of the Draft Environmental Impact Statement assumed that TAPS operates normally in accord with its design basis assumptions. The operational difficulties now occurring in the gravity separation processes at the Balast Water Treatment Facility indicate that this facility has not been operated in full accord with its design for the previous two years. Maintenance of fire protection assets has been deferred to the extent that the probability that some assets will work according to design is questionable. Off-normal operations needs consideration in the DEIS.	The issue of increased fire and pollutant discharge risk due to waxy build-up and subsequent greater accumulation of crude oil in the 90s tanks has been the subject of JPO's oversight. As the commenter noted, JPO has specifically asked APSC to develop an action plan to address the management problems resulting from waxy build-up. Also, it is important to note that the 90s tanks are still within their design capacity and there is no evidence that the current condition within the 90s tanks has resulted directly in adverse environmental impact (i.e., exceeding permit discharge levels).
00204006	A fairly egregious example can be cited. During July 2002, RCAC became aware of an ongoing problem in the operation of the Balast Water Treatment Facility. The first stage of the treatment process is designed such that oil floats to the top of the water in gravity separation tanks and is skimmed to the recovered crude tanks. In recent years, large accumulations of paraffin-like solids have interfered with operation of the skimmers and have resulted in considerably greater accumulation of oil being retained in these tanks than what was allowed by the design. Increased risks of fire and pollutant discharge are being evaluated by Alyeska. JPO has recently requested an action plan for correcting the problem.	The comment identifies both the problem and the appropriate response action. Alyeska is responsible for operating TAPS in accordance with its approved design basis and in a safe manner that is fully protective of the environment. Under the lease stipulations, Alyeska is responsible for addressing any off-normal condition to prevent it from causing adverse impact to public health or the environment. As the comment relates, JPO is aware of the situation and has directed Alyeska to develop and submit a corrective action plan.

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00204007	Additionally, Alyeska has taken one of the three tanks out of service to inspect for, repair and to prevent corrosion damage. Consequently, the gravity separation process is operating at less than 50 percent of design capacity. The risk of environmental impact from fire is greatly increased because the fire protection assets in place to extinguish fires in these tanks has not been designed for the greatly increased fuel loading now present. Because more oil is likely entering the secondary stage of processing, the risk of increased pollutant discharge may also have increased. However, measurements regarding this risk appear not to have been taken. How does the DEIS address issues of off-normal operation?	The issue of increased fire and pollutant discharge risk due to waxy build-up and subsequent greater accumulation of crude oil in the 90s tanks has been the subject of JPO's oversight. As the commenter noted, JPO has specifically asked APSC to develop and action plan to address the management problems resulting from waxy build-up. Also, it is important to note that there is no evidence that the current condition within the 90s tanks has resulted directly in adverse environmental impact (i.e., exceeding permit
00204009	Consider the problems cited regarding the gravity separation process of the Balast Water Treatment Facility. Several issues indicate that the RCM analysis did not achieve the desired results. The problem has been ongoing for at least two years. An RCM analysis appears to exist for this process. The draft report, for reasons unknown, was not available when RCAC examined the other reports. And the action plan resulting from the RCM for the gravity separation process appears not to have been implemented. the public so we cannot verify the maintenance of TAPS.	The JPO is aware of this condition and has asked Alyeska to develop and submit a corrective action plan. The issue is the impact to public safety and the environment resulting from this condition. The reports submitted by APSC to EPA and ADEC under the NPDES permit show that the discharge limitations have not been exceeded over the time period that this condition has existed. Additionally, you know, the RCM documents are not available in general to With the exception of specific RCM analyses that contain information related to pipeline security, all TAPS related RCM information in the JPO is available to the public upon request.
00209001	As a North Slope producer, we want to emphasize the importance of a long-term, low cost reliable oil transportation system for continued development of Alaska's North Slope resources. Renewal of the TAPS Right of Way will support continued North Slope development, thus creating jobs, providing a continued market for local goods and services and generating additional government revenues through taxes and royalties. We view this as a long-term win for those who live and work in Alaska.	The Department of Natural Resources thanks you for your comment.
00209002	As such, Exxon Mobile supports the reauthorization a 30 year TAPS Right of Way renewal to provide greater certainty of liquid transportation costs over the expected life of the project.	The Department of Natural Resources thanks you for your comment.
00209003	A TAPS Right of Way renewal term of less than 30 years would introduce an additional commercial risk that would need to be factored into the final funding decision for Point Thompson.	The Department of Natural Resources thanks you for your comment.

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00209004	In addition, the continued development existing North Slope resources, such as Prudhoe Bay and nearby Satellite fields is dependent on a low cost transportation system and stable physical terms. Prudhoe owners spend hundreds of millions of dollars every year in incremental development projects to recover oil over 10, 20 and 30 year time spans. For resources to continue to be attractive, the transportation costs from the oil field to refinery must be kept certain and kept to a reasonable minimum over the long term.	The Department of Natural Resources thanks you for your comment.
00209005	Over the past 25 years Alyeska has demonstrated the ability to operate and maintain the pipeline in a safe and environmental acceptable manner with a high reliability. Exxon Mobile is confident Alyeska remains committed to continue this exemplary performance which is necessary to maintain economic returns on North Slope investments.	The Department of Natural Resources thanks you for your comment.
00209006	The State and people of Alaska will benefit the most from maximum oil and gas production from existing fields as well as development of new North Slope resources like Point Thompson. The 30 year Right of Way renewal provides	The Department of Natural Resources thanks you for your comment.
00212004	No one, to my knowledge, has submitted shutting the pipeline down. Most suggestions have been made with an eye to increase security and safety.	The Department of Natural Resources thanks you for your comment.
00212006	I have considerable concern how Argonne with its nuclear plant design and operations expertise could dismiss the human factors in pipeline operations, especially a pipeline that's been experiencing considerable turnover of its in-house expertise.	Alyeska has the latitude to organize as it needs as a business as long as the stipualtions and other applicable regulations and laws are met. The State and JPO have the authority to ensure that operations and maintenance is done in an acceptable manner.
00212007	He characterized the pipeline structure organization is one which 1) the individuals involved share a common goal of efficiency, 2) they share a goal of avoiding operational failures altogether, 3) they perform complex demanding tasks under considerable time pressure and 4) they do this with very low failure rates and almost total absence of catastrophic failure.	The Department of Natural Resources thanks you for your comment.

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00212008	He went on to suggest there are at least two strategies for such organizations to prepare for the failure event. First, there must be assessments by the organization for an all-eyes on failure mode. In other words, everyone involved must be empowered to watch and comment without fear of punishment. Secondly, the use of contingency plans should be with repeated response exercise. A contingency plan that is taken seriously. One that asks the question, what about this before you ever have the problem. The question about what you would do to contain the problem with minimum damage. This organization has not thought about that sufficiently. And we all have some degree of angst that it won't be handled adequately.	The agencies within JPO acknowledge that there are legitimate issues related to the current employee concerns program (ECP). The JPO will undertake actions to improve the ECP. The JPO will undertake a confidential survey that will seek input from all TAPS employees. The survey will be constructed to determine areas that need improvement, areas that are currently effective and new programs that can be implemented to improve the ability of TAPS employees to communicate concerns to JPO. The JPO also notes that a hotline (number here) currently exists for TAPS employees to confidentially report issues and concerns. The U.S. Department of Labor and the U.S. Department of Transportationwill be invited to effectively carry out their current authorities to address employee environmental, safety, and integrity concerns as partners with the JPO community. The JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.

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ID	Comment	StateResponse
00212009	This organization is characterized as high hazard and low risk and this is the basic fault of the Argonne report. It is only portraying low risk side of a pipeline structure with no real effort to apply criteria in the event of a major calamity. Pipelines are inherently extremely reliable and low risk, but it isn't the technologies and the design that makes them that way, it is the human beings operating them that makes them that way. Thus there's a requirement for a series of watching groups. Sometimes they are formal regulators such as DEC or the	Agencies that operate within the framework of the Joint Pipeline Office (JPO) derive their oversight responsibilities from specific statutes and regulations. These authorities form a legally binding regulatory responsibility on the agency. Citizen participation and citizen input has and will continue to be a fundamental component of the government's responsibility to ensure safe and environmentally-protective TAPS operations. Many laws and regulations that direct specific TAPS oversight and compliance issues include mandated public review and comment, such as, oil spill response planning, (others, permits, subsistence hearings). Public review and comment ensure full and open disclosure of the decision-making process. The JPO has an Executive Council, composed of the agency heads of JPO's constituent offices. This group meets periodically to review important JPO issues and provide policy-level guidance. These meetings are open to the public and opportunity for public comment is provided for in the agenda. In addition, the BLM-Alaska has a legally authorized Regional Advisory Council (RAC), which DNR has a non-voting seat, that meets regularly to discuss land management issues in Alaska. The RAC is composed of a diverse cross-section of citizens who provide advice to BLM-Alaska and who work together in a collaborative setting.

