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ALASKA OIL SPILL COMMISSION

July 14, 1989

Location: Seward

OIL SPILL COMMISSION MEMBERS

Walter B. Parker, Chairman

Esther C. Wunnicke, Vice-Chairman

Margaret J. Hayes

Michael J. Herz

John Sund

Timothy Wallis

Edward Wenk, Jr.

VOLUME I OF II

Paralegal Plus

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1 (Tape Number 89-07-14/1A)

2 MR. PARKER: Okay. The Alaska Oil Spill Commission
3 meeting of July 14th, in Seward, will come to order.
4 Welcome to those of you in the audience who I hope will not
5 get too bored by the early participation, which will pick
6 up as people start arriving. I'll run through our schedule
7 briefly. At 10:30 the Seward City Manager of Seward,
8 Darryl Shaffermeir will be -- is scheduled. At eleven
9 o'clock the Multi-Agency Coordinating Committee with
10 Admiral Robbins, the on-site coordinator for the oil spill,
11 Ann Kastelina from the Park Service and other agencies who
12 will be addressing us. From twelve until one we're going
13 to have lunch, and one o'clock the Seward Life Action
14 Counsel. One-thirty, Mayor Gilman of the Kenai Peninsula
15 Borough. From two to -- at two o'clock if we haven't
16 finished with the Multi-Agency Coordinating Committee we'll
17 resume there and at three o'clock we have some Commission
18 business to do. From four to six is public participation.
19 The -- introduce the commissioners. I'm Walter Parker, I'm
20 the Chairman of the Commission. On my far right is John
21 Sund from Ketchikan. Next to John is Esther Wunnicke who
22 is Vice-Chairman of the Commission, from Anchorage. Next
23 to her, Meg Hayes from Anchorage. I'm from Anchorage. On
23 my far left is Ed Wenk from Seattle. Tim Wallis from
25 Fairbanks is driving down and will be here shortly. And we

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1 have one more commissioner, Mike Hertz, who is from San
2 Francisco and was not able to be present at this meeting.
3 Until Darryl Shaffermeir arrives we will be conducting some
4 Commission business. Under the Open Meeting Law of Alaska
5 all Commission business must be conducted in public in
6 which a quorum is present. Anytime that a quorum of the
7 Commission is together it must notice the meeting and
8 conduct its meetings in public, which means that we do all
9 our business in public, which explains my early reference
10 that I hope you would not be bored at this stage of the
11 game. 'Cause we fit our business sections into our meeting
12 schedule whenever we can -- are all together and can pick
13 it up. This is a part-time commission and everyone has
14 other lives they must live in other places. So, do you
15 want to pick up with some discussion of where we left off
16 yesterday, until Mr. Shaffermeir (ph) arrive, which will be
17 about 20 minutes.

18 MR. WENK: Mr. Chairman.

19 MR. PARKER: Yep.

20 MR. WENK: Let me repeat yesterday's suggestion. I
21 realize not -- that we're missing at least one member. But
22 would it be useful to go around the table and just get a
23 snapshot from each commissioner as to their perspective of
24 our activity. Maybe even, if they're willing to say, not
25 what they have concluded -- hopefully, not yet -- but what

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1 they think that final report might do -- might say. As a
2 way of setting the stage, so to speak, for which these
3 hearings and all the others are providing us with a rich
4 and valuable data bank.

5 MR. PARKER: Yeah. I think that would be useful. Do
6 you wanta start it off?

7 MR. WENK: Oh. Is this the penalty of making
8 proposals to Mr. Chairman. If so I shall be far more
9 reticent in the future.

10 MR. SUND: If that's all it takes to slow you down,
11 Ed.

12 MR. WENK: Well -- I'll try to be brief. Members of
13 the commission have heard me allude to this earlier, but I
14 wanta repeat it. I come from outside. I think that this
15 report has as much relevance, has the potential of impact
16 for the Lower '48 as much as it does for the State of
17 Alaska because the catastrophe that happened here could
18 have happened in Puget Sound, it could have happened in a
19 number of other coastal states. But broader than that, it
20 serves as a wonderful case study of the kind of trade-offs
21 that we make in a modern technological world, between the
22 benefits that we expect from technology and the risks.
23 There are no risk-free technologies. Our employment, for
23 whatever purpose, will carry with it penalties some of
25 which are, in this case, short-term, immediate and evident,

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1 but some are much longer term but are no less important,
2 maybe even more important and everyone has come to
3 understand we better pay attention to global warming and so
4 on. What is there special about Exxon Valdez that bears on
5 this broader issue. Every time there is a technological
6 disaster, the tree is shaken and the apples begin to fall -
7 - and that's a lousy metaphor. What happens is you begin
8 to see the weaknesses of the system. You see, in the first
9 instance, the institutional malfunction. And in the case
10 of the Exxon Valdez, forgive me if it sounds like a
11 conclusion, but I have to say at the present time I haven't
12 found any heroes yet. It doesn't mean I've found villains.
13 All I can say is that as the fragments of information
14 occur, every institution involved strikes me as having
15 disfunctioned. This -- it takes, however, a stress of this
16 kind to reveal the anatomy of an accident -- of a system.
17 I'm sorry, the anatomy of a system -- it takes an accident
18 to reveal the true anatomy of the system. The second
19 thing, and I'll quit at this, that a disaster incurs, is a
20 sudden revelation of the values held by our society. These
21 values are not monolithic. They are not -- we not only
22 can't expect them to be the same in a diverse society such
23 as ours, we feel that diversity is healthy. Nevertheless,
23 there're some basic values that we hold in common, some of
25 which are stated in the Constitution. Some of which if not

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1 explicitly provided in our rules of the game, the
2 Constitution, are matters of custom. It takes a -- an
3 emergency of this kind to flush out those values and cause
4 us to rethink where we are today, but also rethink where
5 we're going in the future. I would hope that our
6 Commission report, apart from meeting the terms of the
7 legislation -- what happened, why did it happen -- will
8 focus on the future. And that is how to keep it from
9 happening again and provide the lesson that I think we can
10 derive from it. Thank you Mr. Chairman.

11 MR. PARKER: Okay, the Chairman'll go next. I --the
12 story of Exxon Valdez, of course, begins with the decision
13 to bring the Prudhoe Bay oil to Tidewater at Valdez, and at
14 the time that decision was made the Nation was in the first
15 euphoria of the environmental movement with the National
16 Environmental Policy Act -- had just been passed. And
17 there was a lot going on in the country -- swept up in that
18 euphoria it was decided to build the Trans-Alaska Pipeline
19 better than any project had ever been done before, and we
20 were going to impose some of the same management techniques
21 that had been used on the Apollo project, and indeed, on
22 the building of the Polaris submarine force, which were
23 America's two great technological achievements of the
23 decade prior to the pipeline. So we were going to -- you
25 know, on the building the pipeline we were going to use

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1 quality control and quality assurance as the first level
2 and quality control. I'm sorry I still -- quality control
3 first, quality assurance second. I'm getting old and this
4 was all a long time ago. But the -- so we set up a very
5 strict management system for the pipeline with a Federal
6 coordinating office whose sole job in life was to manage
7 and provide oversight, from the Federal perspective, to the
8 building of that pipeline. We set up a State office to do
9 the same thing. So we had this very strict management
10 system for the construction of the pipeline. But that
11 management system ended at the dock at Valdez. When the
12 State of Alaska came to the point of examining what was
13 going to happen after the oil left the dock, he found if it
14 was generally status quo that tanker operations and
15 (indiscernible) that Valdez and that the West Coast
16 terminals were going to be handled in the same way they had
17 been handled every place else in the world, generally by
18 the same standards which govern the international fleets,
19 some of which at that time were known as leaky Greeks and
20 other similar euphemisms because they left a trail of oil
21 behind them wherever they went, either from pumping their
22 ballasts or from accidental losses, stress fractures and so
23 forth. The State had absolutely no jurisdiction over
23 tanker operations but decided to go ahead and do what it
25 could, enlisted the aid of the other west coast states, and

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1 we proceeded by the time the Valdez Terminal was open to
2 have a reasonably strict regimen in place. We didn't have
3 everything we wanted, but we did get a good deal. Since
4 the Valdez Terminal was opened there has been a general
5 erosion of that system, which culminated in the tragedy of
6 the Exxon Valdez grounding on Bligh Reef and releasing 11
7 million gallons, or 250,000 barrels of Prudhoe Bay crude.
8 That substantially -- our report, in addition to conveying
9 the sense very briefly of the history I have just conveyed,
10 then must examine in detail the events of the last 12 years
11 to point out the failures that occurred that allowed the
12 Exxon Valdez tragedy to occur. It must also examine the
13 response to that and to then make recommendations on how to
14 prevent for the future and to prevent future tanker
15 casualties, and to provide a better response. That is how
16 I see the general structure of the report and the story it
17 must convey in very basic, easy-to-understand terms.
18 Luckily, tanker technology is relatively easy to explain to
19 anyone and is not too difficult to get into. But the other
20 elements are going to be the -- all the human factors
21 elements from what motivates able-bodied seamen sailing on
22 tanker, all the way up to what motivates their ultimate
23 bosses to make the decisions that govern the operations of
23 the tankers and their crews, is going to be the far tougher
25 part of this report to do. And the same thing, describing

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1 to the best we can, the impact of this disaster on the
2 coastal communities of Alaska, the five larger towns and
3 the 16 villages, plus the other remote cannery sites and so
4 forth, which are all in the oil spill area, is going to be
5 dependent -- to a large part what we can describe is going
6 to be dependent very much on how much the people in the
7 communities describe it for themselves and tell their own
8 story between now and November and December when we must
9 finalize our report to have it before the Legislature
10 January 8th. We're just kind of scoping out how we
11 visualize the report.

12 MR. WALLIS: In public?

13 MR. PARKER: Yeah.

14 MR. SUND: This early?

15 MR. PARKER: Well, I.....

16 MR. SUND: (Indiscernible) time slot to fill here.

17 MR. PARKER: Yeah, Darryl Shaffermeir will be here at
18 10:30. I'd like to introduce Tim Wallis, our commissioner
19 from Fairbanks. Anybody want to talk?

20 MR. SUND: Oh yeah, I've gotten my two pages written
21 here.

22 MR. PARKER: Okay. Which one of you wants to go
23 first?

23 MR. SUND: Go ahead, Meg.

25 MS. HAYES: Thank you, John. Well, I have a different

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1 perspective than my two previous distinguished colleagues.
2 First of all Ed, I would disagree with you somewhat in your
3 statement that you haven't found any heroes. I thought
4 that the testimony that we heard in Cordova approached
5 heroism. And I was moved by what the people had done there
6 and I found that those organizations, as informal and as
7 volunteer and makeshift as they were in preparing for an
8 emergency, was notable. And it also seemed to me yesterday
9 that some of our speakers, although we haven't talked yet
10 to McCall, seemed to imply that he had acted with the
11 highest regard for what he thought the mission was. And
12 while I may or may not agree with what his priority was, at
13 least I think that there may be elements of heroism there.
14 In response to Walt, I.....

15 MR. WENK: Excuse me, could I just make clear, I was
16 only referring to institutions.

17 MS. HAYES: Okay. Also I would also (indiscernible)
18 Walt that I don't have the experience that you have in
19 working in this issue. You've been in it a long, long time
20 compared to my involvement with it. And I would agree with
21 you, and I was quite taken with your statements about
22 documenting the failures. I think one of the most
23 important things that the report should do is provide a
23 factual basis for the recommendations we make. You and Ed,
25 to some extent from what you just said, Ed, have already in

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1 your mind -- are analyzing the events and the testimony
2 that you're hearing with a background that the rest of us
3 laymen don't have. And I think that you need to more
4 slowly bring us along. And I'm not from Missouri but you
5 gotta show me. I want the report to have enough factual
6 basis -- perhaps not in a great deal of detail -- but I
7 don't want to have our recommendations being meaningless
8 because we don't have a foundation in the facts. And
9 that's my vision.

10 MR. PARKER: I thought I said we had to analyze
11 carefully the events of the past 12 years leading up to
12 this. I've not been a part of that past 12 years. I have
13 less knowledge than you have of the events at Valdez of the
14 last 12 years having not been a part of the State
15 government during that period. Go John.

16 MR. SUND: Oh, Esther, go ahead. Keep the routine
17 here.

18 MS. WUNNICKE: Keep the routine. Well, I guess I
19 thought the question before us was how we visualized --
20 visualized the report, and I think that we're governed a
21 good deal in that by the legislation that created us and
22 empowers us. I agree that we have an obligation to state
23 what are the relevant -- or what I would call operable
23 facts of the Valdez -- Exxon Valdez grounding and its
25 aftermath. But I think we should not be limited to only

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1 that set of facts in terms of looking at where the problems
2 lie. And I think that our recommendations will necessarily
3 emphasize prevention of such a event happening in the
4 future. But based upon projected sets of facts that may
5 have a different location, a different shipper, a different
6 responsible agent, and that we should make recommendations
7 that address where the system's failed as Dr. Wenk
8 indicated, and to the best of our ability make those
9 recommendations not only to prevent this occurrence from
10 happening someplace else or in the same place again, but to
11 recognize that life is not fail-safe and that the best
12 prevention methods are often undone by unforeseen acts,
13 usually of human beings. And that we need to construct, if
14 they don't already exist, or we need to reconstruct if they
15 do exist, institutions that can give a rapid, effective
16 response to such an event. And then, again failing that,
17 that will to the largest extent possible mitigate the
18 affects of such an event, not only on the environment but
19 on the people who live in the coastal communities and their
20 lives in terms of their economic well-being, their social
21 well-being, and some intangible kind of thing which I think
22 all of us as Alaskans feel the loss of our virtue. So, if
23 that's an outline for the report I would see it as one
23 being factually-based, analytically-sound and forward-
25 looking.

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1 MR. SUND: It's always stimulating to go last in the
2 morning. It's always an advantage to -- Tim, Tim gets the
3 ultimate (indiscernible). I guess I have a little more -
4 - a little different view. Maybe this is a useful
5 exercise, Ed, if you're keeping track. But to me the use
6 of this report is to affect public policy, and public
7 policy being formatted by the tone of the public, the
8 Legislature, the Congress, the oil industry itself, both
9 the owners, the workers. And I divide the public into two
10 categories; the general public, which is all of us and
11 maybe all of us united states of the world, and then the
12 effected public, which is the people who are directly
13 effected either economically or health-wise in this spill.
14 And I get there by -- I think we have to reveal the current
15 status quo. What is the exposure to risk that we have
16 accepted because we want to be in the oil business today.
17 What is the exposure risk out there today, and how did we
18 get here. And is the exposure risk today greater or less
19 than what we thought it was gonna be 10 years ago. When we
20 agreed to take this on, we agreed to a level of risk and a
21 level of risk-assessment at that time. I would like to
22 know what it was then. I know what it is today. And has
23 it changed. And the next question is, once we've looked at
23 that status at what the risk is, are we satisfied with it.
25 Is the status quo exposure risk a satisfactory deal. And

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1 I can tell you what the exposure risk is today that
2 everybody here has accepted. We allow a one million barrel
3 tanker to run out of Valdez. That's what the Exxon Valdez,
4 right -- she had a million barrels on board. And the
5 design criteria is to sustain a beaching and not deposit
6 more than 50% of its cargo in the ocean. In this case 20%
7 of the cargo escaped. So we're into that design criteria
8 line. It stayed within its design criteria. The best
9 optimum oil clean-up methodology available in the world
10 today if everything had gone right would get 20% of the
11 spilled oil picked up. So if everything had gone right,
12 out of the 11 million gallons that spilled, we coulda got
13 about 200,000 gallons picked up. In other words, we're
14 willing to risk and have 800,000 gallons of oil hit the
15 beaches. With given technology that is the risks that we
16 are exposed to today and that is the risk that we have
17 today accepted. Now the question is, are we willing to
18 continue with that exposure or do we want to do something
19 about. And I think that's a fundamental question, is the
20 status quo acceptable or not. If it is, you know, you
21 write your report and go home. And if it's not, then you
22 have to say what kind of changes are people willing to
23 undertake. And I think the changes -- there's two types of
23 changes. There's changes in technology, they're saying do
25 we wanta just take what we're doing and do it better. Do

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1 we wanta have vessels just designed differently. The same
2 size of vessel, but design it differently so maybe it won't
3 deposit as much oil on a given breakup. Although on a
4 total breakup it'd all go. Do we want to play around with
5 the navigation systems, do we want to play around with
6 that. And then I think the other half of it is people-
7 systems management. Do we want to change the type -- the
8 way we crew the vessels, the way we man 'em, the way the
9 promotions are handed out, the way the evaluations are
10 done, the amount of people on the deck on how many piles.
11 I mean, do we want to play that. Those are, I think, small
12 changes. Those are small structural changes. Then there's
13 another type, what I call fundamental system change. Do we
14 want to lessen the exposure of risk. Do we want to go with
15 smaller tankers? And just say the maximum risk on a total
16 thing, we don't want a tanker in here that has over 500,000
17 barrels on board because we don't wanta be exposed to any
18 bigger risk than that. Do we want to do away with tankers
19 all together and build another pipeline overland? And just
20 say any amount of risk exposure to a tanker spill is too
21 big a risk. Do we want to lower the pipeline flows and cut
22 back the amount of risk at any one time. I think those are
23 fundamental system changes. I don't know whether the
23 people are willing to do that or not. And that's on the
25 prevention side. On the other side of it, you know, if

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1 there is a spill how do you want to clean it up. And what
2 everybody seems to be proposing now is more of the same.
3 More boom closer to the ship. More clean-up closer to this
4 and that. Nobody is proposing fundamental, massive
5 research on technology on cleaning up oil spills in the
6 high seas. I haven't seen a report or proposal yet.
7 Nobody's proposing a NASA-related effort to fix the
8 Challenger rocket, so to speak. You know, nobody's willing
9 to put five hundred million dollars on the table to figure
10 out how to pick up oil out of the ocean, although they're
11 willing to put five hundred million dollars on the table to
12 figure how to clean it off the beaches. Or at least we
13 wanted to pay people to try to do that. But the effort
14 isn't being offered in the other direction and I think
15 those are fundamental structural changes. And I think
16 that's why we're here. And basically I think that's my
17 outline of the report that I would turn in at the end.

18 MR. PARKER: Okay. Tim.

19 MR. WALLIS: Well basically, I think a lot of us have
20 talked about a lot of different things. With the time
21 constraints we have I don't think we can really do
22 everything that we need to do. And basically, as I
23 outlined in my draft of a table of contents, just certain
23 things that we have to do. The historical aspects of what
25 happened and why the system failed. Basically, through the

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1 companies, be it Alyeska, Exxon, State, everything, nobody
2 knew what to do. And I think that's part of our task is in
3 establishing some guidelines as to different people's
4 responsibilities. An historical event of impacted
5 communities. Where was the State, why weren't they
6 reaching out to the communities to help them. Who provided
7 the leadership in dealing with the company at fault. I
8 think those are the things that we have to find out why the
9 system failed there, and make our recommendations that it
10 don't happen again. On the prevention side, of course
11 everybody likes -- would like to see it never happen again.
12 But as John said there is an element of risk there. And
13 are we willing to accept that element of risk. I believe
14 with our recommendations and guidelines to contingency
15 plans is what we're all about right now. Other things that
16 have to be done, I don't think we have the time to do it in
17 dealing with the entire state, with the pipeline, with
18 other coastal areas. I think the Commission's time would
19 have to be extended and look at all transportation of oil.

20 MR. PARKER: Thank you, Tim. Marilyn, you want to go
21 tell Darryl we're ready.

22 MR. SUND: Oh, is he (indiscernible).

23 MR. PARKER: Yeah, he and Dennis wandered off to talk
23 over old times. They used to work together here in Seward.

25 MR. SUND: It's always great to start the morning out,

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1 Mr. Chairman, with a rousing speech. You know, it just
2 gets the blood running.

3 MR. PARKER: Oh yeah. I think, you know, the
4 continuing saga of the dear old Exxon Valdez is a classic
5 example of how much we've got to stitch up. As I
6 understand it from last night's news, the State of
7 California told -- keep that ship away from San Clemente
8 Island, and the City and County of San Diego said that
9 ship's not coming in our bay. And they're hoping Long
10 Beach'll relent and let 'em in, although why Long Beach'd
11 let them in if San Diego won't is beyond me. But.....

12 UNIDENTIFIED SPEAKER: (Indiscernible) the garbage
13 barge.

14 UNIDENTIFIED SPEAKER: They couldn't tell the
15 difference in Long Beach.

16 MR. PARKER: Yeah. The system (indiscernible) to
17 appear to be a little inconclusive at the moment.

18 MR. SUND: The latest report, Mr. Chairman, in this
19 morning's paper, is that the Coast Guard examined the stuff
20 that was out in the ocean and discovered that it's
21 organisms and not oil, and the State of California examined
22 it and discovered it was oil but they didn't know where it
23 came from. So they're all gonna go out together today and
23 see if they can agree whether it's oil or not.

25 MR. PARKER: Well, good morning, Darryl.

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1 MR. SHAFFERMEIR: Good morning.
2 MR. PARKER: Do you know everybody?
3 MR. SHAFFERMEIR: Oh, I'm not certain.
4 MR. PARKER: Ed Wenk. Tim Wallis. You know me. Meg
5 Hayes. Esther Wunnicke. John Sund.
6 MR. SHAFFERMEIR: Hi, John, glad to meet you. I'd
7 like to take this opportunity to welcome you all, the
8 Commission, to Seward. Apologize -- Mayor Geezler's (ph)
9 absence this morning. He had planned to be here to deliver
10 this welcome and give a few comments, but his work
11 situation necessitated him to be out of town on very short
12 notice, and so he extends his apologies and hopes that he
13 can perhaps some other time be able to welcome you all in
14 the course of your activities. Later on today you're
15 scheduled to receive testimony from the Seward area Multi-
16 Agency Coordinating group, which the City of Seward has
17 been a participatory member of that group. I thought maybe
18 this morning I could -- I could just provide for the
19 benefit of the Commission, a little overview of the City of
20 Seward's involvement in the oil spill and perhaps answer
21 any questions that you might have. I thought maybe I'd
22 also touch for just a minute on some concerns that the city
23 has with regard to the down-the-road impacts from the spill
23 and give you a few of our thoughts on that.
25 Just to got back and cover a little of the history of the

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1 city's involvement in the spill. The concern of the spill
2 was first addressed by the city council at their March
3 27th, 1989 regular council meeting. When city
4 administration was requested to continue to monitor very
5 closely the events of the spill and the direction of
6 movement of the oil. By Tuesday afternoon on the 28th it
7 was apparent that we indeed were faced with a catastrophe
8 of pretty extreme proportions in certainly Prince William
9 Sound and growing more apparent that it was going to be a
10 catastrophe of large proportions to South Central Alaska.
11 Given that, there was a special overflight arranged on
12 Wednesday by city officials of Prince William Sound and it
13 became very apparent from that flight that we indeed had a
14 problem confronting us and that we had better act and act
15 quickly. Given that, the city council met in special
16 session on March 29th to address this threat, and as a
17 result of the reports that were given declared a state of
18 emergency under the city code of ordinances and authorized
19 the city manager to expend funds necessary to acquire
20 equipment, expertise and personnel to cope with the
21 expected influx of oil. That evening, city personnel,
22 elected officials, worked well in through the night in an
23 effort to do the necessary things, and that is find out
23 where in the world equipment could be obtained and the
25 necessary expertise to deal with a spill that we believed,

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1 and rightfully so, was going to affect the Seward area.
2 This was accomplished in the form of getting assurances and
3 commitments out of Exxon, through purchase order authority
4 to acquire containment booming and get it transported to
5 Seward for the purpose of placing it in critical areas in
6 an effort to be prepared for the moving onslaught of oil.
7 This continued, of course, into Thursday. We actively set
8 up our emergency operations center throughout Thursday, and
9 had it staffed and manned pretty much around the clock for
10 nearly a two-week period. Initial reports were that from
11 the data that we could obtain, that we should be
12 essentially spared from any direct effect of the oil.
13 Unfortunately, I think, that was later proven to be
14 incorrect. That much of the -- at least the outer reaches
15 of Resurrection Bay, extending on down through Kenai Fjord
16 and further on south, in fact as we know today, it's gone
17 a great distance. We did find that the most reliable
18 information of which one could rely on stemmed from work
19 that was done by this -- the Institute of Marine Science,
20 University of Alaska, on the very extensive current
21 modeling that they had performed in Prince William Sound
22 and the Gulf of Alaska. And their modeling did in fact
23 prove to be extremely accurate, and did show very correctly
23 the course of the oil.

