



**PLANNING AND
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DEPARTMENT**

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June 10, 2009

Commander Rick Rodriguez
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Ricardo.Rodriguez@uscg.mil

RE: Alaska Regional Response Team (ARRT) Plans to Update the Dispersant Use Guidelines for Alaska

Dear Commander Rodriguez:

Thank you for inviting the North Slope Borough (NSB) to participate in the May 22, 2009 Stakeholders Meeting on Updating the Dispersant Guidelines for Alaska. The NSB supports your efforts to revise and update the, now twenty year old, 1989 Dispersant Use Guidelines for Alaska.

Based on the information shared at the May 22, 2009 meeting, it is our understanding that you propose to form a work group to draft a revised set of Dispersant Guidelines for Alaska working under the ARRT Science and Technology Committee (STC). You explained that the revised draft will be subject to public review and comments, and will be developed by a team of experts. The scope of work, and work group composition are still under development.

Per your request, the NSB is providing initial comments on the Dispersant Use Guideline revision process:

1. While the NSB supports the ARRT's efforts to revise and update the 1989 Dispersant Use Guidelines for Alaska, the scope of revisions planned is unclear at this time. At the meeting, the NSB requested the ARRT, Science and Technology Committee provide a detailed scope of work describing the contents of the existing Dispersant Use Guidelines for Alaska along with an explanation of what sections are being considered for amendment, deletion, or addition. The NSB also requested a more detailed explanation of the drafting and approval processes and timelines, including the relative roles of the ARRT, STC, Wildlife Protection

Working Group of the ARRT, and revision work group(s), and opportunities for stakeholder and public review and comment.

As with any scientific and technical endeavor, providing a detailed scope of work and outline of proposed changes is an effective way to communicate the proposed plan, and will allow the NSB and other stakeholders an opportunity to better understand the scope of the proposed revision. We appreciate your commitment to developing this outline for our review. We request that a reasonable review and comment period be set for this detailed scope of work and that comments be addressed prior to initiation of the drafting group's work.

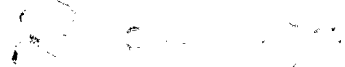
2. Please clarify the roles, responsibilities and membership of each group assigned to work on the guideline revision. After speaking with the NSB staff who attended the May 22, 2009 meeting, I sense there may be some confusion associated with the efforts of two different groups that have each been referred to as a "work group," and a third, science-focused group. First, there is an existing core sub-group of the STC that was responsible for scheduling and conducting the meeting. It would be helpful if the name, membership and continuing role of that group could be clarified. Second, there will be formed in the future some new work or "drafting" group that I believe is intended to oversee the revision of the Dispersant Use Guidelines. Again, a clearly distinct name must be given and consistently used for that group. The membership and role of the group in the revision process ought to be, and I believe are, appropriate subjects for input at this first comment stage. Third, there will be formed in the future a scientific support group. It is our understanding that this group would support the efforts of the drafting group. The membership and role of this group has yet to be clearly determined.
3. The NSB believes that the membership of the drafting group should be expanded from the few members described at the meeting. At a minimum, responsible federal and state resource and responder agencies, affected local governments, Regional Citizens Advisory Councils (RCACs), and affected industries should be represented. Additionally, the oil spill expert assigned to the work group should be an independent, unbiased expert, not affiliated with or currently working for the oil industry in Alaska.
4. The drafting group should carefully review and address fully the National Research Council's (NRC's) 2005 findings on oil spill dispersants. NRC's findings recommend additional study and testing to understand the physical and chemical interactions of oil, dispersants and ice, before dispersants can be considered a mature technology for use in sea ice.¹
5. The dispersant use guidelines need to address the unique logistical, climatological, and other challenges of working in the Arctic, the effectiveness of dispersants in cold, ice-laden water, deployment, storage and staging, safety, tracking, and sampling issues associated with use in remote and often dark locations, and issues associated with demonstrable and perceived impacts to subsistence resources.

¹ National Research Council, Oil Spill Dispersants: Efficacy and Effects, Oceans Study Board, Committee on Understanding Oil Spills, National Academies Press, Washington, D.C., 2005.

6. The revised guidelines should be well supported by field tests, laboratory data, and peer reviewed literature. Dispersant data and studies must be related to arctic conditions, using dispersants developed for Alaskan use, on Alaskan oil. Dispersant data and data from temperate water studies are not an adequate proxy for Alaska-specific tests and data.
7. The NSB requests access to the Science and Technology Committee drafting group website, or whatever website will house work-in-progress related to the revision effort.

Again, thank you for this opportunity to comment. If you have any questions regarding our comments, please contact Tom Lohman at (907) 349-2606 or by email at tomlohman2@aol.com or me at (907) 852-0440 or johnny.aiken@alaska.gov.

Sincerely,



Johnny L. Aiken, Director

Cc:

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