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ID	Comment	StateResponse
00212010	The danger evident today I see is the same danger we observed in retrospect while examining the Exxon Valdez incident. That, of the watching groups becoming benign and toothless either through political pressure such as tolerance or just plain reluctance to pursue their duties with diligence.	TAPS operates under a series of oversight groups. The State has statutory authority to provide regulatory oversight for all TAPS operations and maintenance. Agencies that operate within the framework of the Joint Pipeline Office (JPO) also derive their oversight responsibilities from specific statutes and regulations. These authorities form a legally binding regulatory responsibility on the agency. The member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment. Citizen participation and citizen input has and will continue to be a fundamental component of the government's responsibility to ensure safe and environmentally-protective TAPS operations. Many laws and regulations that direct specific TAPS oversight and compliance issues include mandated public review and comment, such as, oil spill response planning, (others, permits, subsistence hearings). Public review and comment ensure full and open disclosure of the decision-making process. The JPO has an Executive Council, composed of the agency heads of JPO's constituent offices. This group meets periodically to review important JPO issues and provide policy-level guidance. These meetings are open to the public and opportunity for public comment is provided for in the agenda. In addition, the BLM-Alaska has a legally authorized Regional Advisory Council (RAC), with the state having a non-voting seat, that meets regularly to discuss land management issues in Alaska. The RAC is composed of a diverse cross-section of citizens who provide advice to BLM-Alaska and who work together in a collaborative setting.
00213003	Why was it that only one person shot the Trans- Alaska Pipeline in all these years? It wasn't planning or security, it was dumb luck. It was amazing dumb luck. And as the years go on and whatever endeavor actuarial tables will tell you that it is more likely that more people will shoot the pipeline, that it is more likely there will be an earthquake, that it is more likely there will be disastrous	The possibility of intentional acts of sabotage against TAPS was considered in the analysis. Security along TAPS has been increased as a result of the events of September 11, 2001. These security measures are confidential, but have been reviwed and concurred with by government oversight agencies.

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ID	Comment	StateResponse
00213005	Will there be an earthquake? Most likely. Actuarialy, yes, because there wasn't one in the last 30 years	The potential impact of earthquakes has been recognized and considered in the design of the pipeline. In addition, the stability and integrity the pipeline are critical to the pipeline's operation. They are the focus of extensive monitoring and surveillance. JPO oversight ensures that VSM stability is maintained. The return period of a major earthquake used in the TAPS design for the southern part of Alaska was 500 – 1,000 years, and the estimate of the return period used by the US Geological Survey in the seismic hazard evaluations was 500 – 2,500 years. In both situations, earthquake triggered landslides are considered as credible and may cause an unlikely spill because of their low probability. The impact of such events are described in Section 4.4 (Spills Analysis for Proposed Action.)
00220001	Pipeline assessed value for the Fairbanks North Star Borough for the year 2001 was $277 million. This translates to six cents per every $1 of revenue brought into the Fairbanks North Star Borough through property taxes. Each year this formula is litigated or negotiated. It is my opinion that the lease term directly affects this methodology and the longer the term of the lease, the higher the value of the asset, which translates consequently into higher revenue directly to the borough coffers.	The Department of Natural Resources thanks you for your comment.
00220002	Most aging assets require a more pro- active and aggressive maintenance schedule. If that asset, our pipeline has been well maintained then the responsibility of continued upkeep at the same level requires less huge expenditures and modifications but a continued consistent commitment to maintenance. Oversight above and beyond what is already in place is expensive. Why should we increase the number or the quantity of overseers and regulators. Why not make the existing commissions, committees, regulatory agencies accountable to a higher standard, eliminate the political oversight and rely on the professional and skilled regulators and accountability will automatically increase. Governor's Knowles motto for our state is we are open for business. Private corporations expect accountability and know that self-regulation translates into consistency and longevity and that translates into profits which benefits the entire state and every citizen in it. The Trans-Alaska Pipeline and the products it carries has served the state and its residents superbly. Our quality of life, our economy, our future and our future security is directly relative to our oil industry prior years and presently at this time.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00220003	While industries such as seafood, tourism, air cargo and service continue to provide alternative sources of growth and revenue, a short renewal period would send the message of a risky business investment climate and be translated as such by potential investors, especially oil and gas investors. Now is the time for us to send a different message. We want gas development in our state and now that would result in diversification, value added production, jobs, managed growth and quality of life for our children and our grandchildren. Let us think as one state with one mind. Let's renew this lease for 30 years. Let's let the owners of this asset know we want them here and let's immediately improve our leverage position by encouraging additional resource development and business investment in our state. That produces diversification and that translates into a diversified revenue source. Alyeska has fulfilled all the terms of the existing lease requirements. They're in full compliance with all state laws and have met all of their financial obligations in a timely and ethical manner. And those obligations were to us, the citizens of the state, they are a good corporate citizen. Let's renew their Right of Way for at least 30 years and begin our bright future right here in the state of Alaska.	The Department of Natural Resources thanks you for your comment.
00221001	Again, Alyeska has been a very good corporate citizen for the last 30 years. They have maintained a high standard of excellence in operating what I, would think would be even the eighth wonder of the world, the Trans-Alaska Pipeline that traverses such difficult and diverse terrain and climate and geography.	The Department of Natural Resources thanks you for your comment.
00221002	As a result of that pipeline structure, the state of Alaska and all of its residents and citizens have benefited significantly and our quality of life is at such a standard that we never would have anticipated without this pipeline being in our	The Department of Natural Resources thanks you for your comment.
00221004	The other issue that I would like to speak to is that I think that the last 30 years that Alyeska has demonstrated a responsiveness to the public as far as concerns expressed about its operations, its safety and that additional oversight is not necessary at this time.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00221005	I do believe, though, that with the age of the pipeline, additional funding for maintenance is essential and as corporations try to streamline operations, this is one of the things that should be emphasized is that adequate and increased maintenance funds should be allocated for the operation of, the safe operation of the pipeline through our communities.	The state right-of-way lease provides the state with all the authority it needs to oversee operation of the TAPS and to impose strict and enforceable requirements upon Alyeska to comply with necessary operational procedures. TAPS ownership is defined as joint and several and thus if one or more owner company cannot meet its financial obligations, the other companies are liable. The JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. TheJPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.
00222001	Over the last 30 years, Alyeska, through TAPS has been a very responsible steward of the environment. They've created opportunities for local businesses and it's been very encouraging that they have spent more dollars on maintenance and repairs than it cost to build the original pipeline.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00222002	Whereas, the Trans-Alaska Pipeline system transports approximately one million barrels of oil each day from the North Slope to Valdez, constituting some 17 percent of the United States crude oil production; and Whereas, our nation needs to continue and increase the flow of Alaskan crude oil and without TAPS our nation would be more vulnerable to less reliable sources of energy; and Whereas the six TAPS owners companies have operated the system responsibly since startup, and have demonstrated their commitment to safe and prudent future operations; and Whereas, the current TAPS Right of Way expires in 2004 and the owner companies have applied to renew the Right of Way for an additional 30 years until 2034; Now therefore be it resolved, that the Mayor and the City Council of the city of Fairbanks, Alaska, by this resolutions support this renewal of the TAPS Right of Way for another 30 years without burdensome conditions.	The Department of Natural Resources thanks you for your comment.
00224001	I'm pleased to be in Fairbanks today to voice Phillips support for the Right of Way renewal for the Trans-Alaska Pipeline system.	The Department of Natural Resources thanks you for your comment.
00224002	The industry pioneers of our state may not have known the full extent of how TAPS would impact Alaska and its future generations. TAPS has provided the transportation infrastructure by which billions of dollars continue to be invested in Alaska. These dollars benefit everyone who lives in Alaska through State and local taxes, better jobs, better schools for our children and the Permanent Fund Dividend. TAPS is an economic engine that provides tax revenues for the state and communities along the pipeline corridor. In 2001, the six communities and the state of Alaska received more than $60 million from pipeline property taxes. The state and communities also received an additional $2.2 billion from corporate income taxes, production taxes, royalties and other taxes paid by the oil industry. Fairbanks benefits directly from the oil industry with the 4.4 million share of taxes and through employment and contracts with the industry. Phillips, alone, spent more than $107 million with Fairbanks contractors last year.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00224003	It's clear that the original engineers designed TAPS for the long haul and with environmental protection in mind. The pipeline was uniquely designed for Alaska's harsh environment at an initial cost of $8.5 billion. This investment has paid off. TAPS has operated safely for 25 years. This level of sustainable reliability could not have been achieved without Alyeska's stringent operating standards and proactive maintenance programs which provide for continued investment and new advanced technologies. With continued investments, TAPS will operate safely for another 30 years.	The Department of Natural Resources thanks you for your comment.
00224005	According to the Alaska Department of Revenue in 2002 the average cost for shipping crude on a tanker is $1.69 a barrel. In addition, the Federal Energy Regulatory Commission reports that TAPS tariffs cost is $3.50 a barrel to ship crude through the 800 mile pipeline to Valdez. These costs, which are in addition to normal exploration, development and production expenses make the economies of Alaska's projects very challenging.	The Department of Natural Resources thanks you for your comment.
00226002	The issues with regard to Alyeska are significant in that Alyeska is probably the most oversighted pipeline in the United States and possibly the world. And to give you an idea of the importance of DOI, from the Federal government, Department of Interior, and the Office of Pipeline Safety, they have two of their 10 staff assigned here in Alaska. The stipulations that go with the Federal grant and the State lease, in part, identify the maintenance of a high level of technology, state of the art work. And Alyeska, in my opinion, has been doing that over the years and part of that is to allow forward thinking in regard to remote site concepts and testing to ensure that future work is being carried out properly. The design and construction and operation of the pipel	The Department of Natural Resources thanks you for your comment.