25 Concurrently with the city acting, we were fortunate

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1 to have the very able assistance and -- of several Federal
2 agencies, primary of which is the U.S. Park Service, who
3 has extensive land holdings in the Kenai Fjords area and
4 they became immediately mobilized and working on the
5 situation in concert with the city. This also involved
6 U.S. Forest Service, Coast Guard, Department of Labor,
7 particularly the local Job Service office, Margaret Brenson
8 (ph), and the University of Alaska Institute of Marine
9 Science. Within a week we were in close contact and
10 working with NOAA, the Alaska Division of Emergency
11 Services and the Department of Environmental Conservation.
12 Through the auspices of the Park Service they were able to
13 obtain the services of a Federal incident command team
14 under the direction of Dave Leerversbach (ph) from
15 Fairbanks. And this team was implemented and put on
16 location initially using the facility belonging to the U.S.
17 Forest Service and they became very quickly the
18 implementing arm of the City of Seward and National Park
19 Service in the deployment and placement of boom that was
20 acquired by the City through the purchasing authority of
21 Exxon. Concurrently we also were able to find a boom
22 deployment expert from New Hampshire, Joe Santa Maria (ph).
23 He came on very short notice -- flew to Alaska with the
23 boom that his company manufactures -- and he was on-scene
25 in a very short time and we started deploying boom on

/clf

1 Sunday, 10 days after the -- Saturday and Sunday 10 days
2 after the spill occurred on the 24th of March. The areas
3 that were deployed were mutually determined by
4 representatives of the City, the State Department of Fish
5 and Game, the National Park Service, principally, and also
6 State Division of Parks representative. So we were
7 successful in being able to deploy the critical areas
8 within Resurrection Bay and then move into deploying boom
9 to protect the anadromous fisheries streams and habitat on
10 on down to as far as Gore Point. And initially the Seward
11 team of officials also were involved in handling and
12 coordinating the affairs in the Homer area for the first
13 couple of weeks into the spill, until their organization
14 was established and they started working the spill from
15 Gore Point south, on around into the Homer area. I think
16 that this success that we were able to recognize here,
17 stemmed a large degree from the fact that we were able to
18 take advantage of the incident command structure that
19 initially -- originally was put in place to deal with
20 forest fires. But we found that they were very well-
21 organized and had a structure that could be used to
22 implement what was needed to deal with an oil spill as
23 well. And it was through this structure that we were able
23 to operate and originate a multi-agency coordinating group
25 that really has allowed to sit around a table daily and

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1 work what needs to be done in dealing with the spill. Now
2 much has evolved since the early days of MAC and how it's
3 handled, but it enabled us to deal with the situation
4 taking advantage of a multi-agency coordinating effort with
5 an incident command team until Exxon and the Coast Guard
6 could become sufficiently organized to take over the
7 responsibility of dealing with the spill in this area.

8 MS. WUNNICKE: How long did that take?

9 MR. SHAFFERMEIR: It took approximately -- my
10 recollection -- it took roughly a month before I think the
11 -- Exxon was in a position where they had personnel
12 staffed, and they had a contractor hired, and the
13 contractor began deploying personnel and equipment into
14 this area to start doing much of the work that the Federal
15 Incident Command Team did under the direction of the Multi-
16 Agency Coordinating Group. Once the Incident Command Team
17 was demobilized and Exxon and the Coast Guard took over as
18 far as implementing what was necessary and needed to be
19 done, the Multi-Agency Coordinating Group remained in
20 existence with Exxon and the Coast Guard being -- sitting
21 at the table with the other agencies, which include, of
22 course, all of the affected Federal agencies, State
23 agencies, the City and

23 (Off Record - Change of Tape)

25 (On Record - Tape Number 89-07-14/1B)

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1 MR. PARKER: was most helpful to you in pulling
2 in that command structure (indiscernible)?

3 MR. SHAFFERMEIR: National Park Service. Very, very
4 clearly they were the lead agency from our standpoint and
5 were the entity. In fact, I might add that this particular
6 Incident Command Team had first gone to Valdez and for
7 reason that I'm not fully, I guess apprized of, they were
8 not kept in Valdez. Actually I believe they were told they
9 weren't needed. And so with that we had an Incident
10 Command Team with no place to go. So the Park Service was
11 very quick. Superintendent Kastelina was very quick in
12 getting them brought into Seward and.....

13 MS. WUNNICKE: They -- were they -- they were BLM
14 (indiscernible).....

15 MR. SHAFFERMEIR: Primarily BLM employees, but there's
16 -- they're attached with representatives from a cross-
17 discipline of agencies including State agencies. And they
18 each have specified training and they were able to set up
19 a communications systems very quickly. Monitor all of the
20 air traffic, marshal all the resources that could be
21 obtained. And we found that there were a lot of resources
22 that were out there. There were early reports that boom
23 was not available. We found tremendous quantities of boom
23 available. Transportation and logistics was a little
25 difficult but we got over 10,000 feet of boom initially

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1 within basically three-days time span from the time that we
2 instituted the emergency until the boom was here in Seward
3 with an expert. It took about a half a day's training with
4 the crew from some seiners and another larger support
5 vessel with some City personnel and some local personnel
6 that we hired on an emergency basis. But we were deploying
7 boom by the Sunday within 9, 10 days of the spill.

8 MR. PARKER: Who put you onto your boom and your
9 deployment expert?

10 MR. SHAFFERMEIR: Well, actually, the City Remarketing
11 Development Director, Chris Gates (ph) who has a real
12 talent for finding things, got on the phone and first
13 contacted Exxon and was able to get a commitment of a
14 purchase authority from the Exxon on-scene representative
15 in Valdez, which enabled us then to go out and commit for
16 boom. And it took a lot of telephone calling on his part
17 but by early morning hours of Wednesday the -- actually
18 Thursday the 30th -- we had the boom lined up and it was --
19 - it was being loaded. We chartered a DC9, transported it
20 along with Mr. Santa Maria (ph) to Seward.

21 MR. PARKER: This was all on the City's ticket.

22 MR. SHAFFERMEIR: This was -- well actually, most of
23 the boom acquisition and transportation was on Exxon's
23 purchase order. The City did, of course, have a cost of
25 Mr. Santa Maria (ph). We had costs of personnel and all of

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1 our personnel to pay for. And all of our costs through the
2 23rd of June have been reimbursed, or are in the process of
3 being reimbursed, through the Kenai Peninsula Borough from
4 a two million dollar fund that they received from Exxon.
5 Prior to -- or since the 23rd of June we have been working
6 with Exxon to recover our "but for oil spill" costs, and
7 they have this week advanced the City \$25,000 in an advance
8 at our request -- at my request -- in an effort to help
9 with our costs.

10 Now, concurrent with all of this, the City's been very
11 involved with the other communities affected by the spill
12 in an effort to obtain a uniform reimburse agreement. I
13 believe you were at a meeting with the mayors where that
14 was a topic of discussion. We were disappointed, remain
15 disappointed, that that has not been successful. But each
16 of the communities now are attempting to work with Exxon to
17 receive some assurance and hope of being able to handle
18 their continuing costs. We were fortunate in the -- early-
19 on Mayor Gilman -- I attended part of those discussions in
20 Valdez the Sunday -- the second Sunday following the spill
21 we were able to receive an initial agreement out of DEC in
22 Valdez for up to 200,000 through the borough -- that would
23 fund it through the borough to take care of Seward's costs
23 and other community costs within the borough. Mayor Gilman
25 was also shortly thereafter successful in getting an

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1 initial one million dollar commitment from Exxon that was
2 later increased to two million, to enable the cost of
3 obtaining material, equipment, vessels, personnel to
4 continue with the effort. You know, I think that had we
5 not responded and dealt with getting the equipment and
6 material deployed in a timely manner, I think we would have
7 greater effect, greater impact on certain -- certainly in
8 certain of the fishery resources that we were able to boom
9 and protect. I think the -- I think that once the horse
10 got out of the barn most of that oil escaped from around
11 that ship and it simply became a war that had to be dealt
12 with on a strategic basis by determining where the
13 resources were that had to be first protected. We
14 initially looked at a concept of maybe even cloying the
15 entire mouth of Resurrection Bay, and we quickly discounted
16 that after talking with the expert, that there just wasn't
17 the type of boom and the size of boom, or the amount of
18 boom or equipment to even feasibly consider that. So we
19 had to fall back to looking at lagoons, stream mouths, that
20 type of thing, with the boom that we had.

21 MR. WENK: Mr. Chairman, first, this is a beautiful
22 example of heroic measures, which a colleague referred to
23 earlier. I think it's so impressive I'd like to ask a
23 couple of questions. First, because time is short and the
25 nature of the imperfections, at least in my notes and so

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1 on, do you have this documented in the first instance with
2 a -- the emergency response you referred to with the
3 leadership of the Parks Service, the fire-fighting as a
4 structure -- that you could share with us or give us a
5 copy?

6 MR. SHAFFERMEIR: Yeah. There is a booklet that's put
7 out that provides all the organization for the incident
8 command structure. And they're -- certainly the Park
9 Service, I think, can speak in greater detail to that
10 organization. Fire Chief John Gage (ph) is much more
11 familiar with the -- with how it is organized. But I would
12 certainly commend you to contact Dave Liebersbach or
13 someone -- right now is a very difficult time for them
14 given the fire situation that's ongoing, but at some point
15 in your work if you haven't already received that
16 information.....

17 MS. HAYES: Mr. Chairman -- if I may just respond to
18 that. And I did contact the State Director of the Bureau
19 of Land Management early-on, and he did provide such a book
20 to us that has that structure. Yes.

21 MR. WENK: Second related question has to do with
22 whether at any time up 'til this emergency, the notion had
23 occurred to you folks or to ADEC with regard to your role
23 in contingency planning or emergency response to an oil
25 spill.

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1 MR. SHAFFERMEIR: No it hadn't been a part of our --
2 I guess of our planning, nor had we to my knowledge -- and
3 I've been with the city now for nearly 13 years -- had we
4 been contacted or really factored in any discussions of our
5 dealing with the catastrophic oil spill. We, of course,
6 operate a small boat harbor and we do have limited
7 absorbent boom and some capabil -- and pads -- capability
8 for dealing with small local, you know, very, very small
9 spills that occur occasionally. But at no time until this
10 incident occurred did we -- frankly we weren't on the
11 shipping lane with tanker traffic, certainly the size that
12 moving in and out of Valdez. I don't think anyone really
13 anticipated that a spill of that magnitude in the first
14 instance, and secondly what it would do if it got away, and
15 if it occurred, that the currents would in fact carry it.
16 I think recent work done in the last couple years by the
17 Institute of Marine Science (indiscernible) and show what
18 the currents do in Prince William Sound and that area, and
19 I think we now know. I mean, we have real life test of
20 what happens when you have a spill in that particular area.
21 But, no, we did not have any contingency planning or
22 involvement. Third and.....

23 MR. WENK: Quick question now. Is -- are you still
23 actively involved -- or I should -- I don't mean you
25 personally necessarily, but the system that you have

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1 exercised. Is that still actively involved.

2 MR. SHAFFERMEIR: From an emergency operations
3 standpoint, no. We have -- we're not involved to the --
4 anywhere near the degree that we were in the first two or
5 three weeks of the spill. Our involvement now consists of
6 continued participation with the Multi-Agency Coordinating
7 Group. And even the City's role and involvement in that
8 has much, much diminished because the areas that are
9 impacts to City land and resources really aren't present
10 anymore. We no longer -- we've -- we were able to, I
11 guess, effectively defend the City land areas and areas of
12 concern within Resurrection Bay, and now it is more of a
13 Federal agency land ownership -- an agency concern, as it
14 relates to the effect of the spill on their properties,
15 whether it be the Fish and Wildlife Service, State or
16 National Park Service.

17 MR. PARKER: John.....

18 MR. SUND: I -- just a simple question. Valdez
19 appears to be an occupied city. Why isn't Seward in the
20 same ballgame?

21 MR. SHAFFERMEIR: We're ornerier I think perhaps in
22 some respects. Let me just give you some examples. The
23 City's attempted -- and I think we've done a good job to
23 cooperate with all of the affected individuals and dealing
25 with the spill, primarily Exxon and their contractors. We

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1 have been impacted. Our housing is full to the maximum.
2 But we -- but we've held the line as it relates to
3 overlooking -- or not overlooking, land-use planning,
4 zoning, building code enforcement, those types of
5 activities. We simply -- and the council's been very
6 supportive in this in not allowing ATCO trailers to pop up
7 all over town. To compelling Exxon and the contractors to
8 adhere to normal regulations and rules. Expend the extra
9 money if necessary, but do the -- do it right. And so we -
10 - while we have a lot of people here, and we have been
11 impacted by just that, we have been, I think, generally
12 successful in keeping those impacts into a manageable form.

13 MR. SUND: And one other question. On terms of
14 cleaning up here next month or in September, how successful
15 has Seward been in terms of talking Exxon into utilizing
16 the boat-lift and stuff here for cleaning the vessels
17 (indiscernible).

18 MR. SHAFFERMEIR: We've had some disappointments there
19 as it relates to some of the activities of their contractor
20 as it relates to vessel decontamination and cleanup. And
21 I can give you just a -- you know -- I'm taking up a lot of
22 time here I know, but maybe for a minute just since you
23 asked the question. Very early-on the City gave VECO a
23 permit to install a vessel decontamination center along one
25 of our floats -- ex-float (ph) in the boat harbor. It was

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1 only permitted to run until the 15th of May because that
2 float is leased or utilized by the Army and Air Force for
3 their facilities, and had to be vacated in order to allow
4 their boats to come in. They operated the facility 'til
5 the 15th May. We extended and modified the permit, at
6 their request, to allow them to move their decontamination
7 center to another location in the harbor. We also honored
8 their request to provide them with a ground lease for an
9 area near our travel lift facility so that they could
10 physically take boats out, put in a system. For reasons
11 that I'm not privy to and I just don't know, they failed to
12 go forward with either of those two projects. And I've
13 really -- we've had to in the past send them letters. We
14 found that they were doing -- still continuing to do
15 decontamination within the harbor without a permit, without
16 any specific location being allowed. And we effectively
17 have compelled them not to do that anymore. They have
18 subsequently relocated and are doing cleaning elsewhere.
19 I don't know where it is. I've been told that -- they told
20 us initially that it was going to be located on a barge
21 alongside the coal pier under a permit from the Alaska
22 Railroad Corporation. I was told -- I believe it was
23 earlier this week, that they had relocated their
23 decontamination center now to an old marineways out on
25 Lowell Point (ph), which is outside of the City. I don't

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1 know to this point where they're effectively dealing with
2 decontamination, and that's been a point of frustration.
3 The world's been rife with rumors about the interest of
4 Exxon and their contractors using our synchrolift (ph)
5 system, for example, to do work on boats, to -- utilizing
6 one of our docks across the bay and our marine industrial
7 center for the purpose of constructing barges with hot
8 water washing systems -- to servicing and handling floatels
9 and, you know, those all may be developing in part of the
10 plan but we have not been able to get any real verification
11 that any of those activities are actually going to go
12 forward. So we've been somewhat frustrated in what they've
13 done as far as decontamination and coordinating with the
14 City. We've been responsive but they haven't been,
15 frankly.

16 MR. SUND: Thank you.

17 MS. WUNNICKE: Mr. Chairman, just to take you back to
18 some of your earlier remarks in terms of the ability to
19 project and realize that Resurrection Bay and your
20 communities would indeed be affected by the Prince William
21 Sound spill. You said that the Marine Institute had
22 accurate trajectory information, but what was the first
23 information that you had where you first thought that you
23 would not be affected?

25 MR. SHAFFERMEIR: I think we got some information from

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1 representatives of Exxon and some of there scientific folks
2 that they had, they're employees of Exxon, that we would
3 not expect anymore than maybe 50 barrels of oil to affect
4 Resurrection Bay. Now, in reality, a large quantity of oil
5 came into the outer mouth of Resurrection Bay around
6 Farwell (ph) Island, Rugged Island, Bear Glacier, Agnes
7 Cove and have -- and there was significant amounts that
8 were retrieved and skimmed in those locations. And so we
9 did get a lot of oil. We did get, of course, the tar-
10 balling clear up into the mouth of Resurrection Bay and on
11 the beaches right here in the City that had to be cleaned
12 up. And so we did experience far more oil than we were
13 initially told, or lead to believe, that we would. And I
14 think that simply bore out what we later discovered to be
15 information based upon modeling that was done by the
16 Institute.

17 MS. WUNNICKE: Thank you.

18 MR. PARKER: Any other questions. Darryl, we'll be
19 getting back to you as we develop things, for more
20 information, and as we need to, and keep up a continuing
21 dialogue on this.

22 MR. SHAFFERMEIR: Thank you, Mr. Chairman. I didn't
23 really, I guess, address -- and if I might just have about
23 a minute to address some concerns that the City has,
25 continuing concerns. We will be the first to admit that it

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1 is very difficult as a community for us to assess really
2 what the impacts at this point are from the spill. We've
3 been positively impacted economically at this point in the
4 fact that the employment is very high, the occupancy of our
5 community is very high, and the business volume is very
6 high right now with all of the activity. We don't know, of
7 course, like all the other communities, what the impact is
8 going to be -- the down-the-road impact's going to be on
9 such things as tourism. Certainly we don't know what the
10 impact's going to be on fisheries. Because of the amount
11 of closures that's been experienced this year our impact
12 doesn't -- it doesn't look very favorable at this point.
13 And that, of course, is going to affect this community's
14 health in that about 40% of Seward's economy is still
15 fishery related. And we anticipate that it's going to take
16 a couple of years, maybe longer, for us to really know
17 that. There are some more immediate concerns that we're
18 alarmed about, and that is, there has been proffered and
19 suggested, at least, I'm not sure it's been -- what form
20 it's been introduced yet -- legislation on the Federal
21 level that would establish independent research facilities
22 in Prince William Sound. And we're alarmed because of the
23 impact that that might have on this facility -- I'm
23 speaking of the Institute of Marine Science. This
25 community and the University of Alaska and the State has a

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1 tremendous investment in this facility, and that we would
2 hope that the State be mindful of trying to encourage the
3 use of the existing facilities that we have and personnel
4 in doing the research, the monitoring and the work that has
5 to be done, and not put us in a position where we're
6 building and constructing and operating independent --
7 competing facilities when really we have the capability of
8 doing much of the research here. That's not to say that
9 there aren't certain programs and research things that
10 could be done in a facility in Prince William Sound, such
11 as research on how to contain oil, how to deal with oil
12 spill prevention, that type of thing. But the marine
13 biology research -- this facility is here, it's prepared,
14 it has the equipment and the capability to do that work.
15 Secondly, as part of the overall cleanup and response to
16 this effort, we're concerned about -- the State of Alaska
17 and the City of Seward has a very large investment in the
18 marine repair facility and our Seward Marine Industrial
19 Center, in excess of a forty million dollar commitment
20 investment. We've received reports that there is going to
21 be the potential, and maybe already occurred, of the
22 bringing in of floating drydock facilities into this part
23 of Alaska to be used by Exxon and their contractors in
23 doing much of the work as needed for vessel retrofitting,
25 repair, cleaning, that type of thing. And we're alarmed by

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1 that. Because the potential there that these facilities
2 will not leave Alaska when they're brought in. It's not
3 economic right now for them to come in on their own, but
4 with Exxon's funding we're concerned that they will be
5 brought in and then that they will stay here, only to
6 compete with the State facilities in Ketchikan and the
7 State-invested facility here in Seward. And we're
8 concerned about those kinds of impacts. So I'd just like
9 to bring those to the attention of.....

10 MR. PARKER: Okay, that institute is the one -- that's
11 the Senator Stevens bill or, uh.....

12 MR. SHAFFERMEIR: Yes, I believe -- and we -- we've
13 had the opportunity to talk with -- briefly with Senator
14 Stevens, but more pointedly and in much greater detail with
15 Senator Murkowski (ph) when he was here. In fact,
16 representatives of the Institute did testify at that
17 particular meeting.

18 MR. PARKER: Yeah, we don't have any background on
19 where that proposal came from yet or anything, so I suppose
20 we'll be getting -- some and we'll be examining all Federal
21 legislation to kind of relate it to what we're about, and
22 certainly take that up. On the floating drydock, I hadn't
23 heard that. Where -- what firm is that?

23 MR. SHAFFERMEIR: They're -- I don't know. But I
25 guess our general concern is that we do not want to see

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1 this spill generate something that's going to provide long-
2 term unfavorable competition to struggling Alaskan
3 industries that -- particular the on-shore industries that
4 this state and the communities of this state have made some
5 substantial investments in. And I'll simply -- we're
6 concerned that that may be a potential of occurring.

7 MR. PARKER: Okay, thank you Darryl. Any others?
8 Okay. Next we have Admiral Robbins (ph), the on-site
9 coordinator.

10 MS. KASTELINA: We're a little out of order Mr.
11 Chairman. Clyde do you want to go -- do you want me to go
12 first. (Indiscernible) scheduled.

13 MR. PARKER: Did you want to go first? Okay. I
14 wasn't -- I'd received contrary (indiscernible -
15 simultaneous talking). No I just received contrary
16 information, so sorry about that. We'll have Ann Kastelina
17 from the U.S. Parks Service. I've heard a great many very
18 good things about you, Ms. Kastelina.

19 MS. KASTELINA: Thank you. I am here right now to
20 speak to you as the Multi-Agency Coordination Group
21 chairperson, not as Superintendent of Kenai Fjords National
22 Park. I'll be speaking to you as superintendent of the
23 park this afternoon at two o'clock. But right now I'm
23 representing the entire MAC group. What I wanted to do
25 this morning is -- and this is something that Marilyn asked

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1 me to do -- is to just give you a little bit of background
2 on what the MAC group is, how it was established and what
3 it has been doing here in the Seward zone of the incident
4 since the spill on Good Friday. I've prepared a little
5 written statement here which will give you that background.
6 I think it's, you know, pretty succinct, and I'll just
7 leave those here for you and you can put those into the
8 record or have those as you wish. If I could just hit some
9 of the highlights in this and then let you folks ask any
10 questions that you would like to, and then we'll let
11 Admiral Robbins (ph) get up here and discuss his end of it
12 since, of course, being the FOSC he's got -- he's got some
13 real important information to I'm sure impart to you. I
14 don't know if any of you are very familiar with the
15 Incident Command's structure. I was not until this
16 incident occurred, to be very honest with you. But it is
17 a nationwide system of response to emergencies. And it is
18 very structured and it is a system that allows incidents to
19 be -- all types of incidents -- to be handled. Where we've
20 seen it mostly handled in the Federal sector has been on
21 fires. Incident command, for instance, was used last year
22 on the Yellowstone fires extensively. On March 29th the
23 National Park Service called in a Class 1 overhead incident
23 management team to Seward. The Park in this area has a
25 staff of seven people. We were aware, because of our

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1 research, that the oil would strike the shores of the park
2 and the Seward area. And so, therefore, we decided to be
3 prepared as much as possible. The team was called in to
4 assist us in that preparation. The very same day that the
5 team was called on, March 29th, the City of Seward held its
6 first emergency session regarding this spill. So we began
7 in tandem to work on the spill along with other local
8 representatives from other agencies, the local DNR, for
9 example, Caneshood (ph) State Recreation Area. Shortly
10 after this the team arrived, the next day in fact, they
11 began working on intelligence gatherings so we could see
12 what was out there at this point in time. We had data of
13 what was out there in the good times in the summers. We
14 didn't have much for this time of year, for early spring.
15 Anyway, the team began working. The City came in under
16 what's called Unified Command and began working directly
17 with our Incident Management Team. And then other agencies
18 began arriving. And as they began arriving the incident
19 commander said, you need to develop what's called a MAC
20 group -- a multi-agency coordination group that will
21 actually get all the agencies involved together so you can
22 all sit down at one table, discuss what needs to be done,
23 agree as to what needs to be done, where, and in what
23 priority order, and then pass those items on to those
25 people who are going to be doing it. So you don't have

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1 everybody going off in different directions and everybody
2 telling different people to do different things, and having
3 a lot of overlap. So on April 3rd we had our very first
4 MAC meeting. There were five of us there -- the Borough,
5 the City, the Parks Service, ADF&G and DNR. And what we
6 did was draw up a list of other potential members. And
7 those members were Fish and Wildlife Service, and the
8 fisheries people, the Chugiach Alaska Native Corporation,
9 and Exxon and the Coast Guard is exofficio or as members
10 who would be actually involved in doing the actual work.
11 By April 12th the last agency had come on board, Fish and
12 Wildlife Service, and that is basically the was MAC has
13 remained since then. It is a -- basically a 10-person
14 multi-agency coordination group that includes Exxon and the
15 Coast Guard, and we meet -- we met then daily, seven days
16 a week -- and our job is to present action items to whoever
17 the implementing arm was or is. At first the
18 implementation was done by both the Incident Management
19 Team, the overhead team that was first called in, and then
20 gradually Exxon and the Coast Guard arrived and began to
21 take more proactive role in the actual spill involvement
22 here in Seward. And they began -- Exxon began taking over
23 some of the actual work. For instance, they began boom
23 monitoring on April 14th. That was turned over to them by
25 the Incident Management Team on April 14th. MAC has

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1 continued since then to work either every day, or right now
2 every other day, on setting priorities and making
3 recommendations to Exxon through the Coast Guard. And all
4 of these items, of course, do go through the Coast Guard.
5 Everyone sits down at the same table when we have these
6 meetings.