00226003	Most of the errors that we see today are caused by human error, it's not be design. And as a result the specific issues would have just been addressed, by the previous speaker, were in one place. And the remaining parts of the pipeline under maintenance situations and so on are taken care of on a regular basis.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00226004	The issues with regard to the latest RCM,or reliability centered management, was a concept that was found by JPO and adopted by APC later on, Alaska Pipeline. It's a brilliant program and it's an additional tool in the arsenal that Alyeska has to check out problems to do forward thinking and prepare.	The Department of Natural Resources thanks you for your comment.
00226005	The third parties that are involved throughout the state are an important part of the program of Alaska, however, when it comes to their actual demands and so on, it's my opinion that there is no accountability, there's no responsibility and there's no authority. And as a result, a constant stream of acquisitions and so no have been made with regard to the JPO that were unfounded. And there have been investigations by GAO several times and has found the JPO not wanting.	The Department of Natural Resources thanks you for your comment.
00229001	And while I think that is important to recognize many of those man hours, not only were they performing electrical work, they're also interested in the pipeline itself in maintaining a functioning, safe environmentally correct and sound facility and that also is their goal as craftsmen. It was spoke earlier of oversight and what the pipeline needs. The pipeline is one of the most regulated areas that our members work in the state and at times, it is a throttling effect on a craftsman but they realize it's needed. As a matter of fact, they play a role in that regulation themselves and with the ability that's been used in the past and will continue to be used with the employee concerns program that's in effect on the Trans-Alaska Pipeline. What that means is that there is not only regulators such as here in the room but there is citizen oversight on the pipeline, Alaskans who live here in Fairbanks and other communities in Alaska that perform oversight on a daily and an hourly basis while they're doing their job and have the availability to report directly to Alyeska, directly to State agencies and they perform that job very well.	The Department of Natural Resources thanks you for your comment.
00229002	The IBEW supports a 30 year renewal lease.	The Department of Natural Resources thanks you for your comment.
00229003	we wish to comment again about the ability of our members and other workers on the Trans-Alaska Pipeline to continue to oversee the pipeline along with the regulators who are in place and we do not think it is necessary but rather redundant to throw more regulation on top of what is already there. We feel with more regulation in place it will stifle the maintenance. It will stifle the environmental oversight that's already taken place because Alyeska is putting that money into those areas already and it would affect that substantially with another oversight committee.	The Department of Natural Resources thanks you for your comment.

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ID	Comment	StateResponse
00230001	The oversight and maintenance of the TAPS is unparallel. TAPS overall performance reliability rate is in excess of 99 percent since startup. Alyeska corrosion control programs, valve maintenance programs, spill response plans are leaders, really leaders in the industry. We have successfully completed several pipeline shut downs for annual valve and pipe replacements over the past years, this is due to good maintenance. New access vaults at check valves have been installed since startup for better maintenance at these locations. Every single mile of the underground portion of the pipeline has had a monitoring coupon and test station installed for corrosion monitoring. Smart pigs are sent through the entire length of the pipeline for wall thickness and corrosion readings. Impress currents for increased cathodic protection has been installed to better monitor the pipeline and safeguard the pipe. These are just a few examples of the emphasis that the owner companies and Alyeska place on maintenance and safe and productive pipeline.	The Department of Natural Resources thanks you for your comment.
00230002	In addition over 20 State and Federal agencies regulate the pipeline and millions of dollars are spent each year on its upkeep. Any additional oversight consideration is more appropriately addressed at the policy level through the State and Federal legislative branches.	The Department of Natural Resources thanks you for your comment.
00234001	I would agree that Alyeska has been a good civic neighbor here in Fairbanks. I am involved in many different charities and activities here in the Borough and Alyeska is right there whenever you need them. And in that sense they've been a wonderful neighbor. I think most people want them here, want them to continue here and we're very appreciative of what they contribute to our community. We're also very appreciative of what the pipeline contributes economically to our community.	The Department of Natural Resources thanks you for your comment.
00234003	I reside northeast of town, I reside not very far from the pipeline. In the past year, a criminal shot a hole in the pipeline with a rifle and it caused a big leak. If that could happen from one errant individual, what would happen in the case of terrorism, what would happen if there was an earthquake? These are things that concern those of us that live with the pipeline and we want to be involved.	Security for the TAPS is an issue of national importance. There are elaborate security measures and plans in place, involving numerous Federal and State agencies. DNR has reviewed these confidential plans and agrees with them. Opportunities to strengthen these measures will always be pursued diligently by the agencies involved.
00235001	I'd like to express support for a 30 year lease renewal.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00235002	I've been involved directly with TAPS since construction in the early 1970s and have witnessed many craft jobs that have supported families and homes here for more than 30 years. I found consideration for safety and quality on the projects to be unsurpassed in the industry. I've got 30 years of construction industry experience throughout the state and there's no comparison.	The Department of Natural Resources thanks you for your comment.
00235003	From my perspective, regarding TAPS the positives far outweigh what negatives there might be and I appreciate this forum.	The Department of Natural Resources thanks you for your comment.
00236001	And until this is done -- and also the Native hire program was a farce. Although that Secretary of Interior has trust responsibility it has been failed to be deployed to the maximum intent feasible.	This comment is not within the scope of the TAPS lease renewal process
00236002	And so this is why that I am opposed to the immediate authorization of this.	The Department of Natural Resources thanks you for you comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00238001	I am here to testify tonight in support of the Draft Environmental Impact Statement and the Commissioner's preferred alternative and recommended findings. The Fairbanks Chamber represents almost 700 businesses in Fairbanks with over 80 percent of those businesses as being small businesses, i.e., they only have one to two employees. The board of directors passed a resolution of support of the Trans-Alaska Pipeline renewal process during the scoping meetings last fall and again, recently as of July 29th, passed another resolution that I would like to read for the record. This is a resolution by the Greater Fairbanks Chamber of Commerce Supporting the Draft Environmental Impact Statement for the Trans-Alaska Pipeline System Right of Way Renewal. Whereas, the Trans-Alaska Pipeline system was granted a 30 year Right of Way in 1977 by both Federal and State agencies; and Whereas since the current Right of Way leases expire in May 2004, the six companies that own TAPS filed State and Federal applications to renew the pipeline's Right of Way for another 30 years; and Whereas the Right of Way renewal process requires a full Environmental Impact Statement, examining impacts on the physical environment, biological resources and social systems; and Whereas the TAPS has transported over 13 billion barrels of oil from the North Slope to tankers in the Port of Valdez since its beginning; and Whereas the production of forecasts for the next 30 years, which are very important, indicate North Slope production to be an estimate 8.9 billion barrels of crude oil, at a value of $374 billion; and Whereas approximately a million barrels of oil are transported through TAPS every day representing approximately 17 percent of the United States' crude oil production; and Whereas petroleum industry spending generates revenue of more than $250 million a year in the Fairbanks economy; and Whereas the pipeline has been operated safely, efficiently and reliably with a reliability rating of over 90 percent for over 20 years; and Whereas the current Federal grant and State lease expire in 2004 seek to extent the grand and lease for another 30 years; and Whereas negative economic consequences would occur if the lease was granted for a shorter period of time, such as increased financing and bonding costs, a decrease in future investment and exploration on the North Slope and reducing the flow of funds into Federal, State and more importantly for us, local governments; and Whereas the current Joint Pipeline Office consisting of 13 State and Federal agencies provide sufficient oversight of TAPS thus negating the need for any additional oversight which would cost	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
	additional operating costs for TAPS; and Whereas a shorter lease period and additional oversight would have a significant impact on cost of doing business, thus reducing productivity and profitability. Therefore Be it Resolved that the Greater Fairbanks Chamber of Commerce fully supports the Draft Environmental Impact Statement for the Trans-Alaska Pipeline system Right of Way renewal for another 30 years without additional requirements or oversight.	
00238002	In conclusion, Alyeska has been a very good corporate citizen in our community. We think that they've always been very open. When the Chamber ever had concerns, we have a good working relationship with Alyeska and that provides -- we think we have a good avenue if our community or if our chamber members have any concerns with Alyeska, they've always been very open and willing to work with us with those concerns.	The Department of Natural Resources thanks you for your comment.
00241002	and in 1964 this was a radically different community, a very tiny community. There was this little core thing and then you drove on a dirt road that is now College Road to the University and you couldn't cross the river down University Avenue. There was no Parks Highway. There weren't very many people. There weren't very many businesses. There was a lot of unemployment in the winter. And there was some employment in the summer. It looked like this on a graph. Today we might rise to seven and a half percent unemployment in the winter and we drop down to five and a half, 5.4, 5.3 in the summer. We have a lot of good paying jobs year-round, 12 months. We have a lot of solid, extended union jobs. We have a lot of businesses that have developed dealing with the pipeline, with the explosion and the expansion from the pipeline and with other entities that were attracted. We're trying to develop and expand our economy and that means that we need to provide an environment here that is friendly to business.	The Department of Natural Resources thanks you for your comment.
00243001	First The Alaska Outdoor Council supports renewal of the Trans-Alaska Pipeline lease and permit so long as adequate safeguards can ensure its future use in an environmentally safe manner.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00243002	With age, it becomes most important to implement the necessary upgrades and maintenance to keep the pipeline safe for the environment for fish, wildlife and Alaskans. We are confident those measures are being considered and implemented.	The Department of Natural Resources thanks you for your comment.
00243003	Our main purpose for testifying today is regarding public access. While we recognize that the events of September 11th and the shooting incident soon thereafter have contributed to a heightened sense of awareness and need for additional security. We've grown increasingly concerned that the those short-term events may unnecessarily hinder long-term access opportunities. Law abiding Alaskans have been accessing the pipeline corridor for decades to reach their favorite outdoor destinations and we strongly feel they should not be penalized unnecessarily for the actions of a few. Please do not infer that we feel security is not important. On the contrary, it is vital to the safe and effective ongoing operation of the pipeline. Unlike the line itself, however, security is a dynamic process that fluctuates in accord with threats, both real and perceived of present day realities. In response to those changes, we respectfully suggest that it poses an opportunity to more fully involve, educate and garner public acceptance of the laws and regulations governing public access within the pipeline corridor. Because there are valid access concerns from many different interests, hunters, trappers and fishers among them, we respectfully the Joint Pipeline Office consider the establishment of an ongoing access committee that includes these interests and that can respond to the times of the day and the times of tomorrow in a safe and balanced manner. We testified on this concept in the October 2001 scoping hearings and have yet to receive a reply as to whether this is plausible.	It is not the intent of Alyeska, the owners or the state to penalize the public for the actions of a few. Alyeska is aware of the public's interest use the access that has been available to them for the past 20 years. A committee consisting of Alyeska, BLM and DNR employees worked together to discuss the access roads and what can be done to maintain the security of the pipline while providing the public the access they need and desire. In respone to the public's concern, Alyeska implemented a permitting process for people who need to use the lands lease or permitted to the TAPS owners. This is in addition to an existing permitting process they have had in place for years. If you have questions about the permitting program, you should contact Alyeska to inquire how to obtain a permit. Access to lands in the vicinity of TAPS would not change with renewal.
00243005	Your efforts to keep the pipeline secure and safe for all Alaskans are very much appreciated. Please keep in mind that as access discussions move forward and as times change, which they always do, that the JPO is equipped with a public process that can flexibly adapt and respond to those changes and not necessarily hinder the uses associated with the pipeline which Alaskans have come to	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00243006	The pipeline, for most of its length, passes over public land, State or Federal. When the current State least and Federal permit were issued in 1974, a mostly prophylactic approach was adopted regarding public access. With minor exceptions, linear access along the pipeline Right of Way was denied to the general public. Later the public was also excluded from most of the length of most access roads. After last September's tragedy, virtually all public access to the Right of Way and access roads has been eliminated. Rather than continue the prohibitory restrictions on public access I request that a mechanism be created to periodically evaluate which portions of the Right of Way and access roads might be safely opened to the public. Different areas raise different levels of concern. For example, the concerns about vandalism seem more realistic in areas where the pipeline is elevated than areas where it is buried. Likewise, some portions of the Right of Way have greater recreational potential, while other areas have less, as to the access roads. Also, the nature and extent of these concerns change over time. Thus, a periodic reassessment would seem appropriate. The Right of Way and access roads hold tremendous potential for a variety of recreational users, including hunters, trappers, fishers, snowmobilers, skiers, ski-jorers, hikers, dog mushers, berry pickers and photographers. This land is our land, too. I request that some consideration be given to our legitimate access needs. I, along with others, raised these points at the October scoping hearing but they have not been addressed in the Draft Environmental Impact Statement. Please incorporate these comments into the records. The favor of your response to me at the above addressed is requested.	It is not the intent of Alyeska, the owners or the state to penalize the public for the actions of a few. Alyeska is aware of the public's interest use the access that has been available to them for the past 20 years. A committee consisting of Alyeska, BLM and DNR employees worked together to discuss the access roads and what can be done to maintain the security of the pipline while providing the public the access they need and desire. In respone to the public's concern, Alyeska implemented a permitting process for people who need to use the lands lease or permitted to the TAPS owners. This is in addition to an existing permitting process they have had in place for years. If you have questions about the permitting program, you should contact Alyeska to inquire how to obtain a permit. Access to lands in the vicinity of TAPS would not change with renewal. The restriction and eventual elimination of access was the result of a concern for the integrity of the pipeline. Because there had never been an undertaking like the Trans-Alaska Pipeline, the extent of its vulnerability and the likelihood of its being targeted were unknown. September 11th and the October 2001 shooting, notwithstanding, the pipeline has rarely been targeted for serious vandalism or sabotage. And there is no reason to believe that anyone intent upon such mischief would ever be deterred by a keep out sign or a gate. As Alyeska says in its Draft Environmental Report dated February 15, 2001, recreational use of the TAPS Right of Way for such activities as hiking, jogging, mountain biking and snowmachine generally is compatible with safe pipeline operation. The shooting incident demonstrates, of course, that the line is literally nor figuratively impervious. However, to allow that regrettable and isolated criminal act to be the basis for another 30 years of prohibited public access would be an overreaction and an error.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00243007	I remembered back to that earlier time and it was in 1975 and I was living and practicing law in Valdez and it was the height of the pipeline construction and I was privileged to be one of the directors of the Chamber of Commerce there. And an environmental concern was raised that hadn't been raised before, that set forth a scenario of an environmental disaster and we were concerned about that and we asked the people associated with the pipeline and the construction of it what their comments were and literally to a person, they were dismissive of this scenario, this cannot happen and if it does we have layer upon layer of redundant safeguards to prevent any harm from happening. So the concern was dismissed out of hand, nothing was done about it. You might ask, well, what was this scenario that was so incredibly unlikely and had so many safeguards that it if did occur no harm would result. The scenario was that Columbia Glacier would calve a large iceberg and that the tidal currents in Prince William Sound would carry that iceberg into the line of travel of an outgoing tanker and in order to avoid that iceberg the tanker would change course and would drive upon Bligh Reef; and that was the concern.	Currently, there are safeguards to ensure that the postulated accident would be highly unlikely to occur. There are weather restrictions on tanker operations and ice routing measures such as posting an escort ship one mile ahead of the oil tanker. The responsibility of this escort ship is to search for any floating ice that could adversely affect the oil tanker. Based on lessons learned from the Exxon Valdez spill, a number of improvements have been made (e.g., the creation of the Ship Escort Response Vessel System (SERVS) and phase-in of double-hull tankers) that will reduce the likelihood of a catastrophic tanker Sounded good. Sounded great. accident and the expected outflow given an accident.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00245001	I spent a lot of time in Cook Inlet, both on shore and off and both east and west sides. I was in Prudhoe Bay before the world knew there was a Prudhoe Bay. I worked at Kenai Peninsula. And I am one Alaskan that -- I haven't heard this tonight and I'm really surprised because too many times since the pipeline went into production I've picked up the local newspapers and it says Arco settles out of court for 800 million, BP settles out of court for 600 million and it's happened several times. I'm not going to guess how many, too many times, always out of court. And I hear people saying tonight that renew this pipeline, give it another 30 years. Has anybody went out into west Texas where they don't have the earthquake faults and the problems and the glaciers and the big rivers and the things that we've got and looked at a 50 year old pipeline? Does anybody plan on going to look at them?	The Alaska Right-of-Way Act (AS 38.35.110) and Section 2 of the TAPS State Right-of-Way Lease specify the Lease is renewable, for a period up to 30 years, so long as the Lessees are: 1. in commercial operation; 2. in full compliance with state law; and 3. in compliance with all terms of the Lease. The comment was in reference to the BLM Draft Environmental Impact Statement (DEIS) and although the State will consider relevant comments submitted to BLM, this comment does not fall within the scope of the State's review.
	I don't trust a 50 year old pipeline here, in fact, I don't trust a 25 year old one.	The comment specifically refers to the performance of older (50 years) pipelines in the State of Texas.
	A more reasonable analogy would be the liquids pipelines in California, which is	also subject to seismic activity similar to Alaska.
	We got problems. And one little shake will break it.	And it's been my experience that not only American business but worldwide
	business they could care less. They don't run on sentiment, they run on the bottom line, the dollar or the yen or whatever.	In 1993, the California State Fire Marshal published the "1993 Hazardous Liquid Pipeline Risk Assessment." The study found that seismic ground movements often caused damage
	between	to buried pipelines, but in evaluating pipe damage it was essential to differentiate
		damage to segmented pipe (bell and spigot or flange) and continuous pipelines (welded). Water pipelines are normally segmented while oil and gas pipelines are continuous. The California Fire Marshall study found that "various earthquakes have shown that damage to segmented pipelines is much more common than damage to continuous pipelines. Of the roughly 500 leak incidents on California's regulated hazardous liquid pipelines during the study period, only 3 were judged to be due directly to earthquake effects." The study found that external corrosion was the largest cause of leak incidents, representing 59 percent of the total. Third party damage accounted for 27 percent of the total releases during the study period (1981 through 1990). The study found that pipelines constructed before 1940 had a leak incident rate 20 times higher than pipelines constructed later than 1980.
00245003	30 years is way out of the question to me, the uncertainty, the age of the pipeline, the age of the facility and, you know, the people running it. And I'm aware, and I'm dealing -- we're all dealing with world class businesses. I mean and they will do whatever they want. Alyeska or TAPS or whatever you want to call it has been known to tap people's phone lines, has been known to go to the East Coast to tap them, has went to critics and tapped their phone lines and put professional detectives digging through their trash. I believe that's a matter of record.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00245004	Also remember back during the pipeline when they had the X-ray department down there. Yeah, and they phonied up the X-rays, they'd just run hundreds of X-rays and just change the number on them. Alyeska overcome that, too.	It is acknowledged that shortcuts were attempted in the TAPS construction. However, possible deficiencies in TAPS were investigated and corrected when necessary.