7 It was stated early-on by Exxon that they would
8 implement action items only with Coast Guard approved MAC
9 referrals. So Exxon bought into this system to a large
10 extent in the Seward zone. In fact, when the Incident
11 Management Team left on the 19th of April, Exxon requested
12 and was given permission to retain the incident commander
13 to work with them to set up an incident command system for
14 Exxon. And they are working in a quasi-incident command
15 mode here in Seward. They produce a daily plan and they
16 are set up, framework-wise, order-wise, just like an
17 incident command system with operations and logistics, etc.
18 Their operational arm is, of course, their contractor,
19 VECO, to a large extent.

20 From the first I've written in this document. We've
21 been the clearing house for pretty much all activities
22 associated with the oil spill, working with both Exxon and
23 the Coast Guard. There has been a real attempt not to look
23 at boundaries, but to look at the Seward zone as an
25 ecological zone. So, for instance, when it came time for

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1 MAC to set priorities for booming, it didn't matter whether
2 it was in the National Park or the forest areas, the State
3 Park areas, or the City areas. It was whatever the group
4 as a whole decided was -- were the most important areas to
5 be boomed and in what order. And so what you saw was
6 cooperation to an extraordinary -- what I think was an
7 extraordinary degree among a whole lot of different
8 agencies. And that was -- that has been one of the very
9 pleasurable aspects of working with MAC. When the team
10 first left -- the first team left, there was a big void in
11 terms of technical expertise, and at that point Resource
12 MAC was established. Resource MAC consists of agency --
13 technical agency representatives from all of the agencies.
14 These are your biologists and your archaeologists and your
15 folks who have the resource data information. They have
16 been absolutely instrumental in developing and in working
17 with Exxon and the Coast Guard in terms of looking at the
18 cleanup plans, looking at the assessments, work -- actually
19 writing work orders, or suggesting written work orders and
20 -- providing oversight of the technical nature of an
21 environmental nature that MAC as a group might not have
22 because we're managers and they're the experts. Resource
23 MAC then recommends to MAC and those are passed on, again,
23 through Exxon -- I mean to Exxon through the Coast Guard.
25 So we have both MAC and Resource MAC in operation here in

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1 the City at this point. And we will continue to be in
2 operation into the foreseeable future. Some of the things
3 that MAC has done, has set priorities for booming, for
4 cleanup, for work orders. We have worked on pre-oil
5 assessment, on protection criteria, post-oil assessment.
6 I believe that the Resource MAC group here is the only
7 group throughout the entire spill incident that has worked
8 directly with SCAT (ph) in terms of actually going with the
9 Exxon SCAT (ph) teams on their assessments. We decided
10 early-on it was a little bit ludicrous to have us doing
11 assessments and them doing assessments and then everybody
12 looking at everything later on and arguing about it. And
13 so MAC members actually -- Resource MAC members actually go
14 with SCAT on their assessments and everybody looks at the
15 same thing at the same time. And then you've got one
16 document and everybody's bought into it from the beginning.
17 And that has, I think, facilitated things a little bit also
18 in this zone.

19 MR. PARKER: In that particular line, I understand you
20 that this is the only place where the MAC and SCAT teams
21 are working together.

22 MS. KASTELINA: No, not that they're -- the only place
23 where they've -- were working together, but we're talking
23 about the Resource MAC actually going out with the
25 assessment teams right from the very beginning. It was

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1 actually a MAC re -- a MAC action item that agency
2 representatives be required, or that Exxon allow agency
3 representatives, to go with the SCAT teams. Which normally
4 had -- is not done.

5 MR. PARKER: Yeah, there seems to be a problem in some
6 of the other areas about the SCAT teams and the -- some
7 problems with archaeological sites and so forth --.....

8 MS. KASTELINA: We've felt very fortunate here. It
9 came as an action item from Resource MAC, it was passed by
10 MAC, sent to the Coast Guard, approved by the Coast Guard,
11 went to Exxon, and our folks, the Resource MAC folks, have
12 been on the planes ever since, and on the boats with SCAT.

13 MS. WUNNICKE: May I ask, how many people on the
14 Resource MAC team?

15 MS. KASTELINA: There's one for each agency that needs
16 to be represented. So there's -- in fact we have two from
17 Chugiach, Alaska, and then DNR, Fish and Wildlife, Parks
18 Service. MAC is designed to expand and contract. For
19 instance, the Borough is no longer sits on the Seward MAC
20 because as this oil moved around so did the Borough. ADF&G
21 no longer sits on Seward MAC. They don't need to. Once
22 their booming of the salmon streams was cleaned up, they've
23 been in and out, in and out. But I believe the last time
23 we had any direct input from them was when it was time to
25 take the booms out of the salmon streams, and that became

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1 an action item that was passed on and Exxon, of course,
2 removed the booms.

3 MS. WUNNICKE: One other question (indiscernible).
4 You said when the first team left -- you mean the first MAC
5 team or the (indiscernible - simultaneous talking).

6 MS. KASTELINA: No, the first Incident Management
7 Team.

8 MS. WUNNICKE: Okay.

9 MS. KASTELINA: Yeah. The first Incident Management
10 Team. MAC has never -- MAC has been in existent since
11 April 3rd and -- the same -- not the same players, but the
12 same agencies. The only players that have remained the
13 same have been those of us who are permanently based here
14 in Seward, which would be the Parks Service, DNR and the
15 City. Other players have changed.

16 MR. PARKER: John.

17 MR. SUND: It seems to have been a fairly successful
18 system here. Why, in your opinion, did not -- this didn't
19 occur elsewhere.

20 MS. KASTELINA: Well, it did to some extent. I
21 traveled with Don Gilman (ph) down to Kodiak to discuss MAC
22 with them. They were not interested in a MAC as a entity
23 because they had their own operation, which is very similar
23 to a MAC, they just don't call it a MAC. So Kodiak had a
25 system where they supposedly had all their agencies

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1 together. We discussed it with Kodiak, and MAC group was
2 set up in Homer. It started out as s subgroup of this MAC
3 and then it broke off on its own later on in the incident
4 and became its own MAC.

5 MR. SUND: What about Valdez? Why not?

6 MS. KASTELINA: I think that -- I don't think I can
7 answer that. I have no idea why they never -- I do know
8 that the incident management team that came here was first
9 sent to Valdez -- was requested over there, and that when
10 they got over there they were not used.

11 MR. SUND: Do you find it fundamentally strange to
12 rely upon a private enterprise to clean up public lands
13 under their own jurisdiction and making their own
14 priorities of what should be cleaned up and what should not
15 be cleaned up.

16 MS. KASTELINA: Well, I haven't seen that they've set
17 the priorities for what should be cleaned up and what
18 should not be cleaned up in this zone. We have set the
19 priorities. We have given.....

20 MR. SUND: (Indiscernible - simultaneous talking)
21 think that's the same in all zones?

22 MS. KASTELINA: I have no idea what's happening to be
23 honest with you in the other zones, but in terms of
23 cleanup, we have given lists of cleanup priorities
25 beginning on the fifth of May to Exxon. And, of course,

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1 when I say to Exxon you can assume without fail that it's -
2 - it always goes through the Coast Guard.

3 MR. SUND: So if I can just kinda capsule it -- you
4 have a command structure made up of public agencies that
5 are giving the priorities and structures, and you have a
6 private enterprise or a private pocketbook actually
7 carrying out the work.

8 MS. KASTELINA: Yes.

9 MR. SUND: Okay.

10 MS. KASTELINA: That's basically the way it is set up.

11 MR. SUND: In the Seward zone.

12 MS. KASTELINA: In the Seward zone. Right.

13 MR. SUND: Thank you Mr. Chairman.

14 MR. PARKER: Okay. Yeah, the whole -- one of our key
15 analyses is going to be on the different community
16 responses and why they occurred that way, and in an effort
17 to come up with recommendations as to the best possible
18 system for future response, and we'll certainly rely on
19 continuing comments from the MAC group and the former
20 members of the Incident Res -- and members of the Incident
21 Response team that functioned here, for insight on that.
22 Any other questions from commissioners at this time? Ed'll
23 be back with us. Ed.

23 MR. WENK: Two briefies. Question of whether you have
25 any rehearsals --.....

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1 MS. KASTELINA: For what? I'm sorry.....

2 MR. WENK: Well, as I understood it your command

3 structure was established to deal with forest fires.

4 MS. KASTELINA: Right. That's -- well that's the.....

5 MR. WENK: Had it been exercised for that purpose

6 prior to this emergency?

7 MS. KASTELINA: The incident management team that came

8 was highly experienced in fire response and also, actually

9 the team we got was the Alaskan overhead team. There's 18

10 overhead -- Class 1 overhead teams. We were fortunate that

11 the Alaskan overhead team was the one that was on call.

12 And so we got them. And that was great because there are

13 things that happen in Alaska, as we all know, that don't

14 happen anywhere else, and there are concerns and

15 considerations. These folks came in and were able to get

16 the equipment, get the materials, and facilitate the

17 operations at a rate of speed that has not been equalled

18 since in this incident, in my opinion. The team was

19 organized to the point where within three weeks we had

20 total communications along the entire coast, which we still

21 do not have at this point in this incident. Within three

22 weeks we had all the boom we wanted identified and located.

23 We were getting it out there. They're amazing in what

23 response they can have. And this team had also worked on

25 the Mexican earthquake. They had been actually -- had been

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1 -- had worked internationally. So I was impressed with the
2 system.

3 MR. WENK: The team had a lot of prior rehearsals --
4 experiences.

5 MS. KASTELINA: Yes, but they had never worked on an
6 oil spill.

7 MR. WENK: Okay. That -- now.....

8 MS. KASTELINA: Yeah. And that was why they wanted
9 the MAC group and wanted the input from the MAC group,
10 because they did -- they just were up front and said, we
11 don't have the technical expertise on a lot of this stuff,
12 help us. And MAC was able to provide them with the
13 direction they needed. 'Cause these teams don't just go in
14 and take over. What they do is -- in a fire they might,
15 'cause they've got the experience for that. But in other
16 kinds of incidents what they need is an identification --
17 a source to identify for them what the priorities are. And
18 then, you know, it's like tell us what you need done and
19 we'll do it. We'll take care of it. But don't -- but you
20 gotta tell us what you want.

21 MR. WENK: To help us understand this incident command
22 structure a little better -- do I understand the Park
23 Service is the lead agency.

23 MS. KASTELINA: No, it's an interagency -- it's an
25 interagency group. It's composed of State and Federal

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1 people. And any agency, any State, any municipality, can
2 call an incident team in anytime they want. In fact,
3 that's exactly what Mayor Gilman did over in the Kenai
4 Peninsula Borough. He got his own team.

5 MS. WUNNICKE: It's (indiscernible) by interagency
6 agreement.

7 MS. KASTELINA: Right. It's all interagency
8 agreements.

9 MR. WENK: But is there not some agency identified as
10 a lead agency? Who is in command? Who do you call?

11 MS. KASTELINA: Who do you call? Well there's a list
12 of -- the NIMS national system of -- obviously I can't
13 remember the words for the acronym. National Incident
14 Management System, is an entity in its own. And you get a
15 -- I've got a list on my desk right now of who to call when
16 I need somebody. It's all very spelled out. It's very
17 organized.

18 (Off Record - Change of Tape)

19 (On Record - Tape Number 09-07-14/2A)

20 MR. WENK:was the lead agency in the team that
21 responded to you.

22 MS. KASTELINA: There wasn't -- it doesn't go by
23 agencies.

24 MR. WENK: Well what agency was the lead person
25 associated with?

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1 MS. KASTELINA: The lead person -- the incident
2 commander was from BLM. But he had on his staff people
3 from Forest Service, Park Service, State.

4 MS. HAYES: And if I'm right, and Ed, as my memory
5 recalls, it's not agencies so much as the positions, and
6 the whole idea is that you shed your agency
7 responsibilities as you go into this specific team. And so
8 you lose your agency identification and become a member of
9 the team that exists by itself rather than supporting a
10 particular agency bias.

11 MS. KASTELINA: Right. Exactly. You have -- there is
12 no agency. You're supposed to shed your agency bias and
13 the good teams can do that. And our team was able to do
14 that. And that's what the MAC group is modeled on too. It
15 comes straight out of the handbook on -- the NIMS handbook.

16 MR. SUND: Well it appears to be (indiscernible -
17 simultaneous talking) voluntarily though.

18 MR. WENK: Yeah. I understand all that and I have to
19 ask you to forgive my bureaucratic-type question. But
20 under which jurisdiction does NIMS operate. I'm trying to
21 get a handle on some command structure here, and I
22 understand the need to shed agency boundaries and so on.
23 But does NIMS operate under FEMA (ph) for example. Who's
23 the parent.

25 MS. KASTELINA: It's under Interior -- the Department

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1 of the Interior.

2 MR. WENK: That's what I need to know. Okay. That
3 helps me. One last question. In earlier testimony in
4 other places we heard about some ambiguities on how to
5 define a clean beach. I don't know whether that issue has
6 come up with you or not. The problem seemed to be that the
7 VECO people would say a beach is clean when the Coast Guard
8 tells us it is clean. And it sounded like a procedure like
9 holding your wet finger to the wind in terms of finding out
10 what direction it's blowing. Clean seemed to be a very
11 amorphous thing. Then we were told that clean really
12 wasn't right -- the right word. We were told yesterday by
13 Dennis Kelso (ph) that they now reject the use of the term
14 "clean," because clean is a transient affair which doesn't
15 stay that way with the next tide, so they'd prefer simply
16 to use the word treated. I know this isn't the most
17 important question, but have you run into this problem at
18 all and are you involved directly or indirectly in this
19 question of certifying some condition of beach.

20 MS. KASTELINA: Yes. MAC is the shoreline cleanup
21 committee for Seward. And.....

22 MR. WENK: What criteria do you use?

23 MS. KASTELINA: We use the forms from Valdez that were
23 produced and Resource MAC has been delegated by MAC to go
25 with the final assessment team to a treated beach before -

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1 - and then recommend to MAC whether or not that beach can
2 be listed as treated -- signed-off on as treated. And we
3 don't use "cleanup." Yeah, it's obvious that that had to
4 come up and was debated, not at great length because we
5 were able to dispatch with it fairly easily. But that is
6 certainly very important. Once we got out of the way that
7 -- signing-off didn't mean you were signing-off for the
8 rest of the beach's life. Then we were able to take care
9 of that. You get into cleanup and I think that perhaps the
10 cleanup issue is far and away the biggest issue that MAC
11 has had to deal with. If we thought that we were in
12 heavily involved when we were in the early days of booming
13 and trying to find boom and then skimming, it's nothing
14 compared to what we've been going through with trying to
15 get these beaches treated. There has been a great deal of
16 discussion, some of it extremely heated, in the Seward MAC
17 group meetings regarding just the massive logistical
18 efforts that are needed to get this cleanup work done. A
19 lot of which MAC has at times felt was just not forthcoming
20 in a timely manner. And I have a list here which is being
21 typed up for you now and -- for instance, of a variety of
22 concern items that have come up time and again at MAC
23 meetings. And you will receive this. It's -- you will
23 receive -- it's a list of issues when they were first
25 raised, how many times they were brought up again and

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1 updated over and over and over again at MAC meetings, and
2 whether or not they've ever been resolved. You're gonna
3 find that there's a lotta blanks in that last column. It
4 is -- it's been a source of great concern to the MAC group.
5 Another document that I want to leave with you today is the
6 document that was just processed by Resource MAC and MAC
7 today. I think this will show you very clearly the
8 direction that we are hoping to see the cleanup go in the
9 Seward zone. What this basically is is a recommended
10 cleanup proposal from Resource MAC/MAC. And it was given
11 to the Coast Guard and Exxon this morning for
12 consideration, and it will be reviewed by them and it is a
13 working document, it is a recommended document because MAC
14 cannot, obviously, order. It can only recommend. This
15 was, though, put together using all of the available
16 information. It has maps, it describes the beaches, talks
17 about shoreline impacts, it discusses various treatments.
18 And in the opinion of Resource MAC/MAC what you're going to
19 see in here could all be accomplished by September 15th if
20 -- and this is the big if, and this is the word we hear a
21 lot in the MAC meetings -- if the commitment is made and
22 carried through. And I would like you to look at that
23 because I think that this, more than anything else, this
23 document is going to show you the kinds of things that MAC
25 has been doing and has been working on for the past one

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1 hundred and so many days.

2 MR. SUND: Ann's going to be back with us this
3 afternoon.....

4 MS. KASTELINA: I'll be speaking to you this afternoon
5 from the Park Service angle.

6 MS. HAYES: I just have one question about your last
7 statement with the chart -- the forms -- the report you're
8 giving us about the issues that have been brought up,
9 discussed, how many times and whether they're resolved or
10 not. Is that internally to MAC, are those issues that MAC
11 has not been able to decide?

12 MS. KASTELINA: No.

13 MS. HAYES: There issues that have been advanced to
14 the Coast Guard and to Exxon?

15 MS. KASTELINA: These are issues, yes, that have been
16 submitted as action items or concerns. All of them have
17 been addressed and addressed many times, but have been left
18 without resolution.

19 MS. HAYES: Does your report.....

20 MS. KASTELINA: For lengths of time.

21 MS. HAYES: Does your report show us where it got --
22 what happened to each one of them or how far -- where it
23 stopped? I mean what the problem was.

23 MS. KASTELINA: In some cases, 'cause you'll see some
25 cases where it was resolved. And I'm not gonna say that it

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1 has -- that we have, you know, a tremendous overload of
2 these issues. There have been more certainly in the last
3 month, or in the last two weeks than there have been
4 probably all along. But.....

5 MS. HAYES: Could you characterize the type of issues
6 that have come up in the last two weeks that you hadn't
7 been experiencing before.

8 MS. KASTELINA: I suppose that the most -- the biggest
9 frustrations that we have seen in the last few weeks have
10 been of a logistical nature. Thank you Mr. Chairman.

11 MR. PARKER: Okay, thank you very much and we'll see
12 you this afternoon. Admiral Robbins.

13 ADMIRAL ROBBINS: (Indiscernible) I have some charts
14 and some graphs (indiscernible).

15 MR. PARKER: Okay. Wherever you can put them up.

16 ADMIRAL ROBBINS: (Indiscernible) raise the screen and
17 stick them over (indiscernible).

18 MR. PARKER: Okay.

19 (UNIDENTIFIED SPEAKER): I have the booklet that we
20 were talking about in terms of the incident command team
21 (indiscernible) get extra copies.

22 MR. PARKER: (Indiscernible) knows you're aware we met
23 with Admiral Kime (ph) on June 27th in Valdez. Are you
23 going to be at Homer tomorrow also, our schedule shows
25 that.

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1 ADMIRAL ROBBINS: Yes sir, I'm planning to if -- I
2 need to go to Homer anyway and so I'm planning to if the
3 weather and everything will permit. I have to be in
4 Cordova tonight so I'm kinda stretched a little thin, but
5 I intend to be there if I can.

6 MR. PARKER: Okay. It was a little touchy getting in
7 here today, I was wondering who I was gonna see here.

8 ADMIRAL ROBBINS: Yeah -- it was, indeed. Well, as
9 you said Mr. Chairman, the -- Admiral Kime (ph) talked to
10 you in my absence. I took a couple of weeks and went down
11 -- my other job in -- to see what was going on, so I was
12 out of pocket for about two weeks. Other than that I've
13 been here since April 9th, in Alaska, and will be through
14 to the finish as far as I know. I -- I think probably
15 Admiral Kime (ph) gave you a pretty good feel for what the
16 Federal on-scene coordinator's duties are, and I'd be very
17 happy to answer any questions about that, but I don't see
18 going over that unless you particularly want me to do that.
19 I think I would like to talk a little bit about the State
20 on-scene coordinator's duties as I see them, and our
21 relationship with the State on-scene coordinator. That's
22 an important function and in any kind of a cleanup, and
23 it's in accordance with the response plan that -- Federal
23 plan -- and the way it is supposed to work, as I understand
25 it -- although if you read through the plan and you read

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1 through the information that's available, it's never
2 clearly spelled out. I think it's not spelled out because
3 of the State's rights issue and the lack of someone being
4 able to say, this is the way it's going to be and making it
5 stick. So it's left, I think purposely, a little foggy.
6 And, of course, it changes with each kind of an incident.
7 But, generally as I view it, we have a State on-scene
8 coordinator who is DEC. And they -- and we confide in each
9 other, we consult. The decisions finally come down, in
10 some cases if we can't reach an agreement, they end up
11 being the Federal on-scene coordinator's responsibility to
12 work with Exxon under the current situation where Exxon has
13 assumed the responsibility for the spill. We also have, in
14 addition to the -- and, of course, the way I visualize the
15 State on-scene coordinator, is he should be the coordinator
16 of all State activities and other agencies so that he --
17 and that he can use how -- whatever vehicle that he wants
18 to do that the same way I do with the Federal agencies. He
19 can use the MAC setup or in the case of over in Valdez,
20 they use the shoreline cleanup committee for shoreline
21 cleanup. They have -- they get input from -- and we both
22 do -- the science committee and the various committees that
23 have been set up as we've gone along and have felt the
23 necessity for them. But I look at that as the single end
25 of the funnel through which the State's interests should be

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1 -- where that should come from. And then, as I said
2 before, we coordinate the action items and make decisions
3 and move out. That has worked fairly well. There have
4 been some problems with that kind of an organization
5 because there are -- DEC doesn't have a lot of depth. They
6 aren't a big organization and when you get something as
7 large as this spill they very quickly run out of gas. And
8 spread out as we are into, in this case, four sectors as I
9 named them early on, they have to put people out in the
10 field and have people with the Coast Guard monitors, and
11 that's a strain for them. And when they get into hiring
12 people to fill those jobs, and they're very important jobs,
13 they're jobs people would have to be knowledgeable of
14 what's going on, they oughta have some experience with
15 spills. That's a tough thing to fill. I've talked to Mr.
16 Kelso (ph) about it, Commissioner Kelso (ph) and he's done
17 everything possible to minimize that and to stabilize it so
18 that we have people in those jobs that are continual and
19 build the knowledge and are able to make decisions. We've
20 had the same trouble in the Coast Guard and we're a lot
21 bigger organization. Rotating people through these jobs -
22 - we don't have a group of people that we can just assign
23 to and leave them there. They're all in other jobs and
23 have to be pulled out to put on the job. Nobody ever
25 anticipated or was ready for this size of spill. So I

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1 would hope that we wouldn't have to do this again. Hope
2 we've learned enough so that we won't need this depth that
3 we've needed for this one. But it certainly has tested our
4 mettle.

5 The -- we divided early-on. I felt that it was
6 necessary to get local input as the cleanup went ahead,
7 from each one of the local areas and therefore set up a
8 sector arrangement where we have, I'm sure you know, the
9 four sectors. That has worked fairly well. If there is a
10 problem with it there is the problem that Exxon is
11 primarily based at -- in Prince William Sound at Valdez.
12 So the line of communications to the outlying -- to the
13 Western Alaska sectors, has not always been good as I would
14 have liked. And the answers weren't always forthcoming to
15 the local people in a direct and prompt way. The many of
16 the cases they had to go back to Exxon and ask for
17 direction. That has improved through the spill. They've
18 seen that that hasn't worked and they have given -- they've
19 brought in more supervisors with higher levels of
20 authority, and that has improved. It's still -- one gets
21 the feeling sometimes, I'm sure out in the Western sectors,
22 that they are pretty far down the data stream and that
23 they're not -- they don't get quick answers that they would
23 like. Often I've heard people say, we would prefer to get
25 a "no" answer than no answer. If they would just say we're

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1 not going to do that, at least it would clear the air and
2 we could move on. It's not -- it's a little rude to wait
3 for some period of time and then give a "no" answer to a
4 question or a request.