00245005	One of the first things Alyeska done when they started to work here is they went down to Juneau and they got themselves and the entire oil industry production and exploration and whatever goes with it, exempted from every building code. The building codes that apply in this building do not apply to Alyeska or the oil companies in Alaska, remember that.	Local governments (e.g., North Slope Borough) have zoning and building code authority over activities on private lands within their boundaries. It is up to the local governmental bodies to exercise their authority concerning building code and zoning requirements for those lands under their jurisdiction. One would have to check each local government to determine if the zoning or building code ordinance have granted exemptions for oil and gas industry activities/facilities.
00245007	You talk about the wages and the jobs they've given us, I want to say right now that the wages paid by Alyeska and the oil industry construction people are derogatory and a slap to any tradesman. I can show you people in Detroit who are making $37 an hour when Alyeska's paying $22.60, I believe.	The Department of Natural Resources thanks you for your comment.
00246001	Since, and we should be very clear here, many of those of us who have testified have questioned, why State and Federal officials have declined to consider changes in the grant and lease terms. It is incorrect to say we, therefore, oppose renewal for 30 years. Those who cannot understand the distinction between opposing renewal and supporting renewal with modifications, including conditions are not listening to what we are saying.	The Department of Natural Resources thanks you for your comment.
00246002	Since the pipeline is generally agreed to be the most important crude oil pipeline in the nation, it stands to reason that the terms for governance of its operation should be reviewed carefully to assure that these terms are appropriate to current conditions and experience. Why else would be discussing the proposed renewal instead of granting it automatically.	The Department of Natural Resources thanks you for your comment.
00246003	In view of the testaments to the good faith and the capabilities and the intentions of those who labor in the oil patch, those testaments offered by senior oil industry officials and long time workers, let me make this clear, I yield to no person here in my respect and admiration for the dedication and the skills of the TAPS workers who do their utmost to execute their assignments as carefully and safely and effectively as possible. But the question remains, are those individuals constrained by imposed budget cuts that make it difficult, if not impossible to carry out those assignments in a manner that ensures the safe operation we all seek.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in the assuring protection of human health and the environment. That authority allows the JPO to ensure that the operation and maintenance of TAPS is safely done.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00246004	The document DB180 is the codification of the designing basis on which Alyeska and JPO place great reliance and I think it is a commendable effort. The 2000 version, nevertheless has some statements in it which are untrue and conformed with all applicable industry and regulatory which is flabbergasting for the design basis of the pipeline.	Establishing the design basis for all TAPS components was an important step in ensuring that the TAPS was constructed using safe and proven engineering practices, utilized state of the art technologies standards. Design basis specifications continue to change as new technologies are incorporated into pipeline design and operation. Statements or specifications in the design basis that are thought to be untrue or inappropriate should be brought to JPO's attention.
00246006	To ensure the safe delivery of oil they must be resolved in a timely manner. I submit it's self- evidently not timely. Spending a lot of money is not the issue. Obviously the owners will do that. The issue is will they spend sufficient amounts. We have presented substantial evidence to indicate that they do not and may not. This issue is fundamental to the long-term safety of the pipeline, it is an important issue the stewards of our public resource have ducked.	It is in the interests of the member agencies of the JPO to ensure that TAPS is safely operated. The member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state to assure protection of human health and the environment.
00247002	We can run the pipeline ourselves and we can hire Alaskans to actually operate it. In conjunction with this, we can build our own natural gas pipeline for Alaska's use and with building a railroad through Canada we can efficiently market the gas. The full royalties from the oil and gas can provide for our schools and services. And we could be an example for other states to properly manage their own resources.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. The Department of Natural Resources has no authority under the renewal process to assign ownership to another party.
00247003	And increasing the Permanent Fund Dividend means a direct benefit to the citizens and then their direct concern for the proper management of our resources. And the effect of the Permanent Fund investments themselves helps direct the economy towards conservation and alternative energy.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00247004	I worked in Prudhoe Bay in 1988 on an oil spill on some gathering lines. They didn't seem to know what to do. First they gave us snow shovels and said dig up the line. We dig out some snow and it would blow right back in and you look across the horizon and it goes forever. They didn't have any kind of a plan. I said, why don't you stick a pole down and pull it up and see if there's oil on the end and map it out first. Okay, we'll get some poles. So they got that going. And then they started adding more and more crews and then they were starting to lose track of the tools. A crew would go out and there'd be no snow shovels, the first crew had all got them. I said, well, you need a tool man, somebody to coordinate the different crews and they said, okay, you be it. I got the feeling like they wouldn't know what to do if I wasn't there. But then before they had put temporary patches on these holes in this crude oil line, they flushed the line with produced water and this just sprayed out and made the spill a hundred times worse. collectively in the JPO TAPS oil spill response and planning group. This bullet hole shows that they are not planning but they are just reacting. We deserve much better than this.	The oil spill prevention and contingency plans along the pipeline, at VMT, in PWS, and at the North Slope are updated and reviewed by various State and Federal agencies periodically ranging from every year to every 5 years. The substantive elements of the contingency plans are controlled by ADEC rules (18 AAC75), which include provisions for public review and comment as part of the plan update procedures. The lessons learned from occurrences such as EVOS, and the MP 400 bullet hole incident as well as from regular exercises conducted by the owners and the governing agencies are incorporated into the documents when they are updated. The Joint Pipeline Office (JPO) oil-spill-planning and prevention program is a large-scale, multi-agency endeavor. Each of five participating agencies (Alaska Department of Environmental Conservation (ADEC), Environmental Protection Agency EPA), Bureau of Land Management (BLM), Alaska Department of Natural Resources (ADNR), and the Office of Pipeline Safety (OPS)) has a particular focus; however, their individual objectives are The mismanagement of this spill and the Exxon Valdez spill and the recent considered inter-agency group meets monthly and maintains a continuous monitoring program on TAPS oil-spill-planning and related issues. The emphasis of the five agencies is the prevention of spills. Spill prevention is accomplished through a combination of: 1) oversight of spill contingency planning (including 64 exercises conducted on TAPS annually) and, 2) through JPO's comprehensive TAPS operations oversight, monitor issues which could contribute to a spill in the future. JPO is doing everything possible to prevent and respond to a potential oil spill from TAPS.
00247005	We should run the pipeline ourselves or we should include full environmental protections and the full royalties to the people of Alaska. We should do this for ourselves and to be an example for other states and for the country.	The Department of Natural Resources thanks you for your comment.
00251001	The pipeline has provided thousands of good jobs over the last 25 years for our members and other unions alike. In 2001 the pipeline provided over 350,000 man hours for our members. Presently there are over 150 Local 302 members working on the pipeline.	The Department of Natural Resources thanks you for your comment.
00251002	The pipeline provides good jobs for our Alaska Native members as well. The major contractor Houston/NANA has 24 percent Alaska Native hire rate in our	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00251003	These are hardworking Alaskans that take pride in the work and the part that they play in transporting Alaska's North Slope oil in a safe and environmentally sound manner. Alyeska and its contractors invest considerable sums of time and money in training each and every employee to ensure that all jobs are done in a safe and environmentally friendly way. There are crews up and down the pipeline whose job it is to maintain the Right of Way and are on call to respond to any emergency that may arise. The income earned by these workers helped to support the economy of the communities in which they live throughout the state.	The Department of Natural Resources thanks you for your comment.
00251004	I have read the concerns about the integrity of the pipeline. I, myself, worked as a mechanic on the pipeline for 12 years with the baseline crews and the dig crews and can assure you it is thoroughly maintained. I have seen inspections, valve replacements, installations of sleeves as well as the replacement of installation on the pipe to a new and improved product. I have also seen the installation of mag bags to help prevent corrosion. Each year crews go out to inspect the pipeline for movement and the condition of the shoes and the saddles of the pipe that it sits on. I have first-hand knowledge of the effort that Alyeska has put into maintaining the pipeline and the Right of Way. In my opinion, they have done an exceptional job.	The Department of Natural Resources thanks you for your comment.
00253002	We've heard again about an aging system, budget cuts, implying neglect. Well, let me reiterate, the pipeline is not deteriorating, it is being well maintained and more than that it is being upgraded to the tune, in fact, of $9 billion in the last 15 year alone. If the TAPS owners were interested in shorting the maintenance needs of the pipeline they should have started long ago.	The Department of Natural Resources thanks you for your comment.
00253003	I want to mention one more thing about Native programs. We have a number of Native programs, you've heard some of them discussed tonight, Section 29 Native hire. For one, we're proud of what we've accomplished. We believe that the program that we have today is a model program. We work with the Native communities to create opportunity and ensure that Native owned businesses have the chance to bid on and obtain pipeline work. In fact, as I mentioned last night, some $170,000 million in work alone, last year was awarded to and performed by Native owned business entities.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00255001	The Alliance is a non-profit trade association comprised of over 420 member companies who derive their livelihood from Alaska's oil and gas industry. This equates to more than 35,000 employees statewide many of whom were involved in the pipeline's original state of the art construction. Of approximately 249 vendors providing direct services to the Alyeska Pipeline, about 21 percent are Alliance members, of those member contractors 18 are Alaska Native owned or enjoy partnerships with Native entities and an additional 21 provide direct services through the Alyeska/Fairbanks business unit.	The Department of Natural Resources thanks you for your comment.
00255002	At its completion in 1997, $8 Billion was invested in the project and now in it's 25th year of operation oversight and maintenance of TAPS continues to be unparalleled. TAPS overall performance reliability rate is in excess of 99 percent since startup. Alyeska's corrosion control program, valve maintenance program and spill response plans are the leaders in the industry. More than $9 billions of dollars are spent each year for maintenance. The financial investment in maintaining the pipeline and continued throughput weighs significantly on future decisions by businesses and state government.	The Department of Natural Resources thanks you for your comment.
00255004	I'd like to share with this team some statistical data compiled in a study entitled Economic Impact of the Oil and Gas Industry in Alaska and dated January of 2001. The study was commissioned by the Alliance and the Alaska Oil and Gas Association. This study found that the industry spends $2.1 Billion annually, a dollar value equal to the state of Alaska's general fund. In other words, the oil industry provides approximately 80 percent of the state's unrestricted revenue. Additionally, other key findings of this study include the industry directly spends $422 million on payroll in Alaska, $1.7 billion on goods and services in the state. Additionally, in the Fairbanks North Star Borough the industry directly employs over 500 people, pays out $40 million in payroll and spends 190 million for goods and services. Indirectly this total impact in the Borough is 4,133 jobs representing 12 percent of the area job force.	The Department of Natural Resources thanks you for your comment.
00255005	Now, more than ever, Alaska's contribution to the domestic supply is critical to diminishing our reliance on foreign sources, particularly from nation's whose governments are unstable, are often anti-American and some who actively support terrorists acts against the United States.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00256001	A key factor in our decision to make additional investments will be the availability of infrastructure, on a long-term basis, through which we can transport oil and gas discovered to the market place. We see our involvement in oil exploration and production in the NPRA as a long-term investment. We have already spent a number of years acquiring and analyzing geophysical data in the are prior to our decision to bid at the lease sale. Exploration of the leases acquired will be two to four years to complete. Experience suggests that it may take around five to seven years to appraise and bring into production any discoveries made. Fields are expected to have a production life of 15 to 20 years. This implies that there will be a need for infrastructure for over 30 years. Confidence in the availability of this infrastructure, at competitive process, is a key factor in any investment decision. With future Alaskan lease sales planned, a negative message would be sent to all potential participants if the TAPS Right of Way is only extended for five to 10 years. Such an extension will only create additional uncertainty in the already heavily burdened North Slope economics. TOTALFINAELF E&P USA is in full support of extending the Right of Way for the Trans-Alaska Pipeline for at least another 30 years to ensure the	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00257002	That's not my issue. But we need to start paying the real costs and I guess I'm the first one tonight to say that if it takes more money to implement these safeguards then that's what we need to do. If profits need to come down that's what we need to do. The system, as it stands is pretty unsustainable. companies are liable. is fairly contrary, it's not going to work indefinitely and we need to address that and we need to start paying some real costs.	The state right-of-way lease provides the state with all the authority it needs to oversee operation of the TAPS and to impose strict and enforceable requirements upon Alyeska to comply with necessary operational procedures. TAPS ownership is defined as joint and several and thus if one or more owner company cannot meet its financial obligations, the The talk about growth and expansion of an unsustainable unrenewal resource other The member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00258001	I've been sitting here watching throughout the evening and I see all these people coming up and saying what a great job Alyeska is doing and how good it is and basically give them whatever they want and, you know, if you go anywhere into a town that's dominated by any industry, you know, you're going to get the same thing, that's the nature of the beast. They're going to come up there and say what a great job they're doing. The politicians will jump in and wallow up to the trough and, you know, that's the nature of the beast, there's nothing wrong with it. They're promoting themselves and their industry and their group, that's the nature of Democracy. But I would hope that that Federal government would look past, you know, the people that are up here today supporting 30 year leases and do what's right for the American people. If you look -- if you go down to Houston, they would have gone out there and supported Enron and said what a great company it is but as oversight, as the Federal government, you hopefully will be -- you know, it's your job to look out for the national interests, this is public land. It's a public resource. I just think it's crucial for you to separate local politics from national interest. So the other thing I do want to say and it's kind of hard to say but I was urging people to get down here tonight and speak out and I can tell you there is a lot of cynicism. With George Bush in there, I think, people feel like these guys are going to get whatever they want and we could have 500 people down here and it wouldn't do a bit of difference. And I think if you look -- and you know, it's hard to argue with that because, you know, when George Bush got elected what was the first thing he did, well, A) -- let me backtrack a little. His biggest supports were the energy, Enron, I think was his single biggest supporter and most of the energy, the oil companies, he's an oil man and what did he do, the first thing he did was he invited them into the White House to make energy policy, the very guys that were going to be making money were invited in there to make policy. It's really hard to get people to have any faith in the system when a leader of the nation is doing stuff like this.	The Department of Natural Resources thanks you for your comment.
00260001	there are 187 allotees along that route that were not compensated when the pipeline was built and that causes me some disturbance with the massive amounts of dollars generated in profits. And to find that these people were not adequately addressed is disturbing to my conscious.	The Department of Natural Resources thanks you for your comment. This is outside the scope of State TAPS renewal.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00260004	I support the intended retention of state interest over the State's providential land based economic revenue resource base provision predominately over those commodities extracted, commercialized, developed from Federal lands in Alaska, which the State -- the people of Alaska have not relinquished interest in. Specifically through the Alaska Statehood Act ratified July 7th, 1958 by the 85th U.S. Congress leading to statehood, January 3rd, 1959 under President Eisenhower, I think in the Environmental Impact Statement, we have to take our horse blinders off because there is perhaps a little bit more to the environment than we at first blush want to recognize.	The Department of Natural Resources thanks you for your comment.
00260005	Going back to the 187 allotees, there is ramifications to discontent. And I think it's beneficial to the people of the state of Alaska and our Federal government to accommodate reasonable requests.	The Department of Natural Resources thanks you for your comment.This is outside the scope of the State TAPS Renewal.
00260006	Alaska is not getting its royalty revenue provisions. The economic depravation and the chain link of events that this has caused which is why the first and second Organic Acts were passed, because Alaska's resources were being extracted and taken and not benefitting the local people.	The Department of Natural Resources thanks you for your comment.
00261003	Upkeep on the oil pipeline could be done by our state of Alaska. And through the testimony throughout here this evening, the state of Alaska certainly does have the manpower and the know-how within it to do this.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the lessee. The state has no authority under the renewal process to assign ownership to another party without the lessee(s) requesting assignment.
00261004	The gas line that we've all been questioning and would like to have, I propose should follow the oil pipeline and go right on into Valdez and keep it in the state of Alaska as long as possible due to the last speaker's 90 percent, 28(A)(1), we would then be protected more with our 90 percent. If it goes into Canada we lose that. The minute it crosses the line.	The Department of Natural Resources thanks you for your comment regarding your preference for a gas pipeline route.
00261005	And our Native education program also proves that our workers and our unions do have the manpower and know-how to assist and go through with the state of Alaska.	The Department of Natural Resources thanks you for your comment.
00261006	Along with the oil and the gas that we're proposing, that gas line coming from up in the north on down should first consider our villages, our Native villages and see that there needs are definitely taken care of.	This issue is not within the scope of the State TAPS lease renewal process.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00261007	All maintenance can be covered by our state. I've stated it, I shouldn't repeat it but it's true. Here in the state would not change under State run pipeline and would ensure, may I repeat, our 90 percent, Section 28(A)(1), that at this time is not being honored and being given away by Frank Murkowski, Don Young and Mr. Stevens. And I'm sure they know that there is going to be another vote, I don't know what they're thinking of.	The renewal process for the state right-of-way lease for TAPS begins with certain rights and privileges for the applicant. DNR has no authority under the renewal process to assign ownership to another party.
00267002	there was a meeting here September 2001 and there was some concerns from the people. And one of the suggestions is having the Oil Spill Contingency Plan and equipment in the village. And this is something that we really think is very important, especially for subsistence because in our area we have five rivers that come into the Flats, our hunting area, between Livengood and Fairbanks. And they all run into our fishing and hunting area, right into the Tanana River and that covers the whole Flats, Minto Flats. We feel that if we have equipment and trained personnel to respond to an oil spill, we can do it probably much faster than any other -- like in Fairbanks or in any other place, because we're right here. We're 40 miles away and we got access to -- we got river access, boats -- I mean, roads, anyway you want and we know where -- we know every inch of the Flats, we can get there as -- probably quicker than any other organization or people that's in the country. So I don't know -- probably speak for the other villages, saying I think that's very -- we should have something in place for an oil spill. Like, you know as well as I that every oil spill is not the same, it's different. It's -- if we have a slow leak or something an nobody knows right away, we might find out in the Flats before anybody else. And that's one of the main concerns the people here have and it was stated Section 29 should be continued. That's a concern of all people, I think, that live along the land.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.