5 The chain of command that we have set up, of course,
6 is the Federal on-scene coordinator to the assistant on-
7 scene coordinators and to -- right into the field, so that
8 Rob here has quite a bit of authority in making decisions
9 as far as the Coast Guard is concerned. And, of course, if
10 I'm not here -- and I can't be here a lot -- he calls and
11 gets, I hope, prompt answers. He could tell you that
12 better than I can. But the -- what I feel is I've
13 delegated the authority down to the lowest level possible
14 on any matter so that, at least as far as the Coast Guard's
15 concerned, decisions can be forthcoming. And they meet
16 regularly and discuss problems every morning, seven days a
17 week, with the -- with my headquarters in Valdez so that
18 they can get a feeling of what the overall policies are.

19 MS. WUNNICKE: This is a telephone morning briefing,
20 so to speak.

21 ADMIRAL ROBBINS: Yes.

22 MS. WUNNICKE: Am I understanding that you're saying
23 that Exxon on the other hand, as the implementing arm has
23 not made similar delegations. And so everyone has to go to
25 Valdez to get an answer. Is that.....

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1 ADMIRAL ROBBINS: Well, I -- early-on they didn't.
2 They've done that much better in later -- now I think
3 they've delegated a lot of that to the local areas and
4 they're able to make more decisions. I think that what I
5 would like to do is ask Rob if he has anything he would
6 like to add, and then go to questions if you -- if that
7 would suit your purposes. I don't wanta go over ground
8 you've already covered.....

9 MR. PARKER: Yeah, I think that would be fine,
10 Admiral. The problem of why Exxon didn't follow the oil
11 has intrigued me too and what I -- that we will get into
12 with them and find out, you know, what the problem was that
13 was there. Obvious tremendous logistical resources they
14 demonstrated earlier in the spill. If they'd set up faster
15 out at Kodiak 'cause it's -- it was quite apparent early-
16 on that there were problems developing at Kodiak that
17 didn't seem to need to be there. So, we'll find that out
18 from them.

19 ADMIRAL ROBBINS: Rob, did you have.....

20 LT. CRUZ: Yeah. Good morning, I'm Lieutenant
21 Commander Robin Cruz and I'm the Federal on-scene
22 commander's representative for Seward. And I've been in
23 Seward approximately a month. I have about 14 years
23 experience working with oil spills and related marine
25 environmental protection matters throughout the Coast

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1 Guard. I've been stationed in New Orleans, am presently
2 stationed in Baltimore. And I'm in charge of the port
3 operations department of the Marine Safety Office in
4 Baltimore and hence responsible for the environmental
5 response in the northern part of the Chesapeake Bay. So
6 I've had some experience, nothing as great as this, of
7 course, but I guess that's common throughout -- that
8 nothing has happened like this before. I work through the
9 on-scene commander's representative in Western Alaska and,
10 as you know, the Western sector was divided into three
11 segments. And I just brought some charts so that we can
12 appreciate the great amount of land and distances that
13 we're dealing with, from Resurrection Bay to the Pie
14 Islands and Nuka Island, which is the extent of the oil
15 sector.

16 The MAC is an advisory committee and they provide
17 local knowledge and specific concerns from their agencies
18 and from the different interest groups for me for
19 consideration when I make decisions and address Exxon on
20 these concerns. If you look at the one diagram I provided,
21 it is the -- sort of a decision flow chart, how the
22 information from discovery of oil to the development of a
23 work order and subsequent cleanup, how we go. It's a lot
23 of different decisions and you can see there's input at
25 different times in there, whether it's to be a Type A which

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1 we consider cleanup just using shovels and hand-means, or
2 Type B that requires more complex or mechanical treatment.
3 And it comes through -- in various points we get advice
4 from the Resource MAC and the MAC in their area of
5 expertise.

6 We also act as the advocate for the local interest to
7 obtain resources and information through the Regional
8 Response Team that is at the use of the on-scene
9 coordinator. Additionally, we have a scientific support
10 coordinator from NOAA assigned to provide advice and
11 coordinate resource and scientific information locally.
12 This is a NOAA officer that has extensive experience in oil
13 spill and oil spill cleanup. We've also developed a
14 shoreline treatment manual that provides various
15 methodology and procedures for treating the oil spill. And
16 we've made that available to the various agencies on the
17 MAC and to Exxon. And it's -- it's sorta like our
18 workbook. I think you have a copy of that that we
19 provided.

20 Additionally, we approve or modify work orders after
21 considering the recommendations and concerns of the MAC.
22 Then we instruct our monitors on-scene and make sure that
23 they're available to insure compliance with the work order.
23 And they also are the on-scene conduit for the concerns of
25 the monitors from the other agencies. Finally, we approve

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1 the mobilization upon completion of the treatment, and
2 receive feedback from the MAC on the demobilization
3 process.

4 MR. PARKER: Okay, thank you, Commander. I think, you
5 know, you brought up the scope of the spill area and, you
6 know, the large geographical area to cover and Exxon has -
7 - Exxon, VECO, etc. has last reports that were available to
8 me, something between eight and nine thousand people out
9 there. I think DEC has about 150 or so committed to this.
10 What is the Federal numbers on this now?

11 ADMIRAL ROBBINS: We're between 250 and 300 now.
12 We're adding some people at Kodiak, so it'll bring us up,
13 I think, to about 275.

14 MR. WENK: Excuse me. Could I just ask for
15 clarification. Admiral, when you site this number you're
16 referring to all participation by all Federal agencies or
17 just the Coast Guard.

18 ADMIRAL ROBBINS: No, that's just Coast Guard.

19 MR. WENK: Coast Guard. Well (indiscernible -
20 simultaneous talking).

21 ADMIRAL ROBBINS: Did I understand your question, Mr.
22 Chairman, was really of all Federal agencies?

23 MR. PARKER: Yeah (indiscernible) do you have a number
23 on the rest of the Federal agencies.

25 ADMIRAL ROBBINS: I really don't. We could get that

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1 for you, Mr. Chairman, I.....

2 MR. PARKER: Yeah, I think what we'll -- if you could
3 help us get those numbers I think they 'cause -- as we get
4 into this getting some, you know, we'd like to quantify
5 some of this too to get an idea exactly what kind of
6 numbers might be necessary in the future in making our
7 recommendations.

8 LT. CRUZ: Of course that varies too with the
9 participation in the stage of the cleanup. For instance,
10 a few naval vessels just changed from participating to not
11 participating depending on the communication needs and the
12 berthing needs. So that's a very dynamic number, too.

13 ADMIRAL ROBBINS: But I think the number that you're
14 truly interested in probably is their -- they have been
15 part of the support force and certainly we need to give you
16 that, but the other ones -- Commerce has people here, and
17 Interior, and OSHA, and everybody.

18 MR. PARKER: Yeah, I think the main interest is in the
19 necessary number -- the number necessary really to provide
20 oversight when you're utilizing a private contractor while
21 a private source and contractor's to do the cleanup and so
22 on.

23 ADMIRAL ROBBINS: I would -- if I might add, Mr.
23 Chairman, that number I think would be much larger if it
25 weren't a private contractor cleaning it up.

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1 MR. PARKER: Are you comfortable with the number of
2 people you have out there to provide oversight?

3 ADMIRAL ROBBINS: Well, I am. We've had to add some
4 in Kodiak because, of course, Exxon put more on. There're
5 well over 500 down there now of people working the problem,
6 and that, of course, just takes more monitors. So we've
7 tried to keep up with it as best we can and I'm fairly
8 comfortable with it.

9 MS. WUNNICKE: Mr. Chairman, just so I can understand.
10 Now you're the on-site commander overall.

11 ADMIRAL ROBBINS: I'm overall.

12 MS. WUNNICKE: Based in Valdez. Who is the assistant
13 on-site commander for Western -- for the Western sector.

14 ADMIRAL ROBBINS: Well, for the Western -- for Western
15 Alaska I have an assistant for Valdez, I have an assistant
16 for Western Alaska, and that's the -- he supervises the
17 local areas, and that's John Hersh (ph). And then each
18 particular sector, we have one in Homer, one in Seward, one
19 in Kodiak, and, of course.....

20 MS. WUNNICKE: I understand. Were you -- in Valdez
21 you began April 9th I believe you said.

22 ADMIRAL ROBBINS: Yes.

23 MS. WUNNICKE: And there was a three-party
23 coordinating group. The Coast Guard, the Department of
25 Environmental Conservation from the State, and Exxon as a

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1 coordinating group. How did that work, in your view, from
2 the perspective of the Coast Guard.

3 ADMIRAL ROBBINS: That worked pretty well. That's a
4 kind of a steering group. It's an informal one, but it's
5 the time when you get down and you talk about the real
6 issues in a small group and try to remove all the politics
7 from the questions and get right down to the -- to what the
8 problems are. And that's been very effective. We also
9 have an operations briefing. We had it seven days a week.
10 We've gone -- we've pulled that back considerably, mostly
11 because of lack of interest. Every night at seven o'clock
12 that kind of tells everybody what's going on and allows
13 some input from the community over there. And then each
14 sector has something like that. I believe -- I know that
15 Kodiak has a open meeting. I think they've gone to fewer
16 number than they had before, but that's been very valuable.

17 MR. SUND: Mr. Chairman, I have three questions, then
18 I will be quiet. Admiral, you made a comment that
19 intrigued me here, and I -- actually I have dozens of
20 questions, but in the limit of the rest of the Commission
21 I'll ask three. You made a statement that you hoped,
22 regarding the depth of personnel and having to call Coast
23 Guard personnel from other jobs and not really having the
23 manpower to put dedicated people into this position, that
25 you would hope that this wouldn't be needed again and that

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1 perhaps you wouldn't have to do this again, and that
2 difficulty of reacting. And I haven't read it but I've
3 been made aware that there was a report done in 1979 by the
4 U.S. Coast Guard outlining how to respond to a 28 million
5 gallon spill in six hours. And I guess I'd ask you to
6 react to that of how do you see this happening again, how
7 is the Coast Guard gonna react and do you think we need to
8 have more people involved.

9 ADMIRAL ROBBINS: Well, first of all, my feeling is
10 that we can't have more 250,000 barrel spills.

11 MR. SUND: Why not?

12 ADMIRAL ROBBINS: We have got to figure out a way to
13 prevent them. And we've got to not lose the intensity that
14 it takes to keep up with the world at hand so that we
15 prevent this kind of thing. I think that we saw what
16 happened, a complacency developed in the system that was
17 built -- or that was in -- that was anticipated, would
18 prevent this kind of a thing. The vessel traffic systems
19 was a big issue back in the seventies. And we were going
20 hell-bent for election. We had a study that showed which
21 ports needed 'em and which didn't. It never went anywhere
22 because of funding. It just wasn't that kind of a demand.
23 The question I heard often when I was in the budgeting
23 business back at headquarter was, what in the world do you
25 need a vessel traffic system for in Valdez -- there's only

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1 three ships a day. Well, we obviously needed one and we
2 needed one probably better than we had. We needed closer
3 control over the ships that are going in and out. There's
4 a lot of things that have kind of fallen by the wayside
5 because there wasn't the interest in 'em. Then when we
6 have the spill everybody's interested. But I'll tell ya,
7 in five years this interest will have died if we don't
8 continue to have spills, and somehow we've got to find a
9 way to fix that.

10 MS. WUNNICKE: But not by continuing to have spills.

11 ADMIRAL ROBBINS: Pardon me?

12 MS. WUNNICKE: But not by continuing.....

13 ADMIRAL ROBBINS: That's not the way to continue the
14 interest. You're absolutely right. I have had my fill of
15 spills.

16 MR. SUND: Is the Coast Guard prepared to undertake a
17 very fundamental change in its own structure and budgets to
18 put more attention in budgeting to prevention of spills
19 than it has in the past.

20 ADMIRAL ROBBINS: Well, I.....

21 MR. SUND: What changes in the budget are gonna take
22 place because of this?

23 ADMIRAL ROBBINS: It's too early for me to tell. And,
23 of course, I'm the fellow on the end of the string that's
25 trying to clean up and do the operations in the field. But

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1 I know the Commandant is working hard on the prevention
2 aspect of it, as is the Secretary of Transportation. I
3 would certainly hope that things would come out of this
4 that would lead in that direction. We have to also
5 remember there's still a budget to balance. There are
6 still other pressing interests of a lot of people that
7 haven't been involved with the spill. So it's gonna be a
8 fight. There's no easy money in the Federal budget as
9 there -- as in State budget.

10 MR. SUND: I could pursue this all day. I wanta ask
11 my second question here. Why did the Coast Guard make it
12 a priority on the spill to salvage the ship and the cargo
13 rather than contain the free oil that had escaped from the
14 ship.

15 ADMIRAL ROBBINS: I don't think we did make that a
16 priority of trying to contain the spill. Getting the
17 equipment on-scene to contain the spill was a time-
18 consuming problem because nobody was ready for that size of
19 spill. Not the Coast guard, not Exxon, not Alyeska. Sure,
20 now if we want to point fingers we can point in every
21 direction. That's easy to do. There's everybody can share
22 some of the blame on this spill. And I -- we gotta take it
23 like adults and fix it in the future. As far as the
23 concentrating on salvaging the Exxon Valdez, we still had
25 a lot of oil aboard there, and as you well know, that ship

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1 wasn't in very good shape. So we insisted that that go
2 ahead with all possible speed to get that oil off from there
3 before we had an even worse situation than we already had.
4 But to my knowledge there was no holding back on getting
5 it corralled. The fact is that it leaked out very quickly
6 -- in five hours. And, frankly, this world isn't ready to
7 contain a 250,000 barrel spill. It isn't today.

8 MR. SUND: I agree. What would've happened if the
9 carrier -- the spill -- the cargo-owner were a bankrupt
10 third-party carrier?

11 ADMIRAL ROBBINS: I thank my lucky stars that they
12 weren't. Because I have worked on spills where they did
13 their limit of liability on barge spills, on -- in
14 particular where the limit of liability was fairly low back
15 in the seventies. And the first thing they did is give the
16 Coast Guard a salute and say, it yours. And it would've
17 been very difficult. I could not possibly have done the
18 things that Exxon has done with this spill. There were a
19 lot of things like otter centers, and things of that sort,
20 that aren't authorized. All I -- under the legislation as
21 I understand it and have been told by my lawyers -- that
22 the only -- incidentally, when I say my lawyers that's a
23 bad, bad thing to say. I'm sorry for that. I don't have
23 any lawyers working for me.

25 UNIDENTIFIED SPEAKER: Did you bring your lawyer with

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1 you today?

2 ADMIRAL ROBBINS: No, I did not. I don't have any
3 lawyers working for me. But the people back in Washington
4 told me that legally the only thing I could do was fund
5 cleanup. I couldn't give impact aid, I couldn't do the
6 things that Exxon has done with large dollars. Their
7 ability to mobilize a large contingency of activities out
8 there in terms of pumps, and water-washers, and hot oil
9 heaters, and all of those sorts of things, would have been
10 very difficult for me as on-scene coordinator with my
11 current authority, as it's drafted.

12 MR. SUND: So it could be -- the question was what
13 would have happened, and perhaps the answer is that you
14 could have focused your effort on salvaging the ship and
15 the cargo, and the free oil would not have been cleaned up.
16 It would have just free-floated, basically, as it has, and
17 there would not be the effort on the beach to clean it up
18 today. I mean I'm just trying to get a perspective here of
19 what would have happened.

20 ADMIRAL ROBBINS: No, I don't think so. I think this
21 has had enough national attention that the 311K fund that
22 we have to work under would have been -- it would have been
23 very quickly over-subscribed. There's no question about
23 that. I can't remember, but it seems to me like there was
25 only about 5.4 million in it when we started and that has

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1 been enhanced by funds from Exxon and I've been authorized
2 -- I think the last authorization took me up to something
3 like thirty million. But the -- Congress would've had to
4 put a lot of money into that fund. And I think that they
5 would've done it, but it would have been -- it wouldn't
6 have been as quick as we saw.

7 MR. SUND: Admiral Kime (ph) testified that the Coast
8 Guard was in support of a bill in Congress to limit the
9 liability to tanker carriers to sixty million dollars. Are
10 you aware of that.

11 ADMIRAL ROBBINS: Yes sir.

12 MR. SUND: Why is that being pushed?

13 ADMIRAL ROBBINS: Well, you know I'm getting into an
14 area where I -- I'm really outta my tree a little bit. But
15 I understand the reason for that.....

16 MR. SUND: You look like a person that enjoys being
17 outta the tree.

18 ADMIRAL ROBBINS: And I get myself in trouble
19 occasionally. But the -- my understanding is that it was
20 a -- it came down to a compromise of trying to get
21 something that would go through Congress, because if they
22 don't limit the liability no one can get insurance. And so
23 without insurance -- insuring themselves for -- Exxon
23 perhaps can. In fact, I'm not sure they aren't on this
25 particular spill. But there are a lot of companies that

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1 just -- they couldn't carry the insurance. And that would
2 -- then you get into problems with them being able to be in
3 business. Because we require that they have a certain.....

4 MR. SUND: If we have to be exposed to this kind of
5 risk I'm not sure I want 'em in business.

6 ADMIRAL ROBBINS: Well, there is.....

7 MR. SUND: It's a trade-off.

8 ADMIRAL ROBBINS: That's a trade-off.

9 MR. SUND: Thank you Mr. Chairman.

10 MR. PARKER: But -- in regard if there had been a non-
11 responsive operator who wasn't able to respond to this
12 spill, a (indiscernible) convenience carrier with no
13 discernible assets and so forth, accepting that Coast Guard
14 certainly within its operating budget didn't have the
15 assets to come forward, where would the Federal Government
16 -- and assuming that the spill would have been federalized
17 in that case.

18 ADMIRAL ROBBINS: Yes it would have.

19 MR. PARKER: How -- where would the assets have come
20 from?

21 ADMIRAL ROBBINS: They would've had to go into the
22 311K fund. Congress would've had to provided the money or
23 I would've been limited to the five million dollars I had.

23 MR. PARKER: Uh huh.

25 ADMIRAL ROBBINS: And, of course, that fund is being

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1 hit from all directions on other -- any other spills we
2 have as well. So it's -- the fund level just isn't high
3 enough.

4 MR. PARKER: Ed, you're next.

5 MR. WENK: Admiral, I have a number of questions, many
6 of which you should feel free to say is someone else's
7 problems within the Coast Guard. I hope you'll forgive me
8 in having a representative here, at least I'd like to pose
9 the questions, and it may be that some of these answers
10 would have to go back to somebody else.

11 ADMIRAL ROBBINS: Sure.

12 MR. WENK: Let me just pick up on the very last
13 comment having to do with the 311K. And this may correct
14 my understanding. I had thought this was a revolving fund
15 that was established at about thirty-six and a half million
16 and, as you say, it was drawn down. In fact I heard that
17 it was as low as three -- you said 5.4 -- and in any event
18 drawn down. But you said that it would have to be
19 reinvigorated by Congressional action. Could you correct
20 me on this because I really did have then a misapprehension
21 that it was revolving.

22 ADMIRAL ROBBINS: Yeah, my understanding is that --
23 and maybe Rob, you correct me if I'm wrong, you've had more
23 experience in this area. But my understanding is that that
25 -- when we -- let's say we do a cleanup. It's an unknown

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1 spill, for instance. And we don't know who spilled it and
2 we can't find out. That comes out of that 311K fund and
3 takes it down. If we do a spill for -- and let's say "X"
4 oil company had a spill -- we clean that up. We send them
5 a bill because they have been -- they haven't acted
6 promptly. It takes a long time to get that money back into
7 the coffers, and frankly I can't tell you what the payback
8 is. But a lot of companies have gone out of business
9 rather than pay the bill.

10 MR. WENK: Well, I think you've touched on the point.
11 In the first instance it really was intended as a revolving
12 fund.

13 ADMIRAL ROBBINS: That's right.

14 MR. WENK: My impression is, from a cursory study, was
15 that there has not been a vigorous attempt to force,
16 legally force, the spillers who still are in business to
17 pay their bills. I don't know whose job that is. On
18 another occasion I've been to the Coast Guard and they said
19 they've turned it over to the marshalls in the Department
20 of Justice to collect.

21 ADMIRAL ROBBINS: Yeah, that's the normal.....

22 MR. WENK: And so -- you know, then the question is,
23 why aren't they collecting this kind of money. I know I
23 can't ask the Coast Guard that question, but am I right
25 that it does get turned over to the Department of Justice

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1 for.....

2 ADMIRAL ROBBINS: That's my understanding, yes sir.

3 MR. WENK: Okay. Let me go if I may to a couple of
4 other questions. And they're all related to the spill but
5 they may not be all connected to each other. The American
6 Petroleum Institute early in June issued a major report, in
7 terms at least of the press coverage, with regard to their
8 intent in representing the oil companies to build up the
9 hardware capability.....

10 (Off Record - Change of Tape)

11 (On Record - Tape Number 89-07-14/2B)

12 MR. WENK: When I read the plan I see that they are
13 very queer in saying that the on-stream -- on-scene
14 commander is the U.S. Coast Guard. My question is whether
15 or not you would know if the Coast Guard had been consulted
16 in the preparation of the plan. Number two, if the Coast
17 Guard is prepared to respond to that plan in terms of what
18 it, the Coast Guard, would need to do if indeed API's
19 representatives put up this 10-year, 250 million dollars,
20 what do you need to do -- and it comes back to your money
21 question you referred to earlier -- if you are to uphold
22 that part of it. Because without your command structure
23 all this hardware's gonna sit on the beach.

23 ADMIRAL ROBBINS: Well, I know they're working on an
25 answer to that right now, and to my knowledge there wasn't

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1 any direct Coast Guard input. But, of course, consultants
2 are hired from all facets of life so there's probably some
3 Coast Guard people, retired or -- I imagine there's
4 somebody involved with that because the plan itself -- and
5 I will tell you I didn't study it right down to the letter.
6 I haven't -- I did go through it and it looked to me like
7 it was a reasonable approach to the problem. I'm not sure
8 that it'll work having only those number of locations,
9 because it's not going to -- we saw just having -- if we
10 had the stuff ready in Valdez it would've still taken us
11 five hours to get it out on-scene, and that leaked in five
12 hours.

13 MS. WUNNICKE: And Alaska is a big place and if that
14 were the headquarters for response in Alaska it certainly
15 wouldn't serve the Arctic or any other parts of the Alaska
16 coast.

17 ADMIRAL ROBBINS: That's right. The whole -- you know
18 there's as much coastline up here as there is in the rest
19 of the '48, as I recall. Fifty, forty-nine.

20 MR. WENK: But in principle this really relates to the
21 question Commissioner Sund asked earlier with regard to a
22 point of view on the private sector being relied upon to
23 correct something which impacts public interest. If that -
23 - your informal comment on the plan, though, really
25 anticipates a very significant policy decision with regard

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1 to privatization of response capability. It seem -- would
2 it be true that any such agreement by the Coast Guard
3 really has gotta be settled at the highest policy level in
4 the country.

5 ADMIRAL ROBBINS: Oh, absolutely.

6 MR. WENK: So that we're talking about the President
7 of the United States and the U.S. Congress.

8 ADMIRAL ROBBINS: Sure. If there has to be a
9 commitment to support that plan, because it -- it's going
10 to be costly. For us as well.

11 MR. WENK: Okay. Right, thanks. Another question,
12 please. We have heard that the Coast Guard for very good
13 reason has a number of studies underway, with regard to
14 enhanced prevention, something you've emphasized, to review
15 and perhaps enhance contingency planning. This is not
16 getting into now the hardware side of it, but planning and
17 so on. Would -- is this true, and if so, have you got any
18 guess as to when those studies might be available.

19 ADMIRAL ROBBINS: No -- I think it was supposed to be
20 done within six months of when they started, like on May
21 first. It was -- I -- do you know.....

22 LT. CRUZ: (Indiscernible) reevaluated by December.

23 ADMIRAL ROBBINS: By December, is the contingency plan
23 reevaluation.

25 MR. WENK: And the prevention?

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1 ADMIRAL ROBBINS: I'm not sure. I know that -- as I
2 recall it was a six-month period, but -- the -- I know that
3 each one of us -- each one of our district commanders was
4 told to go out and reevaluate their contingency plans in
5 light of the Valdez oil spill, and put in recommendations
6 to the Commandant. I believe that was a six-month period.

7 MR. WENK: I'm aware of two requests that the Coast
8 Guard has made to the Marine Board. One with regard to
9 double-bottoms, one with regard to manning -- reduced
10 manning. And -- 'cause I think you probably know I've been
11 serving on that board and I don't think we're gonna have
12 any answers by that time. So I'm going on the premise that
13 your in-house studies, though they may not necessarily
14 cover those subjects, but your in-house studies are not
15 gonna wait for the Marine Board.

16 ADMIRAL ROBBINS: Well, they may -- the input to the
17 Commandant certainly won't, but I think that -- I think
18 when the Commandant puts this all together it's going to
19 have to have the results from the Marine (indiscernible).