00271004	We also formally objected to what we considered to be a very inadequate spill drill at Burbot Creek, and that was based on the scenario of a spill scenario at the Yukon in late 1997. Each of these events, and I could name many more, some are in the report, but I'm simply choosing ones from your area, which is what I've done in my testimony elsewhere, Cordova, Valdez, Glennallen. But we believe that each of these events demonstrates a failure of commitment by Alyeska to the highest standards of environmental protection.	Oil spill contingency planning and permitting processes are conducted in a separate public forum through ADEC. ADEC reported no active enforcement-related correction action plans and no investigations involving Alyeska at the time of their report in January 2002.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00272012	Again, this renewal process can serve as a tool for fulfillment of a promise made during initial review and the permitting of the original pipeline system. lease and federal grant contain numerous provisions that are got buried in the shuffle again and here we go again, another 30 more years. These were commitments.	The member agencies of the JPO are committed to the long-term protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of They promised these things and still today nothing every happened, it just TAPS) within thestate protective of human health and the environment.
00274001	The pipeline is indeed a critical facility. I echo Mr. Glenn's earlier comments, it truly is the backbone of the oil industry in Alaska. And this industry is critical to the health and economy of this area. Areas of praise that I see for the pipeline, it has a good and improving environmental and safety record. And perhaps a little counter, intuitively, the pipeline appears to be a game and habitat attractant or enhancement. I've noted this by driving the Dalton, by living in the area around Prudhoe Bay and just by being somewhat of a curious observer over four decades. And I notice that game appears thicker along the pipeline corridor than it does in other areas and I believe that the phenomenon that the Mayor spoke to earlier about the pipeline deflecting the game is, in fact, a converse. I believe it is an attractant, it's luring, if you will, game away from areas which may have traditionally been used by subsistence hunters. So I think the effect that people are experiencing, a decrease, perhaps in game density is real but the effect that they are scribing to it as a deflection is, in fact, incorrect, it's actually an attractant. And I attribute this to two phenomenon. I'm not a scientist, I'm an economist by training but I do observe these game patterns on an annual basis. First of all, the dust from the Dalton Highway spreads out and settles on the snow and then when the sun returns, that's the first areas that become snow free so the game then, rather than having to paw through the snow, the caribou especially and the ptarmigan, are attracted to this corridor and then the predators follow suit. So the best place, if you want to observe game is actually up and down the Dalton Corridor, especially in the spring. The second phenomena that I attribute this attractant phenomena to is the fact that it's something of a hunting sanctuary, you know, there's the 10 mile Dalton Highway Corridor which is limited to bow hunting only and the entire area around Prudhoe Bay is closed. And it doesn't take game long to figure where they're not persecuted. And as I think as you experience in other areas where there's a game refuge, that's where all the game is especially on opening day of hunting season. I think the caribou have figured out rather quickly that they're safer from hunting along the corridor and then the Prudhoe area and so tend to collect there.	Your comments on the potential of the ROW to attract wildlife are noted. Dust shadows and insect relief can attract wildlife to the TAPS facilities during some portions of the year. Other influences of TAPS on the distribution of wildlife (e.g., using the ROW to avoid hunters) is more uncertain. The growth of the caribou herds over the past 30 years would offset any localized concentrations of caribou within areas where hunting would be limited

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00274003	I believe that the Dalton Highway should not be closed to only industrial traffic. The pipeline, obviously is a backbone of the oil industry but don't forget that the second largest or the third largest industry in the state is tourism and that road plays a critical part, I think, in enhancing tourist resources for people to come and visit our state. As you know most people use the roads, especially in the wake of September 11th, more and more people are staying in their RVs and the ability to drive the Dalton and partake in an area of the world which otherwise would be inaccessible, I think is important to making the oil industry, if you will, attractive to a larger audience than just us oilees. I believe that the Borough's comments about the burden that the public use of this road imposes on them is overstated. I have requested of the Borough some documents or evidence to back up their position on this. I received informal comments that the actual number of emergency events they've responded to is quite small, less than 10 perhaps, and that the industry, in fact, does a good job of responding to genuine, bone fide emergencies. As you know Alyeska has its own security force that patrols the road. We respond out of Prudhoe Bay and the North Slope Borough has two public safety officers posted in Prudhoe. I'd like to point out that oil industry and the citizen's of Prudhoe Bay pay over $200 million a year in property taxes so we don't believe that having them provide two public safety officers in return for $200 million in tax receipts is an undue burden. We refer to these people as our Hundred Million Dollar Men. And, in fact, they are responsible and responsive, they recently helped with a bear incident. You may have read the newspapers today, we regrettably had to -- they say euthanize, I say, kill a sow that had developed an appetite for breaking into camps. My company is in the news because the bear was discovered that it could pop open doors and was helping itself to the chiller with sandwiches. But anyway, I'm digressing a bit. I don't think that there is an undue burden imposed on the Borough by public use of the highway and I have not seen any direct record on it but my informal inquiries indicate that it's relatively diminimus.	Thank you for your comments regarding your preference for leaving the Dalton Highway open to all users and enhancing tourism.
00275002	As I understand in the policies of the Coastal Zone Management Program there's supposed to have been consultations prior to the 90 day, beginning of the 90 day review and I only got the documents three weeks ago. So there's some discrepancies as to what is required in reviewing the renewal of TAPS Right of Way. The documents that I saw speaks about erosion studies that have been made, those are not included, we don't have those documents in order for us to review them. Rather than just take the word for it that you did it, we need those documents to review.	Operation and maintenance of TAPS are currently permitted activities consistent with the Coastal Management Plan for the North Slope Borough and are in compliance with enforceable policies and applicable Alaska Coastal Management Plan statewide standards. Continued operation of TAPS under the proposed action would not be expected to alter this status.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00275005	it doesn't talk about indirect impact. So those are not there and those have to be addressed and may have covered those very briefly in socioeconomic impacts that we experience up here. There's some positive impacts that have happened. Just to let you know some of the problems during the time I was in the pipeline work force under 302 Union. Out of 250 in the 302 Union I was the only other Native among those 200 people. The only Native that was there was Australia Native so at least there were two Natives that fall in the category Native. And out of 370 billion that had positive impact to Alaska probably a few million have come back to Arctic Alaska where most -- where it's mostly impacted by TAPS and other related TAPS programs.	This issue is not within the scope of the TAPS state lease renewal process.
00278002	The executive summary of the report states that during the renewal period, the oil produced would be valued at $374 billion. If 8.9 billion barrels were produced in this period, the average price would be $42.02 per barrel, however, table 4.3-6 shows oil prices at five year intervals ranging from 21.31 to 24.52, that's the second discrepancy.	The Department of Natural Resources thanks you for your comment.
00278003	The third issue I want to note briefly is that the owner's use of the Concawe, C-O-N-C-A-W-E 1998 data suggesting that older pipelines have the same spill rate as newer pipelines. The pipeline risk assessment manual, the industry standard warns that historical data on pipeline events is normally rare event data, one failure in many years of service. Therefore, extrapolation would imply a false precision and it can result in significant errors. Nevertheless, the DEIS echoes the TAPS owners position citing Concawe that, quote, 25 years of performance data on Western, European, across country oil pipelines indicate no evidence to show that the aging of the pipeline system increases either the frequency or volume of spills. However, the closest I could come was an update of that report. I was not able to find the citation in the DEIS. When I went on line I found a newer version with 30 years of data but that report specifically noted that the data were limited to corrosion spills on cold oil pipelines and that hot -- and that insulated hot oil pipelines have a different and significantly inferior performance record.	The 1998 CONCAWE report entitled "Western European Cross-Country Oil Pipelines 25-Year Performance Statistics" appears to be currently unavailable from the Internet. The more recent CONCAWE report entitled "Western European Cross-Country Oil Pipelines 30-Year Performance Statistics" dated February 2002 is available at http://www.concawe.be/Download/Reports/Rpt_02-1.pdf. This report is an update of the earlier 1998 CONCAWE document. CONCAWE has collected 30 years of performance data on Western European cross-country oil pipelines. The frequency of spillages has been improved over the 30 years from 1.2 spills per 1000 km of pipeline per year to 0.25 spills per 1000 km per year. The report therefore concluded that overall there is no evidence to show that the ageing of the pipeline system poses any greater level of risk. The spill data for insulated hot oil pipelines in the CONCAWE report is based on transport of fuel oil and other refined petroleum products, and not crude oil. As stated in the report, the great majority of Western European pipelines carry unheated petroleum products and crude oil. The CONCAWE data was not used in the development of spill scenarios and source terms for the DEIS. The CONCAWE results were referenced to merely point out that the aging of a pipeline does not necessarily lead to the pipeline's degradation.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00293001	Please protect and preserve the remaining undisturbed and undeveloped areas in Alaska.	The Department of Natural Resources thanks you for your comment.
00294001	I am against re-authorizing the Trans-Alaska Pipeline.	The Department of Natural Resources thanks you for your comment.
00298001	Thank you for your efforts over the past years...NOW is the time to renew our efforts to keep the strictest standards of protection so that we have a HEALTHY BALANCE between economic need and environmental beauty, and this balance can be attained for the benefit of all of us and our children and their families. Alaska is a SPECIAL PLACE, both to people who live there and also in the hearts and minds of people who hope to come there some day...it is imperative to PROTECT OUR FUTURE BY SETTING REAL RULES TODAY! ASK YOURSELF...IS THIS WHAT I WANT FOR MY CHILDREN, THEN DECIDE.	The Department of Natural Resources thanks you for your comment.