20 MR. WENK: I see. Okay. Switching again, other
21 subject. Yesterday -- if you had a witness or an observer
22 in Anchorage would've heard this -- and so it's public
23 information in terms of testimony before this Commission.
23 There was an allegation of a second spill from Exxon Valdez
25 on roughly April 17th of a significant quantity of oil,

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1 estimated to be on the order of 500,000 gallons. Some of
2 us -- and I have to confess remotely living in Seattle and
3 only until appointed to this commission following it in the
4 newspapers. Some of us were surprised by that. Does that
5 come as a surprise to you?

6 ADMIRAL ROBBINS: That was -- what was the date on it?

7 MR. WENK: Roughly April 17th.

8 ADMIRAL ROBBINS: April?

9 MR. WENK: Yes.

10 ADMIRAL ROBBINS: Seventeenth?

11 MR. WENK: Yeah, just after the Exxon Valdez was
12 either in a process of being moved.....

13 ADMIRAL ROBBINS: Yeah, I guess that's about right.
14 Yeah, that's when the information that there was a spill -
15 - in the area. But it was never attributed to the Exxon
16 Valdez. The tests that were taken -- it was -- the one
17 that I'm thinking of, if it's the right one, was a refined
18 oil that had come from something else and it wasn't nearly
19 that amount. There're all kinds of rumors that run around.
20 And also there are a lot of -- of -- I'll say people,
21 that's the best way to put it -- that decided after a spill
22 that they can pump their bilges. So that kind of skunks
23 you off in different directions on these things. It's
23 disconcerting.

25 MR. WENK: Right. Two other quick questions. Do I

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1 understand it's standard operating procedure after a
2 casualty for there to be -- for the Coast Guard to
3 immediately begin an investigation and prepare a report of
4 its own?

5 ADMIRAL ROBBINS: Yes -- we have two options in that.
6 If we feel that there's a possibility that Coast Guard
7 procedures are involved in some way or other, we normally
8 will ask the NTSB to do the investigation in that case and
9 that's what we did in this case.

10 MR. WENK: Is that what was done -- well, in so doing
11 -- and I understand why that was done because of some past
12 incident and so on -- but don't you still prepare a
13 casualty report.....

14 ADMIRAL ROBBINS: I think there is a casualty report,
15 is that true Rob?

16 LT. CRUZ: Yes sir. And it's in conjunction with a
17 vessel casualty on inspected vessel, as well as preparation
18 and a decision as to whether there's going to be action
19 against the officer's license, if in fact a licensed
20 officer is involved.

21 MR. WENK: Okay. So now my question is, is that
22 available to this Commission?

23 ADMIRAL ROBBINS: They usually take months.....

23 UNIDENTIFIED SPEAKER: But it would be available to
25 the Commission once the Commandant signs it. Any facts

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1 from it, whoever is doing the investigation, the facts are
2 always available, those facts are available to you. But
3 any recommendations and conclusions would not be available
4 (indiscernible) until the Commandant approves it.

5 MR. WENK: Okay. Understood, that's fair. But would
6 the -- and I realize that there is not a sign off at this
7 stage, but would there be any problem having access to that
8 information at this time.

9 UNIDENTIFIED SPEAKER: Which information sir, the
10 facts.....

11 MR. WENK: Well, the facts.

12 UNIDENTIFIED SPEAKER: Usually those are releasable by
13 the investigative officer or office who check on it.....

14 MR. WENK: Could you please? Okay. And one last
15 question, and it's not unrelated to this. Do you know from
16 records that would ordinarily be available in Valdez -- in
17 your office in Valdez -- whether there's any history of any
18 tanker previously going on the same route, visa the Bligh
19 Reef and the Light (ph) as the Valdez did when it went
20 aground?

21 ADMIRAL ROBBINS: To my knowledge, from what research
22 we've done, there has not been. We have found nothing.
23 We've -- in fact there's only one other incident that we
23 found was the Prince William Sound -- that's the name of
25 the vessel. We've got to quit naming vessels after these

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1 places because they're bad luck. Yeah. But that's the
2 only other real incident with a tanker that I know of. Now
3 there are some, of course, that have occurred with loading
4 operations and that sort of thing, but --.....

5 MR. WENK: Oh, no I -- excuse me I -- maybe my
6 question wasn't clear. I didn't mean that there had been
7 an incident. But that the vessel did not follow your
8 vessel traffic routing out of Valdez and took a short cut.

9 ADMIRAL ROBBINS: No. Not -- there's no evidence of
10 that to my knowledge.

11 MR. WENK: (Indiscernible - simultaneous talking)
12 vessel previously haven't done that.

13 ADMIRAL ROBBINS: That's right.

14 MR. WENK: Okay. Mr. Chairman, thanks.

15 MR. PARKER: Okay, thank you. I have a couple of very
16 brief ones. Then Commissioner Wunnicke has a couple of
17 questions. The -- in order to do our -- get our own
18 analysis under way we need the records of sailings from
19 Valdez and the Anchorage office referred us to the Valdez
20 office and the Valdez office says we need -- have to go
21 Freedom of Information Act to get those sailing records.
22 Could you help us with that, it doesn't seem like the
23 sailing records would -- be confidential.

23 ADMIRAL ROBBINS: Let me check on that. I -- I'll see
25 if I can expedite that. That's -- it's actually a fairly

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1 simple thing. All it takes is a letter asking for them
2 under the Freedom of Information Act, and then, unless
3 there's some reason not to, we give 'em to you and that
4 shouldn't be a problem.

5 MR. PARKER: Okay. The other, on your first comments
6 on the State structure -- the State response, because of
7 the size of the spill, was specialized and the Governor set
8 up structures that had not been used before. The mini-
9 cabinet shared by his Chief of Staff with the now five
10 agencies on -- departments on it. And the oil spill
11 coordinator's office under Mr. LaReche (ph) which is got
12 into gear and started operating about the same time as this
13 Commission started operated. And I'll take this up more
14 with you as we get into this on the -- how State response
15 should be structured, and hopefully we'll be getting
16 information from other states with -- I'm glad you brought
17 that up 'cause it certainly is a vital component that needs
18 to be addressed. Esther.

19 MS. WUNNICKE: Admiral, I know it wasn't your watch,
20 but as you said there are lots of rumors, and I would like
21 to have your comment, if you could, with respect to the
22 decision whether to fire the vessel or not fire the vessel.
23 Could you give me any comments on that. I've been given to
23 understand by some that it would've been impossible to have
25 fired the cargo because of the compartmentalization of the

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1 vessel, even had that been the decision to -- to handle it
2 in that fashion.

3 ADMIRAL ROBBINS: You mean to -- to turn it to burn?

4 MS. WUNNICKE: Yes, uh huh.

5 ADMIRAL ROBBINS: Burning is always a -- is always an
6 option, of course, that it probably wasn't one that was
7 even considered in that because of the size of the vessel,
8 the location of it. What we might have done is -- and they
9 did test -- try later to light some of this crude that had
10 gone into the water, with the idea of burning it off. The
11 -- it didn't burn. And that has to be done fairly soon
12 before the light ends come off or it won't burn, or you
13 have to provide more -- something in the water to make it
14 burn. And that's usually a polluting element as well. So
15 it's one of these things that -- it -- it is always a tough
16 decision to make. And as far as I know the contingency
17 plan for the area had -- was not -- that wasn't mentioned
18 in it at all. I'd have to check that.

19 MS. WUNNICKE: Firing the vessel was not -- was not an
20 option.

21 ADMIRAL ROBBINS: Yeah. Yeah.

22 MS. WUNNICKE: The other question I have -- again, I'd
23 just like your comments on. Subsequent to the Exxon Valdez
23 grounding there were spills in other parts of the United
25 States which were immediately Federalized. Could you

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1 comment on that, please, and why the Val -- Exxon Valdez
2 spill was not Federalized.

3 ADMIRAL ROBBINS: Well, I think that -- I really don't
4 know the answer to that. I suspect that it wasn't clear
5 who the responsible party -- or whether the responsible
6 party was going to react quickly enough. And I also -- and
7 this is a hip shot -- and I -- they're dangerous -- but, I
8 would gather -- I would think that perhaps with the Valdez
9 everybody's attention has been screwed up a couple of
10 notches. And I suspect that rather than wait, when there
11 was a question, they went ahead and Federalized and asked
12 questions later.

13 MS. WUNNICKE: Thank you.

14 MR. PARKER: Commissioner Wallace.

15 MR. WALLIS: Yes. Just a couple questions. One, do
16 you think the spiller should be responsible for the
17 cleanup?

18 ADMIRAL ROBBINS: Yes sir.

19 MR. WALLIS: Okay. Right now, how many people are
20 employed by Exxon or Norcon, VECO?

21 ADMIRAL ROBBINS: They -- the total work force that
22 they're showing right now on this spill is over 10,000.

23 MR. WALLIS: How 'bout in the Seward zone.

23 ADMIRAL ROBBINS: In the Seward zone, actually
25 cleaning up the spill, has been running about 75 to 80. Is

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1 that correct?

2 LT. CRUZ: Approximately, but then all the support
3 personnel -- I think there's almost 800 people employed.

4 MR. WALLIS: There are 800 people employed and roughly
5 75 people cleaning beaches? How many beaches are being
6 cleaned?

7 LT. CRUZ: At present there's.....

8 MR. WALLIS: Present.

9 LT. CRUZ: At present today there's two that the work
10 is going on. There's a -- we just received from Exxon a
11 cleanup plan and a time line for the dates that all the
12 beaches in the area will be addressed. I think there's
13 like 10 beaches or 14 beaches in the area that we've
14 determined needs to be cleaned up and they will all be
15 addressed by the 15th of September. If cleanup is
16 feasible.

17 MR. WALLIS: Excuse me. You have two beaches that are
18 being cleaned now, and you expect to clean 15 beaches by
19 September?

20 LT. CRUZ: Yes.

21 MR. WALLIS: How? Is there any other plans to do it
22 any other way other than what's being done now?

23 LT. CRUZ: Yeah, there -- we're getting equipment from
23 Valdez. LCD's (ph) vessels with hot water washers. And
25 they're -- they should be over next week. The procedure is

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1 one -- the first you have to trap the standing oil in the
2 water. And we've just finished accomplishing that in the
3 Pie Islands. And then you prioritize and go from beach to
4 beach, or else if you didn't trap the free-floating oil
5 first, it would just re-oil the beaches that you've already
6 cleaned, and it wouldn't be as productive or as efficient
7 an operation.

8 ADMIRAL ROBBINS: And there's been a number of beaches
9 already cleaned. They show as having signed-off a number
10 of them, so it's -- it -- as a matter of fact, the progress
11 in Seward has been the best of any of the sectors.

12 MR. WALLIS: Of the 75 people that are cleaning
13 beaches -- out of the 800 and some, if that's the number -
14 - does it take that many people to support 75 people to
15 clean the beaches?

16 LT. CRUZ: Yeah, to get the equipment and to move the
17 equipment around. And to run the burning vessels, and to
18 run the vessels to get them down there. We're talking
19 about all the cleanups at least 80 miles away from Seward.
20 And there's no hotels down there, we have to berth them in
21 the vessels. We have to ferry equipment back and forth.
22 We have to process the equip -- we have to process the
23 cleaned debris and -- like back in Seward, and do something
23 with the dirty oil and the bags and the like. Yeah, I
25 think -- I don't have any exact numbers with me now but I

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1 think it's a reasonable -- I mean that's what it takes to
2 do the job. I think that could be better be answered by
3 Exxon, too. But I think that that's -- logistically, if
4 you look at big corporations, or if you look.....thank you.
5 I'm sorry, 523 presently, is what they're holding on this.
6 And that's down a little from earlier in the week, and I
7 think.....

8 MR. WALLIS: So they're laying off people is what
9 they're doing then.

10 LT. CRUZ: I can't speak to that.

11 ADMIRAL ROBBINS: Five-twenty-three includes the 75,
12 roughly speaking.

13 MS. WUNNICKE: Mr. Chairman. I'm tempted just to ask
14 -- you mentioned that Exxon has submitted a plan. How does
15 -- if you can -- how does that compare to the plan that the
16 MAC group has also submitted for cleanup by September 15th?

17 LT. CRUZ: I just received the RMAC group's plan today
18 and I haven't had a chance to evaluate it fully. I think
19 that the procedures that they're using, most of them are
20 accepted and appear in our treatment manual. I think
21 there's questions about some of the treatment that they
22 propose. I can't really comment fully on the RMAC plan
23 because I just did receive it right before this meeting.

23 MR. PARKER: Commander Cruz, can you come back for the
25 afternoon session of the MAC group? Is that possible?

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1 LT. CRUZ: Yeah.

2 MR. PARKER: If --

3 MS. WUNNICKE: I interrupted Tim. I'm sorry Mr.

4 Chairman.

5 UNIDENTIFIED SPEAKER: The Commissioner I don't think

6 was through.

7 MR. PARKER: Yeah, that's true.

8 MS. WUNNICKE: Sorry Tim.

9 MR. WALLIS: Thank you. Obviously there's been a

10 layoff then, and there are two beaches being cleaned. Are

11 there any plans -- I think Senator Stevens indicated using

12 some type of bacteria and treating the beaches with.....

13 ADMIRAL ROBBINS: Bioremediation. Yeah. In fact,

14 that's a good subject because one of the concerns that I

15 have the responsibility for, and there are a lot of people

16 with this responsibility, but ultimately it ends up in my

17 hat one way or another, is how much work we do on each

18 beach and to insure that we don't damage the environment

19 more than it's been already been -- damaged by our cleanup

20 procedures. So what we're looking for -- and incidentally,

21 I was amazed to find that -- I was in this business back in

22 the seventies, early to mid-seventies, and I thought when

23 I got sent up here that we'd have all of these procedures

23 that were down. I said, Gee, I'm gonna be behind the

25 times, it'll be all state-of-the-art stuff and I won't

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1 understand it anymore. Not so. It hadn't improved --
2 we're still doing the same thing that we had back then.
3 And one of the things that we really need to do is have a
4 good system. We are going to continue to spill oil. I
5 hope it's not this much, and I hope it's very small
6 amounts, but we're still gonna get some oil on the beaches.
7 So we need something that won't tear the beach all to the
8 dickens, we can do and it won't -- and it hurts the
9 environment very little. Well, one of the things they're
10 looking at is bioremediation. And EPA has run some tests
11 on it. They are very promising. We're going to a full-
12 scale test here in the next week, and if that proves out to
13 where all of the resource people and everybody have agreed
14 that it's not doing any damage to the environment, we would
15 hope that in lots of cases that's the way we would treat
16 beaches. And what that does is, in effect -- in laymen's
17 terms, and they're the only kind I understand -- is we put
18 fertilizer on there and grow those little bugs that are
19 already there, we just -- they multiply and eat the oil and
20 biodegrade it. And it's a great opportunity if it works
21 and if it doesn't cause more damage to the environment than
22 we've already done.

23 MR. WALLIS: And so, basically, that's the plan. And
23 if it doesn't work, what then?

25 ADMIRAL ROBBINS: Well, I'm -- there -- you can -- I

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1 suppose we can, in those cases where it's important that
2 the visual appearance of a shoreline area is very
3 important, rocks could be washed and cleaned. That is
4 usually more damaging than leaving them alone and letting
5 nature take its course. Eventually these little bugs will
6 do it. They will biodegrade it over a period of time and
7 in some cases it may be the best treatment to leave the
8 beach alone. We can't do that, though, if there is heavy
9 oil on the beach that's going to migrate to other beaches,
10 or if it's in an area where it's causing damage to the
11 salmon streams and that sort of thing. So, everything is
12 a trade-off and each beach has to be considered separately
13 because of its unique characteristics.

14 MR. WALLIS: When we went to Valdez we went and looked
15 at a spill site. And I noticed, what I considered to be,
16 anyway, inefficient use of manpower. What'd been your
17 opinion as to the efficiency of manpower with Exxon and its
18 subcontractors.

19 ADMIRAL ROBBINS: Well, there -- some of it has been
20 inefficient. We've seen people out wiping rocks. Some of
21 that I can blame on myself, I guess, because I have been -
22 - you know, you have to have some kind of a measurement on
23 how much work is getting done so that you know when you get
23 to the end of the year you're going to have done a
25 reasonable effort of treating the beaches, if you will.

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1 But the -- so I've been -- the way measure that is how many
2 people they have working on the beach. And then I see what
3 the progress is and that is not necessarily a good method
4 of measurement. But I have forced them in -- probably into
5 some numbers where they've put more people on the beach
6 than they really had equipment for them to operate, so they
7 had to keep 'em busy and they had 'em wiping rocks. It's
8 not a very good use of personnel.

9 MR. WALLIS: You indicated that there were two beaches
10 being cleaned. It's my understanding there's only one
11 beach being cleaned in the area.

12 LT. CRUZ: I think you're mistaken, sir. I think
13 Wildcat Cove -- work is also going at Wildcat Cove in that
14 we're cleaning up the free-staining oil and I think they're
15 removing the logs from there. And we are due for work
16 orders in those areas also. Getting back to your question
17 earlier, if I think the other beaches will be cleaned.
18 Yeah, because we prioritized the beaches and we did the
19 worst ones first, such as Aialik Glacier and Aialik Bay and
20 the like. And we did a lot of Class A or manual treatment
21 on these beaches, and now we're coming back and gonna hit
22 'em with machinery and mechanized processes and the like,
23 and I feel that by the 15th of September the work should be
23 completed that can be.

25 ADMIRAL ROBBINS: I think -- I'd like to jump on that

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1 though, because one of the things that I think everybody
2 has to recognize, when you put oil in the water and it goes
3 ashore the fat's in the fire. They're never going to be
4 clean, clean. And that's why people are objecting to using
5 the word "clean." And DEC won't sign off anything that
6 says clean, and I don't blame 'em. These beaches aren't
7 going to be clean in the normal sense of the
8 term.....treated is the term. And it's kind of a
9 stabilizing effort to try to keep them from causing more
10 damage to the environment elsewhere.

11 UNIDENTIFIED SPEAKER: I don't know, I was gone for a
12 few minutes -- did you ask about the five regional centers
13 that API is recommending?

14 UNIDENTIFIED SPEAKER: Uh huh.

15 MR. PARKER: Okay.

16 UNIDENTIFIED SPEAKER: Is there time for one other
17 brief question.

18 MR. PARKER: Well, if we're gonna eat, we gotta eat.

19 UNIDENTIFIED SPEAKER: Okay. Right you are.

20 MR. PARKER: For the Admiral or for the Commander?

21 UNIDENTIFIED SPEAKER: Well, it's really for the
22 Admiral.

23 MR. PARKER: (Indiscernible) can it wait 'til Homer?

23 ADMIRAL ROBBINS: Yeah, I'll be back at Homer unless
25 the weather keeps me out.

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1 UNIDENTIFIED SPEAKER: Don't use that now.
2 (Indiscernible) we have some tough questions.

3 MR. PARKER: Okay, we're gonna have to slide the
4 afternoon schedule to begin at 1:15, which means you guys
5 have gotta eat fast, but Federal employees eat in half an
6 hour so Commissioners can eat in half an hour. And is that
7 all right with you Don? (Indiscernible). Huh? Two
8 o'clock for you? Yeah, that's alright.

9 (Off Record)

10 (On Record)

11 MR. PARKER: (Indiscernible) Commission will resume
12 its hearings in Valdez on -- in Seward (laughter) on July
13 the 14th.

14 (Indiscernible - simultaneous talking)

15 MR. PARKER: You are Dr. Alpac? We will hear next
16 from Dr. Richard Alpac of the clinical director, and would
17 you go find the other commissioners who are loitering out
18 in the audience -- I mean in the lobby, and get them in
19 here. We are usually much more organized than this, which
20 is a lie, but -- I -- sorry to delay things. The
21 commissioners tend to ask a lot of questions and being a
22 lenient, kindly chairman I allow them to ramble on, and
23 that always runs us over. But please proceed.

23 DR. ALPAC: Okay. Well I am the new clinical director
25 of the Seward Life Action Council, which includes an

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1 umbrella of services including mental health, and drug and
2 alcohol, domestic violence, sexual assault, and we also
3 have a liaison with Spring Creek Corrections. So we feel
4 that the impact of the spill, whatever it is it has been
5 thus far -- and I haven't been here to experience that --
6 that we surely are anticipating things to come that -- the
7 way that the people have flooded the Seward area from other
8 places in to work for the spill, and who may end up staying
9 here. What's gonna happen when there is no more jobs and
10 people are left with less money, etc. That -- the fall
11 looks like we're gonna encounter an awful lot of -- a lot
12 of situations. Now, I think I have a double interest. One
13 in mind, of course, is whatever's -- whatever we're gonna
14 need in terms of services -- and whether our staff is going
15 to be adequate to handle whatever issues are gonna arise.
16 I have no way of knowing yet. But that is a concern. That
17 we will be adequately staffed. I can already tell, being
18 here two weeks, that my staff is -- anticipating being
19 overwhelmed.

20 The other issue has to do with research and, you know,
21 I'd like to recommend that the -- that the Commission
22 encourage research on this issue. Now let me give you a
23 little bit of a background. All the material that has
23 flooded into SLAC since the spill -- there's been a lot of
25 concern about how to respond to a disaster. And, of

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1 course, most of the information we have on disasters have
2 to do with what people do to handle the stress, of the
3 crisis intervention, human and ecological grief responses
4 to disasters which are, number one, an Act of God --
5 hurricanes, tornadoes, earthquakes, things of that sort.
6 Disasters which are the result of a failure in technology -
7 - airplane crashes, aerial walkways spanning lobbies of
8 hotels smashed in Kansas City -- things of that sort. Or
9 disasters of human volition -- as a result of human
10 volition. Suicide, murder, things of this sort. Of course
11 this particular disaster is very different than every one
12 of those that we just mentioned. I've already gotten a
13 request -- for my staff to attend what will either be a
14 workshop or a one-credit course sponsored by the Interior
15 and Northern Regional Training Office on alcohol, suicide,
16 human and ecological grief. There have been people already
17 here -- since the spill -- to my staff to talk about
18 stress-management, etc. Well, from my point of view, none
19 of that will be adequate because this is an entirely
20 different kind of disaster. There is a metaphor of how to
21 deal with grief and loss, etc. that all of these points of
22 view will give, and I'm sure my staff will be able to get
23 much out of this kind of work. But from a research point
23 of view, I would say that we would like to look at -- we
25 will be in a privileged place to see what happens in a

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1 situation like this. And maybe what will be a completely
2 different paradigm for how to deal with disasters of this
3 sort. Hopefully they will not happen again, but I don't
4 believe anybody has a hundred percent conviction that
5 that's the case. So that if there is another disaster of
6 this sort, when human beings spoil their own world, as this
7 is, in such a wanton way -- what happens longitude -- you
8 know, from a longitudinal point of view. We're just going
9 to begin to see some of the effects of this. And we
10 already know from these other kinds of disasters that
11 before you begin to reconstruct it takes, from the
12 literature, two to six years before you really begin to
13 reconstruct. I think it's optimistic to say that in two to
14 six years this will be over.

15 So from my point of view as clinical director --
16 interested in what's going to happen to Seward, Alaska in
17 perhaps other kinds of disasters, it would be really I
18 think important to initiate a research project to study the
19 effect. A project which would be descriptive and
20 longitudinal, as well as quantitative. So that's my two-
21 fold concern, that the Commission would voice that we have
22 both clinical concerns and research concerns which will
23 ultimately have clinical implications.

23 MR. PARKER: Where would you see that research project
25 being based. Within the State structure or the University

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1 or where particularly.

2 DR. ALPAC: Well, I think the University, of course,
3 is always the preferred place for research. However, I
4 think a clinical setting like SLAC is also a viable site
5 for that. We will have -- instead of bringing outsiders in
6 to study on a hit and miss, or from an experimental-design
7 point of view, we will be ongoingly collecting qualitative
8 data, as well as statistics on the people that we see. So
9 I think that the research project could be done right out
10 of SLAC. This is much more of a clinical community project
11 rather than an academic project. So I think there -- both
12 needs to be done from a different.....

13 MR. PARKER: Esther.

14 MS. WUNNICKE: In looking at this problem since Seward
15 was also very much affected by the 1964 earthquake, were
16 there any studies done or any research done in the
17 aftermath of that disaster that would have bearing on how
18 you might respond.

19 DR. ALPAC: Well I have to say I'm very ignorant about
20 that. I mean, I know about the disaster of the earthquake,
21 you know, Good Friday disaster. I wasn't in Alaska at the
22 time, and in all the material in the two weeks I've been
23 here I haven't seen that. However, that would still fit
23 under the notion of the natural disaster and what we know
25 about reactions, responses, phases and stages of recovery

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1 from earthquakes, hurricanes, tornadoes. But you see,
2 that's cataclysmic and it's over with. It's once and or
3 all, and then people marshal their -- you know, they get
4 involved, they have the honeymoon, they go disillusioned
5 and then they try to reconstruct. But the disaster is
6 essentially finished until the next 200 hundred years when
7 we have another earthquake.