00299001	Napoleon is said to have once stated that " History is a set of lies agreed upon." I and all citizens of the oil spill communities and all animals killed and injured by the oil spill are disrespected and offended by the following statement in the draft EIS. "While the Exxon Valdez oil spill was a significant event in the operation of TAPS, creating significant benefits to the state and local economy that more than offset the economic damage to the fishing and tourism industries in Prince William Sound, it is unlikely that a spill of such magnitude, even if it occurred again would create the same level of economic activity"(DEIS, pages 4-7-116). The oil spill was a great tragedy and to paint it as an economic boon to Alaska is to say that events of 9-11 in New York City will create lots of great jobs in the economy of reconstruction.	The Department of Natural Resources thanks you for your comment.
00301003	Upkeep and maintenance standards should be stiffened (particularly pro-active checking of potential problems that are caused by the softening of the perma frost which is no longer permanently frozen).	To address changes in conditions, the member agencies of the JPO use an adaptive management approach to evaluate the effectiveness of stipulations and regulatory oversight. Ongoing monitoring programs, as identified in the 12 Comprehensive Monitoring Reports published since 1996, provide the JPO with the necessary information to evaluate the effectiveness of stipulations in the Grant and Lease.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00301004	While I realize that the people running the Pipeline do not want to have an oil spill that results in environmental damage, the pipeline is now almost 30 years old. And anything that is 30 years old requires a lot more upkeep and maintenance than new items.	The member agencies of JPO in close cooperation with Alyeska have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is widely used in the airline and other industries as the standard tool for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.
00302001	The Alaskan Wilderness is an environmental treasure for all the people in this country. We need to impose the strictest standards and security checks to safeguard it from disasters that could occur from the Pipeline. Please renew with the utmost of care for protecting the lasting beauty of this environment.	The Department of Natural Resources thanks you for your comment.
00303002	As the Alaska pipeline ages, it is a disaster just waiting to happen. We must prevent another repeat of the Exxon Valdez.	The DNR and member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the DNR and member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety and environmental risks.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00305001	The Trans-Alaska Pipeline sends one million barrels of oil each day. This oil is essential to reduce our country's dependence on foreign energy sources. The current agreement has served our country well for nearly 30 years. It should be renewed as is.	The Department of Natural Resources thanks you for your comment.
00306001	I understand the Trans-Alaska Pipeline is up for re-authorization. Please place these comments in the official record. Please do not re-authorize the pipeline. We need to work to become independent of oil, instead of re-authorizing this pipeline running through the wilderness. If the pipeline is reauthorized, it must accompanied by the strictest possible environmental standards. That means the following:	The JPO is committed to the protection of human health and the environment. The state right-of-way lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the federal grant contain numerous provisions that are protective of human health and the environment.
00307001	Should the agreement that allows this land lease be reauthorized, it must be accompanied by the strictest possible environmental standards.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00309001	If the Trans-Alaska Pipeline from Alaska's North Slope to the port of Valdez is reauthorized, we would like the most strict possible environmental standards to be established to protect the public land through which it passes, especially the Alaskan wilderness areas. This land includes 80 rivers and streams, three mountain ranges, and some of Alaska's most spectacular locations. For many of us, that land is a special place of renewal and symbol of the vastness of the	The member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00309002	In 1974 an agreement was forged to protect this land. That agreement is up for renewal. I am urging that the protection of this land be continued and that what we have learned since that time be used to strengthen that protection.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provides the state the authority in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00310001	The Trans-Alaska Pipeline sends one million barrels of oil each day across 800 miles from Alaska's North Slope to the port of Valdez. It crosses public land for almost the whole journey, thanks to a 1974 agreement. That land includes 80 rivers and streams, three mountain ranges, and some of Alaska's most spectacular locations. It would be a terrible thing if the pipeline ruptured. If the pipeline is re-authorized, it must be accompanied by the strictest possible environmental standards.	The member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00311002	The Trans- Alaska Pipeline sends one million barrels of oil each day across 800 miles from Alasks's North Slope to the port of Valdez. IT crosses public land for almost the whole journey, due to a l1974 agreement. That land includes 80 rivers and streams, three ountain ranges, and some of Alaska's most spectacular locations. Now the agreement is up for renewal. If the pipeline is re-authorized (and other alternatives for getting energy are much more uselful, cheaper, and less dangerous), it must be accompanied by the strictest possible environmental standards.	The member agencies of the JPO are committed to the protection of human health and the environment. The state lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00312003	The renewal Agreement must also contain the stictest environmental safeguards and gurarantees so that the pristine wilderness that this pipeline crosses will not be despoiled or impacted in any way.	The DNR and member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00313001	I am opposed to re-authorizing the trans-Alaskan pipeline, but if re-authorization does occur it must be accompanied by the strictest possible environmental standards.	The member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00313005	The Trans-Alaska Pipeline crosses public land for almost the whole 800 mile journey. That includes 80 rivers and streams, three mountain ranges, and some of Alaska's most spectacular locations. Please do whatever you can to protect this national treasure.	The member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way leaseprovides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00314001	I am writing concerning the renewal of the agreement to allow the Trans-Alaska Pipeline to cross public land. If this agreement is renewed, I urge you to make it conditionl upon the strictest environmental safeguards.	The member agencies of the JPO are committed to the protection of human health and the environment. The state right-of-way lease provides authority to the state in the assuring protection of human health and the environment. Stipulations (the guiding conduct of operations for the operator of TAPS) within the state lease contain numerous provisions that are protective of human health and the environment.
00317001	I would like to adopt and incorporate by reference additional comments of other parties as I had done in my oral testimony. I would now like to adopt and incorporate the comments of Richard Charter of the Marine Conservation advocate of the environmental defense on the draft EIS dated August 20,2002. I fully agree with all these comments and adopt and incorporate them. I also adopt and incorporate the comments of the Northern Alaska Environmental Center dated August 20, 2002 as submitted by Deb Moore [Artic?] Coordinator. I also adopt and incorporate the comment of the Alaska Forum for the Environmental Responsibility Alaska Center for the Environment Northern Alaska Environmental Center dated August 20,2002 as submitted by Richard A. Fineberg, Consultant.	The Department of Natural Resources thanks you for your comment.
00320004	If these conditions cannot bemet, the ageement should nt be reauthorized. As citizens, we don't just solve today's problems, we lay pipeline for people who come after us. Let's leave them some clean, wild, spaces, filled with the conditions that foster life of all kinds. Keep the pipeline standards as pristine as the wilderness it flows through.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00321003	If we can't transport this oil with the highest degree of caution and responsibility with regards to the environment, we have no business transporting it.	The member agencies within the JPO utilize an adaptive management approach in the oversight of TAPS operations and maintenance. Adaptive management uses ongoing surveillance, monitoring and testing that provides Alyeska Pipeline Service Company and JPO with the data and information necessary to evaluate and change, if conditions warrant, the operations and maintenance of TAPS. Examples include: On-going oil spill contingency planning (tri-annual) and response capability reviews (annual), Field surveys of stipulation requirements, such as fish passage inspections, Comprehensive Monitoring Reports (12 published since 1996), Issues raised by the public (e.g., the Thompson Pass slack line and the Valdez tugs) and by the Alyeska workforce (e.g., electrical), Inspections by the State Fire Marshal as part of the JPO, and Routine surveillance that is outside of formal audits. In addition, the member agencies of JPO in close cooperation with Alyeska Pipeline Services Company have begun a systematic process to identify the critical functional components of TAPS. The process, called reliability centered maintenance (RCM), is an on-going system-by-system audit that determines function, failure modes, consequence and preventative maintenance of critical systems. The JPO is committed to RCM and believes that this process represents a pro-active approach to oversight and regulation of TAPS. In addition, RCM is the industry standard for reducing risk of failure to critical system components. Reducing risk in TAPS critical systems directly translates to reducing safety
00322004	The following actions should be an integral part of any re-authorization plan: I urge you to make protecting the Alaskan wilderness your priority when reviewing the pipeline re-authorization. The rivers, mountains, and wildlife of the Alaskan wilderness are a precious and finite commodity, and should not be sacrificed for some oil.	The Department of Natural Resources thanks you for your comment. The pipeline does not cross any lands that have been designated Wilderness.
00326004	I urge you to take steps to protect the Alaska wilderness.	TAPS does not cross any lands designated wilderness.
00336004	Please take these issues seriouisly during this process.	The Department of Natural Resources thanks you for your comment.
00342004	Please enter these comments into the official public record.	The Department of Natural Resources thanks you for your comment.
00350001	I am writing to you to voice my opinion about the re-authorization of the Trans-Alaska Pipeline agreement. The fact that the pipeline crosses PUBLIC land for most of its 800 miles from Alaska's North Sloper to the port of Valdez means that the public's interests should come first in all matters related to the issue.	The Department of Natural Resources thanks you for your comment.

DNR Response to Public Comments (JT1)

ID	Comment	StateResponse
00350004	Everything possible must be done to ensure that some of Alaska's, and the nation's, most spectacular locations are protected for the enjoyment of all its	The Department of Natural Resources thanks you for your comment.
00351001	I am requesting that the most strict possible environmental standards be established for the protection of the Alaskan Wilderness on Public Land if the Trans-Alaska Pipeline from Alaska's North Slope to the port of Valdez is reauthorized. That land includes 80 rivers and streams, three mountain ranges, and some of Alaska's most spectacular locations. This land was protected by the 1974 agreement, which is up for renewal.	TAPS does not cross any lands designated Wilderness.