8 MS. WUNNICKE: Uh huh. And this is ongoing.

9 DR. ALPAC: But this is ongoing. In a way that nobody
10 knows yet, exactly how it is going to be ongoing.

11 MR. PARKER: Anyone else? What is the structure of
12 SLAC -- that -- private, State, local.

13 DR. ALPAC: Yeah. Well, we get -- most of our funding
14 comes from grants from the State. So we are, you know --
15 based here in Seward. We are not owned by Seward. You
16 know, it is independent of the City, but -- we have both
17 community support and support from grants State-wide. I
18 don't know how the Federal money fits into that. These are
19 the things I'm still learning about in these last two weeks
20 myself.

21 MR. PARKER: Would you have the -- resources to do
22 such research in any of the other communities if there was
23 known goals to do it?

23 DR. ALPAC: Outside of Seward you mean?

25 MR. PARKER: Yeah.

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1 DR. ALPAC: In terms of, you mean Valdez and.....
2 MR. PARKER: Yeah.
3 DR. ALPAC: I don't know there -- I haven't even been
4 there yet. I know within this community -- the ways --
5 Seward Life Action Council defines its role. It has --it
6 started as a drug and alcohol program and gradually
7 broadened out to cover more things. At this point, as I
8 assumed the directorship, we're looking at both how to put
9 band-aids on problems that are already emerging, but trying
10 to take a much more preventive point of view and interface
11 much more comprehensively with the community at large. So
12 that in terms of if we were to have a research project,
13 then that fits the idea that we have of we're not only here
14 when somebody gets a DWI charge and now they're being
15 punished and we're here to pick up the pieces. We're trying
16 to -- outreach to the community, and at this particular
17 time in history, it's -- a key time, I think, to reach out.
18 MR. PARKER: Well my -- you know, advice, would be to
19 -- take your research project and -- in order to get
20 funding from the special funding that the oil spill
21 coordinator's office in Juneau is administering for the
22 Governor, and which the final funding decisions are made by
23 the Governor's mini-cabinet, that -- you -- submit your
23 proposal to them. But the guidelines are that you must
25 have a State agency sponsor, which I think in your case

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1 would be Health and Social Services. And -- the -- beyond
2 that I -- if they -- would sponsor the research I -- you
3 know serve as -- in other words just say that -- your
4 research was necessary I think that would be about all it
5 would take to get your proposal on the mini-cabinet's table
6 for consideration.

7 DR. ALPAC: Okay. Thank you. Thank you for your
8 attention.

9 MR. PARKER: Anything else? I have a -- how many
10 people -- do you have any idea how many people are in
11 Seward right now who weren't here before the spill?

12 DR. ALPAC: I was told that the population -- maybe
13 somebody can help -- was something like 3000 and that there
14 were 1500 more people in the community. Does anybody have
15 better numbers on that? Does that make..... That already
16 from a social/psychological perspective changes the whole,
17 you know, nature of the place.

18 MR. PARKER: Yeah. Okay, well thank you. Ed.

19 MR. WENK: Mr. Chairman, just on that point -- my
20 recollection is that -- I believe when in Valdez and the
21 question of the population explosion came up, a similar
22 question was asked of someone there with regard to Seward,
23 and there was some surprise that the growth in Seward had
23 not been proportionately larger. And the question that was
25 asked further -- it might've been of the mayor -- as to

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1 why, and there were some explanations that -- there was
2 some thought given to this issue in terms of trying to deal
3 with that crisis in Seward, that apparently was not -- did
4 not prevail in Valdez.

5 MR. PARKER: One thing is the -- oil spill
6 coordinating office and the mini-cabinet have been apprised
7 by us. We've been getting, you know, some -- reports from
8 all around the oil spilled communities -- of -- that there
9 may be very serious problems arising in a host of social
10 and health areas. And so they will not be surprised to
11 hear from Seward on this.

12 DR. ALPAC: Yes. I know that I was told by the
13 administrative director and the outgoing director that
14 Seward had made some kind of application to get another
15 clinician in the community, at SLAC, since the spill. And
16 that new position was denied and turned down. Now, that
17 might make more sense because of exactly what you said.
18 The influx of people wasn't as proportionately higher. But
19 I think our need for an extra person will be greater down
20 the line than it was immediately after the spill.

21 MR. PARKER: I'd like to go ahead and give it a try.

22 MS. HAYES: Well, I just wonder if you have any -- if
23 your predecessor left you with any statistics or any
23 information about any change that you've seen in the
25 request for your services since the spill.

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1 DR. ALPAC: Well, right now our people are doing --
2 each of the departments is doing their quarterly thing
3 which is supposed to be in now because our administrative
4 director is doing the budget. I should have all those
5 statistics at my fingertips by Monday.

6 MS. HAYES: Could you send us a copy of the report to
7 -- (indiscernible).

8 DR. ALPAC: Sure. Send it to you?

9 MS. HAYES: I'll give you the address.

10 DR. ALPAC: Okay.

11 MR. PARKER: Yeah. Mayor Gilman will be here at two
12 o'clock. Is there anything, Marilyn, that you need to
13 apprise us of at this time (indiscernible).

14 MARILYN: No. No more changes on the agenda.

15 MR. PARKER: No more changes on the agenda.

16 MARILYN: Oh, the only other thing is the otter
17 center. (Indiscernible).

18 MR. PARKER: Do they let you pet the otter.

19 UNIDENTIFIED SPEAKER: They've given her the permit.

20 MR. PARKER: Oh, they have. Okay.

21 MARILYN: (Indiscernible) permit to (indiscernible)
22 people that walk in you have to ask for permission, but if
23 there's some slot of time, maybe between four and six, if
23 there's not a lot of other participation that might be a
25 possibility (indiscernible).

/clf

1 MR. PARKER: I know two of us would like to go, maybe
2 three, maybe seven, six. My pragmatist commissioner says
3 we might as well take a break, there's no use talking.....

4 (Off Record - Change of Tape)

5 (On Record - Tape Number 89-07-14/3A)

6 MR. PARKER:then you're going to be in Soldotna,
7 Kenai.....

8 MAYOR GILMAN: We haven't scheduled it yet. And I
9 talked to.....

10 MR. PARKER: You were on the radio this morning, by
11 the way.

12 MAYOR GILMAN: Yeah. And that's, you know, I talked
13 to several people from Kenai about what I hoped we could
14 gain from down there, and as I said on the radio, what we
15 would really like to get besides the things we're getting
16 from the other communities on the impact of the spill on
17 the community and what its response has been and so forth,
18 is -- as much of a record as we could get on the Glacier
19 Bay and its aftermaths so that we can compare. You know,
20 use that as a comparison and -- just..... Mr. Chairman I -
21 - I'm not sure what the ground rules are on this hearing.
22 I came in in the middle of it and -- have you set time
23 limits and.....

23 MR. PARKER: Well, I think, you know we -- this
25 afternoon why -- we had you scheduled for a half hour

/clf

1 originally, but, you know, we can certainly stretch that if
2 you need more time.

3 MAYOR GILMAN: Well, I would prefer to make it very
4 informal if -- (indiscernible).

5 MR. PARKER: Well, I think that's what we'd prefer
6 too, Don.

7 MAYOR GILMAN: Let me just reflect, if I can, on two
8 or three points -- in the spill itself. And then -- and
9 I'll not necessarily talk from the borough perspective,
10 although I think they wouldn't be too far apart. Our
11 assembly has not taken any particular position -- endorsing
12 any concepts and this type thing. It's a little early for
13 that. But -- so some of what I say is gonna be personal
14 feelings and -- what I think the -- I observed. I'm sure
15 some -- you went through the history, but if I can I'll
16 just recap that a little bit. About Wednesday, which would
17 have been I believe day four or five of the spill, the City
18 fathers here -- after the storm had moved the oil over into
19 Knight (ph) Island area, became concerned that the oil was
20 gonna come through Montague and down the coast. Of course,
21 NOAA's statement had been, well if it does it'll go out in
22 the Gulf and dissipate and you really don't have too much
23 to worry about when it -- and if -- and got pretty specific
23 with the statement, as I recall -- if there's any oil that
25 hits the Kenai Peninsula it'd be in the range of 65,000

/clf

1 barrel -- or gallons or -- not barrels but gallons.
2 Something in that -- and where they came up with that
3 figure I don't know. But the city council had a --
4 emergency meeting as I recall. Decided that they would go
5 to Valdez and take whatever precautionary measures they
6 could for protection of Resurrection Bay. And Exxon gave
7 them a purchase order for boom, they found the boom, and
8 they were in -- came back and started the necessary steps
9 to get that boom delivered here. That was -- that would
10 have been Thursday. At the same time the superintendent of
11 the Park was taking her steps that were necessary to try to
12 get some assistance if there was some danger to the Park.
13 Got the incident command team -- was sent in here -- and I
14 believe they got here Thursday night. Friday was a -- the
15 City, I believe, got the boom flown in from New Hampshire,
16 wherever it was, on Friday. And the incident command team
17 because -- got organized. I got here Saturday -- I had a
18 emergency response coordinator on a Wednesday. I had sent
19 him here saying, you know, it looks like this thing's gonna
20 get bigger than we thought it would and -- we probably are
21 going to have some action in the Seward area. Go over and
22 find out what it is the Borough might do to support the
23 community. And that's essentially what our emergency
23 planning requires anyway. We have, in our emergency plan,
25 that whoever is the closest to an emergency is in charge.

/clf

1 City council, in this case, that became the fire chief, was
2 the incident -- was the on-scene commander. And what we do
3 is back the communities up as -- under the Borough disaster
4 -- as we tie into the Disaster Act. Which I want to get to
5 a little later.

6 Saturday morning I get here about six-thirty, seven
7 o'clock. I'd been in Juneau at a mayor's conference
8 meeting and I had taken the time, I think on Thursday, to
9 call John Devins (ph), who is the mayor of Valdez, and
10 sympathize with him. Say, gee John, hang tough, we're all
11 pulling for ya. We're glad it's you and not us -- type
12 thing and -- the city mayor said to me, we're in trouble,
13 we're out of money, we have exhausted all of the city's
14 resources. The only thing we had was a purchase order from
15 Exxon to buy boom and get it here. But, you know, how do
16 you get it out there and where you boom, and how do you put
17 it out. And they did have the foresight to have a boom
18 expert come with the boom. I called the Borough attorney
19 and said I want to declare an emergency. Under the Borough
20 Act, I have the authority to declare an emergency, and it's
21 invoked for seven days prior to -- prior -- it's invoked
22 for seven days unless the -- or until the assembly
23 recognizes it and by ordinance approves it. And it all -
23 - what it does is it allows me to divert borough funds that
25 are appropriated funds, but unencumbered. Like my

/clf

1 contingency funds and this type of thing. So I said to the
2 City, continue with your operation. Get your boats hired,
3 get the people going -- we'll cover those costs. But don't
4 stop. That evening the City -- mayor, myself, the incident
5 command team, Ann Kastelina from the Park, and I don't
6 remember who else, met and decided that we would form the
7 MAC group. And that she would share it -- because it was
8 under her authority that the incident command team and we
9 understood what that meant. That the City was gonna be out
10 of the response business. The Borough was gonna be out of
11 the response business in the sense of actually making the
12 response. It was in a supporting role to the incident
13 command team.

14 Sunday I chartered a plane and we flew to Valdez and
15 met with the commissioner of DEC. And he signed an
16 agreement with me to reimburse the Borough up to \$200,000
17 for MAC group activities -- and the money had to be
18 approved -- the expenditure of the money had to be approved
19 by the MAC group. And that we could not get into the
20 cleanup. It was for beach surveillance and this type
21 thing. And I can provide you and will, Mr. Chairman, with
22 those documents, so you can see exactly what it was -- and
23 by the way we -- there was an attorney general -- an
23 assistant attorney general in Valdez that wrote that
25 document. And I think did in -- under the circumstances -

/clf

1 - did a pretty thorough job of writing what was necessary.
2 MR. PARKER: Do you remember what assistant AG that
3 was?
4 MAYOR GILMAN: No. I don't.
5 MS. WUNNICKE: We would like to have (indiscernible -
6 simultaneous talking).
7 MAYOR GILMAN: But I will get you the copies of those.
8 Tuesday night the assembly ratified the emergency and
9 appropriated three million dollars in emergency funds.
10 Contingent, of course, on being -- us being able to secure
11 agreements for reimbursement. We couldn't -- we didn't
12 have the authority to just go out and begin to spend three
13 million dollars of emergency money, but -- it gave us,
14 certainly, the authority to spend the 200,000 we had in the
15 agreement with DEC. That Thursday -- I'm losing track of
16 time, and that's what happened to all of us during that -
17 - the Federal on-scene coordinator for the area -- Captain
18 Rouselle (ph) from Anchorage. Once the oil got past
19 Montague it was in his jurisdiction and he took over in
20 this area. And he and Ann Kastelina and I flew to Kodiak
21 to meet with the people in Kodiak to try to explain to 'em
22 what we had done here. And I believe this would have been
23 in the neighborhood of Thursday of that week. At that time
23 I met with Monty Taylor (ph) who was the -- person from
25 Valdez that was at -- in Kodiak. And I said to him, Monty,

/clf

1 we're gonna have to have some help. I mean, you guys are
2 not ready to do anything in Seward and Homer and here in
3 Kodiak, and we're gonna have to have some help. And I
4 explained to him what we had done here and what we wanted
5 to do in Homer. Wanted to set up essentially the same kind
6 of operation in Homer. And Ernie Piper (ph) from the
7 Governor's office was in the conversation. And he said,
8 well, how much you talking about? You, know what are we
9 talking about? And I said, well, my assembly gave me a
10 three million dollar appropriation. I don't think it's
11 gonna be anywhere close to that. And I said we're gonna
12 need at least a million dollars. I can foresee that we
13 will need at least a million dollars to cover those things
14 that we thought we were gonna have to cover. Which at that
15 time was supporting the MAC group efforts, and supporting
16 this IC team. And he took the document that I had agreed
17 with with the commissioner and sent that through his --
18 legal people or whoever it was that he had to go back to,
19 and sent me back almost identical agreement to the
20 agreement that we had signed with DEC. Four million dollar
21 reimbursement. We flew back from Homer -- I mean to Homer
22 -- that day, that evening. Had a meeting in Homer and said
23 we wanta form a MAC group in Homer. And the next day,
23 Saturday, we started that operation. So I don't know what
25 those days are. I wanta say that that was like the 8th or

/clf

1 9th of April, whatever that Saturday, Sunday operation was.
2 In the meantime, the -- IC Team determined that it could
3 not go outside Federal land. The Park boundaries was the -
4 - I mean that -- that's who called 'em in and they were
5 under Park jurisdiction. So we said, what do you do in a
6 forest fire? Well, we sign an agreement with an entity to
7 reimburse our expenses. So I sign an agreement with the
8 Park Service to reimburse for all non-Federal costs,
9 including State costs -- the State wasn't even around. I
10 mean they weren't even close to being in any kind of a
11 reaction at this time. So I signed an agreement with --
12 with the Park Service to allow the IC team to continue. At
13 the same time we made the decision that we better start on
14 the west side of the Cook Inlet, for Katmai and all of the
15 State land in between Katmai National Park and Lake Clark
16 National Park. So all -- and what they were doing and I -
17 - I think you've been told this -- they were counting
18 wildlife, counting birds, seeing what the resources were,
19 what condition the beach was, and then they were taking a
20 resource inventory, essentially. And we agreed to pay for
21 that. Reimburse the -- Park Service. We were told at about
22 seven o'clock that evening, it can't be done. You just -
23 - you're grinning, Esther, I..... You understand, you
23 worked in the Federal system long enough to know what
25 happened with that. The solicitors said no way. You know,

/clf

1 you just can't do that -- isn't -- or there's no way that
2 can be done. And evidently this was coming out, or
3 supposedly coming out of Louhan's (ph) office. I made a
4 call at about midnight, well -- ten o'clock, and finally
5 got a message to Ted Stevens' Chief of Staff that we needed
6 that straightened out because we were going to go -- we
7 wanted to go, and had to go, outside of the Park boundary.
8 And at seven o'clock or so that next morning, a message
9 came that said something, call the dogs off -- go ahead and
10 go. You know, we'll work it out, go ahead and go. And one
11 of the problems is how to reimburse those costs. And it's
12 still a problem. It's still -- I was just talking with Ann
13 at lunch -- it has still not been resolved. We have not
14 sent the Federal Government any money. I have it reserved
15 and the -- out of the Exxon account. But anyway, this was
16 all taking place as we were setting up the Homer MAC group.
17 And that -- about that weekend, which would've been around
18 the 15th or 16th or 17th of April, a Congressional
19 delegation -- House and Senator Murkowski, Secretary Louhan
20 (ph) came to Homer for a hearing. And -- well, not a
21 hearing, a briefing. They were gonna go out and look at
22 the Gulf. And while at that hearing there was a -- a
23 really ugly scene between -- fisherman, Exxon,
23 Congressional members. This only could have happened in
25 Homer. And I finally got the Secretary and said let's go

/clf

1 fly and look at the beach while these guys are trying to
2 iron this thing out. And that's where the reimbursement
3 came, after that agreement -- or after that argument with
4 Representative Young. He said to the fisherman, what do
5 you want? You know, what do you want from Exxon. They
6 said we want Exxon to put two million dollars in the bank
7 so the Kenai Borough -- for the Kenai Borough so we can go
8 out here and begin to pick this oil up ourselves. You're
9 not doing anything and -- you won't do anything, and we
10 think we can go out and do a better job. And we need to
11 have some financial support and -- that's where the two
12 million dollar fund came from.

13 Now -- that wasn't the best thing that ever happened
14 to me, by the way, because I became the bad guy. Because
15 there were some things that we just could not authorize to
16 be done. And so I had to begin to say no, instead of Exxon
17 -- that had been saying no prior to that. And I, you know,
18 that really is not part of the -- it's a part of -- kind of
19 a part of an ongoing problem, but it doesn't have to be
20 involved with the chronology of this spill.

21 The oil hit the beaches in Gore Point, Elizabeth
22 Island, Barren Islands, Kodiak, Afognak, Katmai -- it did
23 not get into the main part of Katchemak Bay. There was
23 frenetic effort to try to boom off some of those sensitive
25 areas. We did not have any boom. We could not get Exxon

/clf

1 to get us any boom. We found some boom in the same place
2 that the City had bought their boom, and with the Exxon
3 money I ordered eighty thousand dollars worth of boom and
4 had it flown in -- I'm not sure whether it was flown but I
5 guess it was airfreighted here. And immediately after I
6 made the order, Otto Harrison from Exxon called and said,
7 what the hell you doing that for. We've got boom all over
8 the place over here. And there was boom in Kodiak. They
9 would not -- I mean once the boom got located someplace
10 nobody'd let go of it. There was no way to allocate.
11 There was no plan, there was no -- no way to allocate that
12 -- that was the major commodity that everybody was looking
13 for, was good boom. And we couldn't get it. We made boom.
14 Katchemak Bay -- I'm sure most of you saw it on television
15 where people were making boom or creating terrible,
16 terrible liability problem with those log booms. If they
17 had -- if we'd a had a storm and those booms had gotten
18 away and got out into the shipping channels, I mean, it
19 wouldn't've been safe for any small boats to be out there.
20 And there was some real hysteria that was driving some of
21 this. And Exxon built the boom. I mean, they built the
22 boom. It was more therapeutic. It was, give somebody
23 something to do, go build some boom. We know it isn't
23 gonna work but go build it anyway. And I'm sure you'll
25 hear chapter and verse of this tomorrow. And I don't wanta

/clf

1 try to steal the people in Homer's thunder. I know I
2 couldn't do it anyway if I.....

3 It was incredible how accurate Dr. Royer (ph) from the
4 Institute of Marine Science was on predicting where the oil
5 was gonna go. The Institute of Marine Science had done the
6 research and -- on the currents -- and that -- I have to
7 say that he was the person that got the ear of Ted Stevens
8 about the 30th of March, or 29th of March, after the NOAA
9 had said the oil is not going -- it all will go out and
10 dissipate, and he said, Senator that's not true. That is
11 not what's gonna happen to this oil. That oil is gonna hit
12 the Kenai and go all the way to, possibly, False Pass.
13 Didn't miss it too far. I mean, he told it where it was
14 going and when it was gonna get there. It was pretty,
15 pretty accurate. We have -- and I will see if I can't get
16 some maps that we had used in the GIS system to map the
17 progress of the spill, and where it was going, and where
18 the edges were, and where the real heavy sheens were. The
19 oil got in the currents in Katchemak -- Cook Inlet
20 currents. And I'm sure most of you have seen some pictures
21 of those currents. They're heavy tides and the currents
22 will sweep out of Katchemak Bay and are circular. And they
23 join -- the circles will join like this. And that oil has
23 now worked its way to the Forelands, past Kalgin Island in
25 Cook Inlet. And there is a lot of oil out there. The oil

/clf

1 is weathered, cow-pie-type oil, and it's fouling drift net
2 fishermen. We probably will have no drift net fishing in
3 the Inlet this year.

4 Which gets me to kind of the second or third point
5 that I really wanted to talk about. That's the economic
6 adjustment that's going to come out of this for areas that
7 are a long ways from Prince William Sound. Kodiak and the
8 Cook Inlet communities, particularly, have had a real hard
9 hit on salmon fishing. The two fisheries combined, last
10 year, were more than two hundred million dollar ex-vessel
11 fisheries. And we don't know how it's gonna shake out.
12 But I can tell you that it's going to leave some portions
13 of the Kenai in pretty bad straits. And I would expect
14 those to be more in the Kenai/Soldotna area than in the
15 Seward/Homer area. Because the Seward/Homer area has at
16 least had some opportunity to have the monetary parts of
17 the Exxon cleanup in -- you know, circulating in their
18 economy. But that is not true in the Kenai/Soldotna area.

19 The third point that I wanted to talk about is what
20 happens next in -- and maybe of most concern to some of us.
21 The Legislature, as you know, passed a bill, Senate Bill
22 264, I believe it was, that mandates equipment caches, for
23 lack of a better term, trained personnel. Mandates the
23 Departmental Conservation to come up with a spill
25 contingency planning, containment plan. In the meantime,

/clf

1 and I was appreciated the question that came up this
2 morning about API's study. Now API just left us out of it,
3 and when we contacted API the answer was, well Alyeska's
4 plan is gonna be a plan for Alaska. And Alyeska -- BP,
5 anyway -- says that ain't right. We are not about to have
6 -- that isn't our -- that isn't Alaska's plan, that's our
7 plan, it's Prince William Sound's plan. And I've had in
8 the last two days -- three days -- the opportunity to talk,
9 not only with Alyeska people, BP -- but also the president
10 of ARCO Marine, who was in our community Wednesday. I had
11 a long meeting with him Wednesday night. And I think after
12 that meeting the concern that I have -- had felt -- was
13 more -- was pretty well confirmed. It does not appear to
14 me that the major shipping, based on the conversation with
15 ARCO anyway, is gonna change much. And it's gonna be their
16 spill. It's gonna be their plan. Each boat's gonna have
17 its own plan. They will be responsible for the plan. They
18 will be responsible for any spill. And that does not
19 answer what happened in Glacier Bay. You know. Glacier
20 Bay. Who owned Glacier Bay? I can't even remember who
21 owned Glacier Bay. Set there for 36 hours. Rouselle (ph)
22 finally - who's the on-scene coordinator for the spill from
23 the Coast Guard, said move over, I'm taking over. You guys
23 can't do it. But he had to wait for 36 hours to do it.
25 Had to wait for them to -- their response was and their

/clf

1 plan was. And this was the State's fault. State hadn't
2 reviewed the plan when on that boat. What's your plan?
3 Rouselle (ph) asked them, what's your plan? They said,
4 we're gonna let it go to the beach. That was the plan. So
5 my concern is that we -- the State has to take an absolute
6 -- control of these plans. I mean, they -- somewhere --
7 and I don't know anything about maritime law, and I don't
8 know anything about the old shipping habits and all the
9 things I heard Wednesday night from the president of this
10 company. But five years from now we're not gonna be better
11 off than we are today unless we take control of that thing
12 as the State government. Now I don't know what that does
13 in Federal law, and I don't know -- but..... The
14 conversation that I had with Alyeska went this way: Mr.
15 Williams from BP said..... I ask a question. Isn't each
16 ship supposed to have its own plan. And he said yes. But
17 they will have our plan as their plan. They will have our
18 plan as their plan. And I mentioned that to a gentleman
19 from ARCO and he said, no way. Okay. I'm just a guy who's
20 trying to figure this thing out. Maybe a little more
21 informed than somebody else, simply because I happened to
22 have spent the last 120 days being sensitized to it. But
23 that's what we're gonna hear. And that really concerns me
23 because if nothing else that we should learn out of this
25 spill, is what to do, who's gonna be in charge, so there is

/clf

1 no question about it when there is an other spill. And I
2 say when. I think Admiral Robbins is absolutely correct.
3 Although the industry will not -- they don't wanta talk
4 that way. But when there's another spill that we know
5 precisely what's gonna happen and who's gonna be in charge.
6 If there's gotta be dispersants used, then there's gotta be
7 dispersants used, and we decide that up-front, and that's
8 the plan. So we don't sit around and by committee try to
9 determine what the research has said to us about
10 dispersants. That..... And you may have different plans.
11 We will have a different plan in Cook Inlet than you do in
12 Prince William Sound. Because you got different bodies of
13 water. And you can only do certain things in Cook Inlet
14 because of the tides. But they're -- we're not the only
15 place in the world that got oil and high tides. You have
16 the same thing in Norway, and you have the same thing in
17 Scotland, and they've got some plans and they test the
18 plans. They test the plans by putting 6,000 barrels of oil
19 out there and test it. Make it work. So, you know, this
20 thing of not being able to do something, or not being -- it
21 isn't available -- technology isn't available -- it is. We
22 just haven't perfected it or brought it to this country.
23 Exxon brought in I don't know how many yards of North Sea
23 boom. And they -- they didn't even know how to deploy it.
25 Finally the Coast Guard hooked onto it with their -- with

/clf

1 a cutter, and deployed it off of Gore Point. And we didn't
2 even know -- we sent for a tool and a toy, and nobody knew
3 how to wind it up. You know -- and I don't say that
4 derogatorily, because everybody knows we weren't ready and
5 that was.....

6 So those three things, I think. The economics that
7 are involved in this, and that's a merging, ongoing thing.
8 But it is something that probably oughta be built into the
9 -- any kind of a spill plan or any kind of contingency
10 planning. It's not much different than the flood and,
11 while the flood's on land and threatens homes and private
12 property, I mean, there's still some economic adjustments
13 come out of this thing. There are some plans that can go
14 into effect during a flood or an earthquake or something.
15 And I think that was one of the gists of what Vince
16 O'Reilly (ph) was trying to tell us when he gave us a plan
17 -- I mean, he gave us an analysis of the first 30 days and
18 what does it mean economically and --..... So those three
19 things are the -- initial response, the economics of it,
20 and the aftermath, I guess. I -- took more than 30
21 minutes, I'm sorry I.....

22 MR. PARKER: Well thank you, Don. It's -- you know,
23 inconceivable that API, which uses the same petroleum
23 encyclopedia as the rest of us, you know -- gave that
25 answer, completely ignoring, you know, Cook Inlet, which

/clf

1 has been in that encyclopedia for a lot longer than Alyeska
2 and Valdez Terminal has been. And, you know, it shows the
3 skimpy analysis that has been brought to this in some
4 quarters. Go ahead and -- John.

5 MR. SUND: Yeah. Maybe starting on this corner this
6 time. Mayor, I wanta kinda make a little bit of a ground-
7 laying here for a question, but, you know, there's been a
8 lotta concern and you've got into it, of the contingency
9 planning and organizational structure, and how to react to
10 the spill. The API thing of stocking booms. Even to the
11 point of -- at least BP in Cordova told us that they were
12 involved in local people and volunteer efforts in their
13 contingency plan. Maybe that just means Prince William
14 Sound and not outside of Prince William Sound. And a lot
15 of discussion of going on and how to clean up the mess.
16 And, but, you know, I've been listening to this for a
17 little over a month now, since we started on this
18 Commission, and I -- I find a real noticeable void, or a
19 big black hole regarding how to prevent it. Nobody is
20 talking about allocating assets to prevention. And whether
21 the exposure of risk that we're exposed to here, anybody's
22 willing to change it. And given the technology today and
23 the testimony we've had, the exposure of risk we have is
23 what happened. A million-barrel ship hitting a rock,
25 discharging 20% of its cargo -- 20 to 50 percent is within

/clf

1 the design criteria of the ship. That's what it's designed
2 for. That happened. Under the best optimum efforts and
3 the best oil spill cleanup in the world, only 20% of what
4 was spilled has ever been picked up, according to Mr.
5 Harold at our Anchorage meeting yesterday. It didn't even
6 come close to that here. So you spill 200,000 barrels --
7 11 million gallons, that leaves nine million gallons. If
8 you took every bit of technology available in the world
9 today and all the best cleanup mechanisms available, nine
10 million gallons is gonna float free and probably hit the
11 beach. That is a level of exposed risk that the people of
12 the State of Alaska have accepted. That's what we allow
13 happening. My question is what do you, as a representative
14 of local government, feel the local people in the area, who
15 get to eat the oil, should have to say in the prevention
16 criteria. Not in the contingency cleanup criteria, but
17 what do you think local people who have to -- are exposed
18 to this risk should have to say in the design of the ship.
19 The construction or maintenance of this ship. The manning
20 or crewing of this ship, the pilotage, the escort, perhaps
21 the size of the vessel that you want to have in your area.
22 The frequency. Those are what have been laid out as
23 prevention criteria. My point of being, I guess -- you as
23 a representative of local people, do you think you should
25 have any say in what those things are?

/clf

1 MAYOR GILMAN: Well, to the -- to the degree that we
2 have the -- capability of evaluating it -- one of the
3 things, of course, the local government doesn't wanta have
4 is -- is a large amount of expertise that's built in and
5 things other than maybe garbage, and -- building some roads
6 and -- those things that the local government's supposed to
7 do. I'm really kind of ambivalent about that -- about what
8 role local government should play in it. I think local
9 government should work with the State government to see
10 that the State does a thorough job of checking those -- if
11 you wanta like use the example of -- one that's always on
12 everybody's mind, alcohol and drug testing. If that's not
13 a requirement in a plan that comes on a ship that comes
14 into Cook Inlet -- then why isn't it? I mean, that's the
15 question we should ask rather than us trying to evaluate
16 whether the alcohol content is high enough, low enough --
17 if you follow what I'm saying. I think, yes, that we have
18 a role to play in that. But the role is to see that the
19 people who have the legal authority -- local government
20 doesn't have that legal authority, nor will it ever have
21 that legal authority to regulate shipping. I mean, we just
22 aren't gonna have that. But we can, I think, exercise the
23 -- with the State regulators, and see that they who have -
23 - I don't know whether the State has any regulations and -
25 - I guess inside the three-mile limit and -- I don't --

/clf

1 there's some cutoff there. But I don't know whether that
2 answered your question on it, but.....

3 MR. SUND: Well, I can see the local government, I
4 guess, might've (indiscernible) next question which local
5 people in the area have anything to say about the risks
6 that they are exposed to and -- you know, in this case it's
7 oil spills, but I guess I could throw hazardous materials,
8 transport of -- safety of vehicles going through your city
9 -- whatever, I mean it's.....

10 MAYOR GILMAN: But generally that is -- that comes
11 through local government. And that.....

12 MR. SUND: I tell you in this case the State of Alaska
13 hasn't had much to say in it either. Matter of fact, I'm
14 not sure that the U.S. Government really pushes it very
15 hard. The standards for design of ships are set by an
16 international maritime organization. But my question is
17 whether -- I guess I get in the same frustration you
18 brought out. I don't think anybody right now is willing to
19 change. You know, we're going through a lot of frustration
20 here, but when you really get down to it nobody's talking
21 about changing the size of vessels, nobody's talking about
22 changing the design of the vessels, and nobody's talking
23 about preventing this from happening. And I get down to
23 are people accept -- is the status quo of what happened an
25 acceptable thing. And if it's not, what are we gonna

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1 change?

2 MAYOR GILMAN: The -- the question of change of design
3 of vessels and so on -- I thought we had a -- haven't we
4 had a court case on that?

5 MR. SUND: Uh huh. And we mandated double-hulled
6 vessels instead of ballast and the court threw it out.

7 MAYOR GILMAN: And of course double-hulled would not
8 have.....

9 MR. SUND: It would -- Admiral Kime (ph) in Valdez
10 testified that a double-hull on this tanker would've
11 prevented 40.....

12 (Off Record - Change of Tape)

13 (On Record - Tape Number 89-07-14/3B)

14 MAYOR GILMAN:realize that. I had been told
15 otherwise.

16 MR. SUND: And the cost of adding that double-hull to
17 the vessel woulda added six to eight percent to the cost of
18 the construction of the vessel. I don't know, I guess my
19 question is, is the status quo acceptable or do we wanta
20 make some changes.

21 MAYOR GILMAN: Well, let me reflect on -- I don't know
22 what that answer is as far as the public is concerned. I
23 just, truthfully, don't know.

23 MR. SUND: Well you had conversations with ARCO and
25 Alyeska, and they didn't seem to reflect to you that they

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1 were gonna change much.

2 MAYOR GILMAN: No. In fact, in the -- that was just -
3 - that happened to be one company. But I, you know, I
4 don't think anybody's been talking about changing the
5 design of the vessel, as you said. Let me reflect on
6 something on that though. The Cook Inlet oil fields are
7 now down to production of about 35,000 barrels a day.
8 Jumps up and down a little bit, it's 35 to 40 thousand
9 barrels. That's not very much. Platforms are technically
10 -- stripper wells producing both gas and oil. But a 35,000
11 barrel a day oil field can't stand the same economics that
12 we've seen put out on the table as far as BP's response to
13 prevention in Valdez. That's a 49 million dollar a year
14 operation to escort vessels to Hinchinbrook Island. With
15 an ERV and a tug. If that requirement's put in the Cook
16 Inlet, we don't have an oil industry anymore.

17 MR. SUND: It's a trade-off.

18 MAYOR GILMAN: Well I understand that. I -- but we
19 won't. I mean it's just that simple. We will -- our oil
20 production will cease. And those production facilities -
21 - 20 mil tax facilities -- make up about -- well, I'll be -
22 - 15, 18 percent of our total tax base. Out of three
23 billion dollar tax base it's five hundred million,
23 essentially. So, whatever that comes out to be. Little -
25 - little more than 15%. So I can't answer that question.

/clf

1 I don't know. I mean, it's a little bit more than just
2 whether you have a double bottom or not. I mean, there's
3 economics that are involved in it. And I can't answer that
4 question. What.....

5 MR. SUND: Do you think the local people of the area
6 should have a say in whether -- what that trade-off is?

7 MAYOR GILMAN: Sure. I mean they're gonna have it
8 some way or another -- ballot box or legislative
9 representation or something.

10 MR. SUND: Yeah. Thank you, Mr. Chairman.

11 MR. PARKER: Okay. How many sailings a week from
12 Drift River now?

13 MAYOR GILMAN: A week? Let's -- let's -- we measure
14 that by months now. How many a month, I think, about
15 three.

16 MR. PARKER: Three a month?

17 MAYOR GILMAN: Yeah.

18 MR. WALLIS: (Indiscernible) from where? Excuse me,
19 from where.....

20 MR. PARKER: Drift River. The major shipping
21 terminal.

22 MAYOR GILMAN: 'Course that's not the only. There are
23 no -- there is no export of Swanson River oil anymore.
23 It's all used right there locally.

25 MS. HAYES: Mayor Gilman, when -- I don't recall in

/clf

1 your checkered past, when you were -- where you were in
2 politics during the construction and design of the Alyeska
3 Terminal, pipeline. But, just speaking personally, did you
4 envision that you were going -- that you were going to be
5 bearing a risk like the one that you've actually
6 experienced at the time that Alyeska was going in. Did you
7 have the same sense that that was going to affect, not only
8 your personal, but the neighbors and other communities on
9 the Kenai Peninsula?

10 MAYOR GILMAN: No, I don't think that there was a
11 person that you would talk to on the Kenai Peninsula that
12 would've ever thought that the terminal in Valdez was gonna
13 affect their lives any way but pump a lotta money into the
14 State. But no, great thing. Wonderful.

15 MS. HAYES: I think that one of the things that John
16 mentioned a little bit about assuming this risk, is one of
17 the things that we're trying to look at from an institution
18 standpoint. And it seems to me that -- looking at some way
19 of elevating people -- resident's knowledge about the
20 trade-offs that are inevitable in any kind of resource
21 development, but particularly more serious, perhaps, in
22 hazardous waste or transportation of nuclear fuels and
23 things like that -- would be one thing that we're gonna be
23 looking at. And would you say after the experience with
25 the oil spill, would you look differently at the proposals

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1 about delivering nuclear waste over Alas -- nuclear fuels
2 across Alaska to Japan, or -- there's been several
3 proposals like that in the last year. Do you see other
4 disasters or other potentials for disaster in a different
5 way now?

6 MAYOR GILMAN: Yes.

7 MS. HAYES: Another question was, you mentioned your
8 GIS system on the Kenai Peninsula Borough, and I know that
9 it's one of the better systems for any local government in
10 the State. Do you have -- has that been extended out
11 seaward -- or is it just a uplands-based system.

12 MAYOR GILMAN: What we were able to do was use NOAA's
13 coordinates and -- Coast Guard. NOAA and Coast Guard's
14 coordinates. And put it -- out to -- and I don't know how
15 -- I won't talk about the accuracy of it. I mean, it isn't
16 as accurate as what you would certainly get on land. But
17 for the purpose that we wanted, it was very wor -- very
18 well done.

19 MS. HAYES: It just seems to me that we've been
20 working with contingency plans, in fact I think they're
21 going to be delivered to our office if they're not there
22 already, and I understand there's boxes and boxes full of
23 them. And it seems to me that contingency plans might take
23 a different look. It might not be a box of books. It
25 might be a computer program or computer hook-up to some

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1 kind of statewide system in the future. Certainly we've -
2 - I've been quite impressed with the number of people
3 that've mentioned the IMS current data that has been done,
4 modeling that's been done. It seems to me that some way of
5 tapping that in the construction of contingency plans might
6 be valuable for us.

7 And the last question is, I just wanted to clarify.
8 You -- are you aware of any involvement that you or your
9 staff has had with the B -- the new BP/Alyeska plan. Has
10 anyone been contacted about that in terms of involving you
11 and -- getting your input and the Borough's input into that
12 before it's been drafted?

13 MAYOR GILMAN: The first involvement that we had was
14 about a week ago. Let's see -- again, I'll lose track of
15 time. Admiral Jack Hayes (ph) -- contacted the city
16 manager in Homer. I understand that he contacted the
17 people in Seward prior to that, but my contact came from
18 the city manager in Homer that we were going to have a
19 meeting -- and I don't remember what day it was -- on the
20 Alyeska plan. And frankly, that was the first time that I
21 was aware that the DEC order -- directive, whatever you
22 wanta call it -- included anything other than Prince
23 William Sound.

23 MR. WENK: Excuse me, what -- about what date was
25 that? Just roughly.

/clf

1 MAYOR GILMAN: Well, let's see. It might have been
2 the last Thursday of June. Thursday or Friday of June that
3 -- I believe. It was not last week. It was the week
4 before last. And at that time we met with Mr. Hayes (ph),
5 or Admiral Hayes (ph), and -- I have to go back. I think
6 I gave you the wrong date. I think that was the 26th of
7 June. The first contact that we had on it. Which would've
8 been a Tuesday. And then that next Friday we had the first
9 meeting. I mean, we had a contact and then we had a
10 meeting on Friday where Mr. Williams came. And at that
11 time we were given the plan. And then -- the next week we
12 were called and asked to have people involved in an
13 advisory committee to the -- to the Alyeska's group that
14 were drafting a plan. And as I understand it there's been
15 a person from Seward and one from Homer, and the mayor of
16 Kodiak Island Borough, and the mayor of Kodiak and, I
17 believe the city manager of Whittier. And they're meeting
18 today in Anchorage to get the comments. But frankly, and
19 candidly -- there has not been much review of that plan.
20 There certainly hasn't been any public review of the plan.
21 And as I understand it, that's not the purpose of it. The
22 purpose of it is to -- try to put together a rudiments of
23 a plan that goes to DEC and they will probably hold the
23 public hearings for the public comment.

25 MR. PARKER: Just one note I'd like to interject for

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1 the benefit of the audience. Admiral Hayes (ph) was
2 District Commandant in Alaska in the period 1975 to 77, at
3 the time that the final workings of the Alyeska Terminal,
4 and was one of the key players and represented the Coast
5 Guard in the development of the permitting under which
6 Alyeska -- the Valdez Terminal was opened, and then was
7 later Commandant of the Coast Guard right after that and
8 retired eight or nine years ago and is -- presently
9 Alyeska's community liaison for the Borough. Just so
10 everybody knows the history on this.

11 MS. HAYES: Mr. Mayor, the reason that I'm curious
12 about that, is when we were in Cordova, not known generally
13 for its fondness of oil development, and particularly in
14 Valdez, we were surprised at the number of people that came
15 forward lauding this planning effort as being a quantum
16 jump improvement of the status quo in contingency planning.
17 And I -- at the time we had asked -- raised the question
18 about the geographic limits of the plan, whether it was
19 going to be restricted strictly to Prince Williams Sound or
20 whether it was going to recognize the communities all the
21 way down the Shelikof Straits have been affected -- by the
22 -- by the spill. And we were given sort of a soft answer,
23 but when we walked away from that meeting feeling that this
23 document was going to be quite something compared to what
25 has been produced before. Your comments would lead us to

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1 question that.

2 MAYOR GILMAN: Well, I think there's -- we're talking
3 apples and oranges in terms of what you see in the Sound
4 and what is being proposed for Seward and Homer and Kodiak.
5 By the plan itself. The plan is already operating in -- I
6 mean they -- the guys can see. When you go out there's a
7 tanker and there's two vessels with it. And there's a
8 vessel with a 4,000-barrel capacity with boom and a tug,
9 and, hell yes they're happy about that.

10 MS. HAYES: Well it wasn't just the content. What
11 struck me about the comments we received from people was
12 the way that volunteers were being incorporated into it.
13 The way that local communities were being asked to form
14 advisory groups within the communities. The whole
15 interaction was -- sounded much more give-and-take of
16 dialogue than previous contingency plans are, and it sounds
17 like maybe there's a geographic border to that effort and
18 then beyond that area there was (indiscernible -
19 simultaneous talking).

20 MAYOR GILMAN: Kinda like the oil spill, you know.
21 When it gets past Montague Island it gets pretty fuzzy.
22 And the response hasn't been very good outside of Prince
23 William Sound. From anybody. What I see -- talking about
23 Alyeska's plan -- is that -- they wanta have some trained
25 people in each community that's outside of the Sound. They

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1 wanta have adequate, whatever that is, equipment in those
2 communities. They want to have somebody there that's,
3 quote, "in charge" in case the thing gets away like it did
4 this time. An instant command system structure. The
5 general response to that from the communities has simply
6 been to -- I mean, the only contact that I'm aware of in
7 these communities has been specifically with city
8 government -- city borough government. Has not been with
9 the fishing community. They want us to give them a list of
10 the fishermen that'll be involved. So there's a lot of
11 difference.

12 MS. HAYES: And with respect to your question of the
13 problem that you have in obtaining boom at the same time
14 that Kodiak had a great deal of boom stockpiled. Is the
15 decisions about boom deployment one that is made by Exxon
16 or the Federal on-scene coordinator or the State on-scene
17 coordinator? Or is it, if you've got it hold on to it.

18 MAYOR GILMAN: I'm not sure who was making the
19 decisions on where the boom went. That was the major thing
20 that the MAC groups were doing here and in Homer, was
21 saying here's the most critical area in our community. In
22 Homer it was Totka Bay Lagoon. We couldn't get enough boom
23 to boom off Totka Bay Lagoon, which is, of course, the
23 hatchery down there. And finally, Fish and Game went out
25 and stole some some place. I don't know where they got it.

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1 But they ended up with some boom and were able to boom off
2 Totka Bay.

3 MR. PARKER: Questions. Ed.

4 MR. WENK: I wanta address a question to -- to a point
5 that was raised earlier as -- I think by Commissioner Sund
6 -- relative to the degree to which local interests exist
7 with regard to prevention or have authority to deal with
8 this. Let me work at the lowest possible scale with regard
9 to accident prevention. Accident prevention, put aside oil
10 spills and so on. Do you have a harbor patrol in -- or
11 does Seward have a harbor patrol.

12 MAYOR GILMAN: I don't believe there's any community
13 within the Borough that has a harbor patrol. Other than
14 what's provided by the Coast Guard.

15 MR. WENK: Okay. I assume the Coast Guard has a
16 center here at Seward.

17 MAYOR GILMAN: There is a search and rescue vessel
18 located here, and a cutter in Homer. And I believe that's
19 the Coast Guard (indiscernible) I -- no. There is a marine
20 safety office in Kenai that has the responsibility for the
21 platforms and the oil terminals.

22 MR. WENK: If one of your local fishermen has a
23 breakdown in calm weather, can he call the Coast Guard for
23 assistance?

25 MAYOR GILMAN: Absolutely.

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1 MR. WENK: He can?

2 MAYOR GILMAN: Yes. That's the way I understand it.

3 MR. WENK: Do you know that that is not possible now
4 in Puget Sound?

5 MAYOR GILMAN: I don't know. If they breaks down in
6 calm weather can they call the Coast Guard.

7 UNIDENTIFIED SPEAKERS: Life-threatening.

8 MAYOR GILMAN: Has to be life-threatening.

9 MR. WENK: Okay. That's Puget Sound, I just wondered
10 if it was different here.

11 MAYOR GILMAN: I thought that he could.

12 MR. WENK: Okay. That is an important change that
13 used to be, that you could get assistance. But here we are
14 back to budget problems again. Okay. Again, coming back
15 to local authority. Do you know of any ordinances on --
16 that any of the communities have passed with regard to
17 regulation of maritime traffic for purposes of safety.

18 MAYOR GILMAN: Yes -- Valdez passed an ordinance that
19 -- and a differential tax. I'm sure you may have already
20 heard this one. A differential tax that would have put a
21 response in place, and it was struck down in court.

22 MR. WENK: But do you know of any other --.....

23 MAYOR GILMAN: No.

23 MR. WENK: Okay. Again, I don't mean to site this as
25 an analogy, but with regard to safety, the City of Seattle

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1 has an ordinance prohibiting anchoring in Lake Union and
2 Lake Washington and other areas within the city limits, and
3 will site violations. I don't know whether they penalize
4 'em. This is with Coast Guard encouragement. Coast Guard,
5 in fact, has asked the City of Seattle's harbor patrol and
6 King Country harbor patrol to assume the authority with
7 regard to boating safety in the area, because there is
8 inadequate Coast Guard funding for response. The point
9 being that there is an assumption in that situation that
10 local communities can exert some initiative, at cost -- at
11 some cost, but to pick up the slack because the Federal
12 Government -- and this isn't the only case where this is
13 happening, as you, Mr. Mayor, would know -- is unable to
14 foot the bill. Let me -- let me come to just one other
15 question. Has to do with this -- this whole matter of
16 those at -- who are innocently at risk being made aware of
17 it. The question was asked by a colleague here, I'm not
18 sure which one, earlier as to whether or not there was --
19 until this accident occurred, any realization that such an
20 accident could occur. My impression is that during
21 Congressional hearings in 1977 there was some very strong
22 testimony by Prince William Sound fishermen on some of the
23 hazards. There was then the incident in 1980 with a loose
23 cannon on the deck of the Prince William Sound ship itself,
25 loose for 32 hours. Only, as I understand it, 1500 yards

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1 from the rocks. There've been other cases of close shaves.
2 What I'm asking is whether or not there have been any other
3 close shaves that caused a heightening of awareness until
4 this accident occurred.

5 MAYOR GILMAN: Not that I -- well, let me put it this
6 way. I don't think I'm much different than a lot of people
7 in Alaska. We don't pay a hell of a lot of attention to
8 Prince William Sound, you know -- it's a long ways over
9 there and -- and so, you know, we get our permanent fund
10 check, who cares. I'm sorry, but that's just the way I
11 feel about it.

12 MR. WENK: No. Thank you for your candor, sir.

13 MAYOR GILMAN: People don't equate -- actions like
14 that with anything that would bother them or affect them.

15 MR. WENK: Thank you very much.

16 MR. SUND: I guess just a comment here that a total
17 loss of one of these vessels in a storm on the North
18 Pacific, even if it was a hundred miles offshore somewhere
19 off of Dixon Entrance or a little bit off of Northern
20 British Columbia. What we've seen here with the currents
21 could put that entire load of oil from Southeast Alaska to
22 Yakutat on the beach within two weeks to a month. I mean,
23 that's the exposure risk we're talking to, and I think
23 people's awareness is heightened to that. My question
25 is.....

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1 MAYOR GILMAN: It is now.

2 MR. SUND: I haven't found too many people that wanta
3 do much about it though.

4 MAYOR GILMAN: Yeah, but it is now. I mean, we're all
5 heightened about it now. We -- well, we had a spill that
6 was a rather large spill in 1987. And it caused a hell of
7 a uproar for about 90 days. And then it disappeared.

8 MR. SUND: Yeah. Thank you, Mr. Chairman.

9 MR. PARKER: Mayor Gilman, thank you for your detailed
10 history of the early days which I found most informative,
11 and I'll let you have a other shot Esther. But -- the --
12 (indiscernible - simultaneous talking).

13 MAYOR GILMAN: I though you were dismissing me.

14 MR. PARKER: Hmmm?

15 MAYOR GILMAN: I thought you were dismissing me.

16 MR. PARKER: No, no. I wanted to talk a little bit
17 now. The -- I find it inconceivable that, you know, Tom
18 Royer's (ph) information, which is good part of his
19 research Federally financed by the Sea Grant Program and -
20 - you know that it was -- and NOAA -- that it was, you
21 know, not cranked into the system, which brings up the
22 point of my colleague, you know, that if we get this
23 information into a system where all of the information is
23 available immediately and something like this happens we'll
25 be a little bit ahead. But that's just -- you know, if it

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1 hadn't happened you wouldn't've believed that there could
2 be that kind of a miss in scientific data not getting into
3 the right system and -- that NOAA would've been continuing
4 to claim that it would go out into the Gulf. In the face
5 of -- anyway, (indiscernible) I want to thank you
6 especially for sharing the insights on your meeting with
7 Mike Williams and -- you know, the -- I think the
8 perception that in his urbane BP way he conveyed to you of
9 the way the world shipping views this was very accurate.
10 It's the way it's always been conveyed to me. I think what
11 we can -- do here, we can excise out the Alaska West Coast
12 trade from the world shipping. We do have some holds on
13 those who ship oil from Alaska. And we can, you know,
14 we're not gonna be able to affect all the tankers in the
15 world right now, but we can certainly do something to do,
16 as my colleague, Commissioner Sund wishes to do, to improve
17 the quality of the tankers and their crews that ship out of
18 Alaska ports, because it is domestic trade with the
19 exception of that that goes to the Virgin Islands, which
20 we'll tackle also.

21 MAYOR GILMAN: I'd like to make a comment about
22 the Institute of Marine Science. And I put this comment in
23 writing in -- to Congressional delegation as well as a
23 couple of committees. It is inconceivable to me that the
25 Institute of Marine Science has been -- has not been given

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1 the lead role in the scientific -- the scientific
2 examination, analysis, assessment. I mean, they're the
3 people who've done all the research. They have all the
4 information. They have the scientists. But they have been
5 shunted aside. In my opinion. They've been shunted aside.
6 They've got a research vessel right here that's -- how much
7 -- how big -- 200 feet, 200 and

8 MR. PARKER: That -- is it still the Anaconda (ph)?

9 MAYOR GILMAN: No, it's the Alpha Helix (ph).

10 MR. PARKER: Alpha Helix (ph), yeah. Okay.

11 MAYOR GILMAN: And -- and it's just -- I can't imagine
12 why they haven't been used more than they've been used.

13 MR. PARKER: I guess Esther was next.

14 UNIDENTIFIED SPEAKER: I was just gonna make a comment
15 on that.

16 MS. WUNNICKE: Mine is just a comment too, to commend
17 you, Mayor Gilman, and also other people that we've heard
18 today for the kind of leadership that -- that's evidenced
19 here in the face of the unexpected. And the risks, I
20 think, political risks that you may have taken to respond
21 to that kind of an emergency. We heard yesterday in
22 Anchorage from Vince O'Riley (ph) who helped put together
23 the team that you ordered to look at the economic effects
23 of the spill on the Kenai Peninsula. And I just want to
25 commend you for that.

/clf

1 MR. PARKER: Tim.

2 MR. WALLIS: Just -- on the Marine Institute, I agree
3 -- that it should have been used. One, you have Exxon
4 doing million dollars worth of studies on -- on marine and
5 environmental studies and the State doing the same thing
6 both for -- liability assessments. But, regardless of
7 that, no one's really going to know what it is because
8 they're both slanted. No one really know -- is going to
9 know what effects it's going to have on the environment
10 because the studies are slanted. And if I can just ask one
11 question and you can answer yes or no. In talking with the
12 communities in your district and yourself, if you will, do
13 you think that Exxon, VECO, and their subcontractors are
14 doing all they can to facilitate the cleanup and that the
15 Coast Guard's being all that it can be in its oversight?

16 MAYOR GILMAN: Well I probably would answer yes to
17 part of that and no to part of that. So -- I think -- and
18 I'm gonna speak -- I don't know what's happening in Prince
19 William Sound. And I haven't been there, I haven't been on
20 any of the beaches, so. But I have been up and down the
21 Gulf Coast and on the beaches and -- I did not feel that we
22 were getting the response that we should have gotten on the
23 -- particularly on the Gore Point, Elizabeth Island,
23 Chugach Island, Barren Island areas. And I said so, I
25 wrote a letter to Admiral Yost and told him that I was

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1 disappointed in the response. I had discussed it with him
2 before. He came to Homer and had a meeting in Homer with
3 the community. Said that there would be an increased
4 activity -- and there was -- for a certain amount of time
5 and then it tailed off. And I'm not sure why it tailed
6 off. I know that most people who live in Homer, in that
7 area, do not feel that there was an adequate response that
8 was made to areas that were hit very hard. The current -
9 - I was trying to see if there was a -- is Gore Point on
10 that map up there. I don't think so. Resurrection Bay, no.
11 It isn't quite done. Gore Point would be south of -- yeah,
12 down in that area. As the oil came out of the Sound and it
13 went around the islands, and the Pie Islands, it kind of
14 went into the shore. There was a lot of fresh water coming
15 off of the glaciers and it had a tendency to hold it out.
16 And then we had the pretty good wind and -- the east wind
17 and blew it right into the -- right into Gore Point, and
18 Gore Point is a natural catch-basin anyway. And -- it was
19 heavy oiling in that area. And the community really wanted
20 to clean some of those beaches up. And a lot of those
21 beaches are used for subsistence from English Bay and Port
22 Graham -- people for subsistence purposes. And a major
23 problem was that you go out and they gotta a hundred
23 thousand gallons of oil in one place in Port Chattam (ph)
25 and set there for four days because you didn't have any

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1 place to put it. I mean, there wasn't a logistical support
2 and really hasn't been a logistical support. And I think
3 you'll hear the same thing in Kodiak. So -- I don't know
4 whether that's Exxon, I don't know whether that's -- Coast
5 Guard, a combination -- I just don't feel like we've had
6 the response we should have.

7 MR. PARKER: Okay, thank you Don, and -- really
8 appreciated your going into it in such depth. I -- for the
9 benefit of -- you and the audience, the Commission will be
10 -- briefed by Alyeska on its new plan, on August 3rd is it
11 Marilyn? What time? Do we have a time yet?

12 MARILYN: It's the first thing on the agenda on, I
13 think it's August 2nd, no, 3rd.

14 MR. PARKER: Third. August 3rd, probably ten
15 o'clock.....

16 MAYOR GILMAN: Mr. Chairman -- I probably sounded a
17 lot more skeptical about that plan than I am. I am not
18 skeptical about the Alyeska plan. I think that it is a
19 tremendous step forward in the capability of the industry
20 in Prince William Sound to -- to -- while they may not
21 prevent an oil spill with that, they'll certainly prevent
22 something like what happened -- going that far astray.
23 (Indiscernible) almost like escort vessels -- plus the
23 captains will be on board until they get to Hinchinbrook.
25 And to me that may be one of the weaknesses of the plan, is

1 that that's a tough place to unload a captain, is that --
2 and that's why they stopped before, as I understand it.
3 But what I'm relating to is the overall planning -- the
4 Cook Inlet is not included in that. The Cook Inlet cannot
5 stand the same economic -- commitment, if you want to call
6 it that, that Prince William Sound has had and still
7 continue as a oil producing area. And that's very queer.
8 That will not stop oil shipment in the Prince William
9 Sound. It will just chop down the producing areas. Oil
10 that comes in to -- I mean into Cook Inlet. We have a lot
11 of oil that, in fact about 100,000 barrels of oil a day,
12 equivalent of 100,000 barrels of oil a day, comes from
13 Valdez -- to the Kenai refineries, which we all need to
14 have if we're going to continue to refine products within
15 the state -- at that capacity anyway. And I'm told that
16 because of the costs that are gonna be associated,
17 including the five cent a barrel cost -- that the -- Tesoro
18 is actively looking at a pipeline from Valdez -- I mean
19 from Fairbanks to Kenai. What is it -- they've already got
20 a pipeline half way, you know, to Anchorage.

21 MS. WUNNICKE: Me first, Mr. Chairman. But, Mayor,
22 that assumes that that cost is borne by the shipper. I -
23 - you know I think we want to look at all kinds of ways of
23 funding the monitoring and the safety aspects of the
25 transport of oil and -- and your point about the Kenai

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1 fields not being able to bear that kind of cost, that the
2 shippers could not bear that kind of cost, I think assumes
3 that those costs would be borne by the shipper. And they
4 are in Prince William Sound, as I understand it.

5 MR. SUND: Cost is only as relevant, as Mr. Wenk would
6 say, as to pays. In this case the cost of the spill is
7 being paid by a lot more than just the shipper.

8 MAYOR GILMAN: That's very true. But what my point
9 is, that if the standard that's going to be set in Valdez
10 with a tug and then a rescue vessel accompanying the -- out
11 to Hinchinbrook Island, is applied and we pick up a tanker
12 coming in at Kennedy Entrance and escort it to Kenai. Or
13 from Drift River down -- that probably will shut those oil
14 fields down.

15 MR. PARKER: The Commission, you know, will be looking
16 at -- is mandated to look at this on a statewide basis and
17 we'll get into those aspects of it, but -- escort vessels
18 are -- you know, something that may be necessary for
19 Valdez, but certainly there are other things that can be
20 done to insure the integrity of the system in other areas
21 of the State. And we'll certainly be coming up with
22 recommendations on those.

23 MR. WALLIS: (Indiscernible) something like the ELF or
23 something.

25 UNIDENTIFIED SPEAKER: Shit.

/clf

1 MR. PARKER: Thank you, Don.

2 MS. WUNNICKE: Mr. Chairman, I'd like to propose that
3 since we had an opportunity this morning to do some
4 Commission business, that we move on to hearing from the
5 MAC committee and then public participation.

6 MR. PARKER: Well, we have to, we've got them
7 scheduled anyway. We will now hear a continuation of
8 hearing from the MAC committee. Welcome back, Miss
9 Kastelina.

10 MS. KASTELINA: Did you guys wanta take a stretch
11 break first?

12 MR. PARKER: I did.

13 MS. KASTELINA: I'd like to introduce Russ Kucinski,
14 he is the science coordinator for the current Park Service
15 incident management team which is responding to Phase II of
16 the spill for the Park here in Seward. And he's gonna be
17 addressing this group with me. He is our representative on
18 the Resource MAC and is coordinating all of the science,
19 you know, for the Park effort.

20 UNIDENTIFIED SPEAKER: Could you spell your last name?

21 MR. KUCINSKI: Kucinski. It's K-U-C-I-N-S-K-I.

22 MS. KASTELINA: Before I get into the issues that we'd
23 like to talk about from the Park Service perspective, I'd
23 like to pass out the -- the -- document that I promised you
25 this morning, which is the -- just a summary of all of the

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1 MAC minutes from April 3rd on. And some of these are the
2 highlighted action items and discussion points and where
3 they have gone since the 3rd of April. So -- everybody can
4 have a copy of that. Just to give you an idea -- a little
5 bit better idea of the scope of MAC, we have discussed
6 other things other than what's in there, but those are
7 probably the biggest ones. Kenai Fjords National Park
8 encompasses about 600,000 acres along the coast of Kenai
9 Peninsula, which I'm sure all of you are aware of, it was
10 established in 1980 by President Carter. And it includes
11 the Harding -- portions of the Harding Ice Field and then
12 the land based area Exit (ph) Glacier, as well as the
13 coastal fjords, which begin just south of Resurrection Bay,
14 which of course is a fjord in itself. And then continues
15 through Aialik, Harris and Nuka Bay -- down just -- north -
16 - the boundary line is just north of Nuka Island. The
17 authorized boundary of the park also encompasses the Alaska
18 Maritime National Wildlife Refuge, which, of course, is
19 held by, as all the offshore islands are, by the Fish and
20 Wildlife Service, and you will be hearing from them. But
21 the Park Service authorized boundary actually goes around
22 those and includes those particular islands too. The
23 initial response of the Park Service was to do intelligence
23 gathering for the entire Seward zone, which was done in the
25 early days of the spill. And following impact day for the

1 Park, which -- or for the zone which actually was at or
2 around April 6th for Resurrection Cape, and then April 10th
3 for the Park itself, Aialik Cape. We began doing post-oil
4 assessments to find out where exactly the oil had gone,
5 what impact it was having on what points -- where were the
6 natural catch areas, catch-basins, and it -- those were
7 pretty easy to find, you just look for where all the nets
8 and styrofoam cups are along the beaches, and that's where
9 the oil is too, because oil collects where all of those
10 things go also. In a lot of cases.

11 We had a lot of different kinds of oiling 'cause
12 there's a lot of different kinds of beach in the Park.
13 Everything from a very sandy beach, like at Beauty Bay, to
14 a highly cobbled beach. And I have pictures here which
15 show some of the oiling, going from the top oiling where
16 you just see a tiny little bit on top of a rock, and then
17 you look a little more closely to the bathtub ring, which
18 you find in Pony Cove. A dripping bathtub ring of oil.
19 Catch-basins of oil among the large cobbles. A lot of
20 oiled logs. And then combination areas where you get your
21 logs and your -- cobbles covered with oil. And once the
22 assessments were done we have gone back now and are working
23 on other aspects of the scientific investigation, which I
23 want Russ to go -- to go into in more detail. At present
25 time, the Park Service has 23 people on staff in Seward as

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1 part of an incident command response team. And that
2 includes Russ's staff -- scientific staff. And also the
3 Park staff itself of eight permanent people -- three --
4 four of us are engaged, at least 75% of our time, with oil
5 spill work, and with the increase in visitation, which has
6 gone up by 183% this year for the Park.

7 UNIDENTIFIED SPEAKER: How much?

8 MS. KASTELINA: Hundred and eighty-three percent
9 increase in visitation this year over last year.

10 MR. SUND: Not counting oil spill people.

11 MS. KASTELINA: No, we don't count -- that's not
12 counting the oil spill people. Crime in the Park has also
13 gone up 100% this year. To date the Park Service has spent
14 here, and at Katmai, Lake Clark, Aniakchak, approximately
15 seven million dollars in oil spill response, none of which
16 has been recovered from any source at this point. We're
17 not really sure where it's gonna come from yet. And now
18 I'd like Russ to continue with some of the scientific
19 efforts that he has been engaged with and some of the
20 concerns that we have regarding current efforts in the oil
21 spill response.

22 (Off Record - Change of Tape)

23 (On Record - Tape Number 89-07-14/4A)

23 MR. KUCINSKI:Seward zone about two months ago,
25 and frankly what has occurred these last two months is that

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1 I've attempted to coordinate and identify beaches that
2 require cleanup, to assess them, and to establish
3 recommendations on work orders. And I say I'm doing this.
4 I am part of the RMAC group -- this MAC/RMAC platform. And
5 the RMAC I think has been quite successful in bringing
6 together a number of agencies including private, State and
7 Federal agencies together into a cohesive working unit.
8 And I think the power of the RMAC/MAC platform is that
9 we've nailed the work together. No single agency, Coast
10 Guard, Exxon included, has been able to field enough
11 specialists to get the work -- the work done by themselves.
12 It's been absolutely required that those specialists
13 available from different agencies and private corporations
14 work together. And I think that's one of the reasons why
15 RMAC has -- and MAC, of course -- have been so successful
16 in the Seward district. Certainly there has been a strong
17 lead taken by certain individuals in the RMAC/MAC
18 structure. But again, I believe the cohesiveness of the
19 unit -- the idea of the multiple-agency unit working
20 together -- is a real power platform for the Seward zone.
21 And I believe that -- my understanding of other zones -- I
22 believe that's what makes the Seward zone different from
23 those. I'm saying that I'm not having been to the other
23 zones.

25 I do have quite a few concerns about the state of the

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1 cleanup. I'll take the liberty now, if you don't mind, to
2 just run through and voice them. I believe that the work
3 effort has been rather hastily put together and ill-
4 conceived. I don't think that the Exxon/Coast Guard
5 platform has worked that well as far as a comprehensive
6 work plan. The plan that we handed out this morning, the
7 RMAC plan that you have, it's a 32-page document, was put
8 together essentially by a handful of bureaucrats, State,
9 Federal and some private individuals. It was put together
10 by people who were working 12 hours a day, 7 days a week
11 and we did it in our spare time in a week and a half.
12 Okay, it's by far and away more comprehensive in nature and
13 more far-reaching than anything that we've seen yet to-
14 date from Exxon or Coast Guard. I think one of the major
15 problems, or ways of improving any future response to oil
16 spills, will be to allow the MAC/RMAC platform to come up
17 with the work orders. I think the idea of requiring the
18 spiller to do the work orders has not been very effective.
19 There's no financial incentive for them to do that, other
20 than public relations. Coast Guard -- you know, and I --
21 let me back up. I don't mean to belittle Exxon and the
22 Coast Guard, they've sent some excellent people here. I
23 think they in a large part have had their hands tied.
23 Coast Guard, by its own admission, can't handle the cleanup
25 without the help of Exxon or somebody else. And again,

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1 this goes back to the power base in the Seward zone, the
2 RMAC/MAC platform. I think they've come up with the best
3 plan, they'll come up with a comprehensive plan, they'll do
4 it very quickly.

5 If I could run through just a series of things. I'm
6 a little dismayed over some of the facts and figures I've
7 heard, especially this morning here at this meeting, about
8 how many people were deployed, how many people are working
9 on the beach. According to National Park Service resource
10 protection officers, who were deployed at all areas near,
11 in and adjacent to the Park, the maximum number of people
12 working on the beach that we have ever seen has been 64.
13 That was at Beauty Bay, and that was two months ago. Okay.
14 We have seen a decline since then, dramatic decline,
15 starting about a month ago. The techniques used to-date,
16 by and large have been grown people, adults, on their hands
17 and knees with sorbent pads, polishing rocks. Currently,
18 the only beach that is being cleaned -- beach, not water-
19 route -- beach that is being cleaned in the Seward zone, is
20 Morning Cove in the Refuge. There are only approximately
21 one-third of what was the figure mentioned this morning of
22 75, deployed to work on the beach. Of that only, I'd say
23 a few dozen, are actually physically working on the beach.
23 That's according to Fish and Wildlife monitors. And I'm
25 sure Fish and Wildlife will address that here shortly.

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1 They are polishing rocks with sorbent pads. If they have
2 a tool it's a shovel, and I suspect it's not a big one.
3 The highest technology we've seen applied to date in the
4 Seward zone has been number two shovels. This is at Aialik
5 Bay. This is after two and a half weeks of people on hands
6 and knees dabbing rocks with sorbent pads, taking part in
7 reconstructing the beach rock by rock. After that, they
8 had the first Type B order went -- went down, at RMAC's
9 request -- RMAC/MAC's request -- and that was just prior to
10 the visit of Admiral Yost and Secretary Skinner. As a
11 matter of fact, I believe it was the day before that visit.
12 Since that time, we have not been fortunate enough to see
13 number two shovels used again. We're back to sorbent pads
14 and trowels. I'd like to point out that currently and for
15 the last week there's been no cleanup whatsoever on the
16 shoreline of Kenai Fjords National Park. The -- all three
17 of the work crews have been in Morning Cove and there --
18 they've used no kinds of equipment whatsoever, none of this
19 Type B treatment has been deployed here yet.

20 The National Park Service, to facilitate cleanup,
21 deployed to Kenai Fjords a number of resource protection
22 officers. These are park rangers from around the country
23 and Alaska. And we tried to gear up for Exxon's expected
23 cleanup efforts of up to 150-plus workers on the beach.
25 Okay, again to-date we've only seen a maximum of 64 and

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1 that was months ago. We haven't seen that many since. At
2 some beaches I visited, and cleanups that I've viewed, it
3 appears to me that are more monitors and resource
4 protection officers than there are people actually cleaning
5 up. It -- I just -- I have grave feelings about the state
6 of the cleanup. It is -- it has been said many times that
7 logistics in Alaska are very difficult and the cleanup is
8 very difficult, and that is certainly true. I've worked in
9 Alaska since 1975. I worked for two oil companies in
10 Alaska. I've been a project manager for oil companies and
11 mining companies, and I think I have some grasp of what it
12 takes to hire a crew, get equipment together, and do a
13 difficult, sometimes life-threatening, job. And I do not
14 agree that the logistics are so difficult that it requires
15 months and months to get berthing vessels, it requires
16 months and months to get any kind of -- equipment deployed.
17 I know for a fact that's not the case. We have had people
18 come by our office with barges and boats, looking for work,
19 and we've had to turn them away -- we certainly don't have
20 anything for 'em to do. I assume that they tried elsewhere
21 before they came to us.

22 MR. PARKER: Elsewhere meaning seeking employment with
23 VECO. Or Exxon.

23 MR. KUCINSKI: I would think they'd go where they
25 could get paid the most first, I know I would. And it's

/clf

1 not the National Park Service. I can vouch for that.

2 MS. HAYES: Or the Oil Spill Commission (laughter).

3 MR. SUND: Don't apply for the Commission either.

4 MR. KUCINSKI: I'd like to point out that the fuel

5 season's more than half over and the oil off the beaches is

6 nowhere near half cleaned up. Make no pretense about it.

7 I can't really give you a serious, substantiated estimate

8 of how much oil has been cleaned off the beaches. I have

9 at RMAC meetings asked other people how much they thought

10 have been cleaned off the beaches, and when no one would

11 really answer anything, I said well, do you think five

12 percent's been cleaned. And everyone laughs at that. Way

13 too high a figure. Okay. Again, unsubstantiated, less

14 than five percent's been taken off the beaches. As far as

15 beaches being treated and signed-off, there's only been a

16 series of four beaches that come to mind -- there could be

17 more -- only four come to mind -- Bulldog Cove -- Porcupine

18 Cove, No-Name in between, and Beauty Bay are the only ones

19 that -- and Bear -- that have been looked at, essentially

20 signed-off, they were lightly oiled except for Beauty Bay,

21 and cleaned up. Other beaches that have been supposedly

22 finished with treatment, this has been Type A treatment.

23 This is when people walking along, picking up little tar

23 balls, little soiled kelp and seaweed, and putting it in

25 plastic bags. Okay. This has gone on on beaches where

/clf

PAGE LINE

quality through sea birds, marine mammals. That was my understanding of my main task when I came to the Seward zone.....

VOLUME II OF II

183 17 MR. SINCLAIR: that day with the Vice Admiral
set us back at least a month. Because the following day..

208 13 MR. LOCKWOOD: occasional contact that Exxon or
the Coast Guard had was single side band.....

239 6 MS. TURNER: I have nine years invested in be-
cause I might serve, a patron, and be sued for my home and
residence because of my irresponsibility and my lack of...

267 22 ANONYMOUS VECO EMPLOYEE: sand and reappears.
Still some people, just this past week were hauled back in
where they were overcome by whatever fumes....

ALASKA OIL SPILL COMMISSION

OVERLAP TAPE INSERTS

OF THE

JULY 14, 1989

MEETING

Location: Seward

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23 23

.....the Coast Guard and Exxon basically.

MR. PARKER: Which Federal Agency.....

51 17

MS. KASTELINA: Some people are from BLM. BLM has been a lead agency for a long time in the NIMS systems, because they have done a lot of the fires.

MS. WUNNICKE: So has Forest Service?

MS. KASTELINA: Yeah, so has Forest Services, too.

MR. WENK: Which agency was.....

79 9

MR. WENK: to respond in the Lower 48. Not in Alaska. And, I think the reason they explained was, because they think something separate is happening here.

108 3

MR. PARKER: just to be talking. So, we might as well take a ten minute break.

MS. WUNNICKE: Thank you, Tim.

129 11

MR. SUND: to 50% of the oil from escaping.

MAYOR GILLMAN: I didn't realize that.

154 22

MR. KUCINSKI: The park service got into the resource assessment game early on. To my knowledge, at least in the Seward District, we probably have the only baseline information available. We have attempted to do quite a few studies relating to the entire food chain. Everything from water