

The Alaska Forum

◆ The Quarterly Newsletter of the Alaska Forum for Environmental Responsibility ◆

SUMMER '97

Alaska at Risk on the 20th Anniversary of the Trans-Alaska Pipeline An Update of Events Since September 1996

To coincide with 20th anniversary of the pipeline, the Alaska Forum asked researcher Richard Fineberg to update *Pipeline in Peril*, his September 1996 report on the state of the Trans-Alaska Pipeline System.

We asked Richard to look at whether the conclusions of *Pipeline in Peril* still held true today. His answer was yes: "On its 20th anniversary, TAPS remains a pipeline peril, putting at risk Alaska's environment and ten percent of this nation's oil supply," concluded Fineberg.

The 20th anniversary update of *Pipeline in Peril* was released in Washington, DC, on June 12. Alaska Forum Program Director Mike Riley was joined by Adam Kolton of the Alaska Wilderness League in calling on Congress and the Clinton Administration to implement an independent, in-depth review of the pipeline to ensure it can safely transport oil for another forty years.

The key findings of the update report include the following:

⇒ **Finding #1:** Alyeska's practices have not lived up to its promises — the pipeline company has consistently failed to meet its own reform targets. In 1997, two of the most important reforms promised after Congressional hearings in 1993 --creation and implementation of a top-flight quality program and an end to whistleblower harassment and retaliation --have not materialized.

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Citizen Volunteers Head to the Woods Community Forest Watch Needs More Volunteers

By Lorvel "Smiley" Shields, PhD

South-central Alaska's forests are undergoing profound ecological changes. Vast areas of private property are being logged to produce wood chips for export to Asia. Simultaneously, a spruce bark beetle infestation is dramatically impacting publicly owned forests.


The combined agents of humans and nature are creating forests that look very different from those in which many of us grew up. Given the glacial pace at which south-central forests regenerate, they will remain altered for a long time to come.

The optimal management of public forests is a matter of considerable controversy. Many foresters, including those who work for the State of Alaska, feel that regeneration will be facilitated by logging. They feel that removal of beetle-killed trees will allow young trees to become established sooner and grow faster.

Many ecologists, however, argue that a "hands-off" policy is best. They feel it is highly probable logging will make things worse instead of better.

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ABOUT THIS PUBLICATION

The Alaska Forum is the quarterly newsletter of the Alaska Forum for Environmental Responsibility, a nonprofit advocacy and education organization.

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Mission:

The Alaska Forum is dedicated to holding industry and government accountable to the laws designed to safeguard the environment, provide a safe and retaliation-free workplace, and achieve a sustainable economy in Alaska.

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A Message from the President by Stan Stephens

Corporations have a very simple mandate: they must turn a profit. The public's desire to protect the environment makes that more difficult because environmental protection can increase the cost of doing business.

Some companies, however, have learned that complying with environmental laws and regulations actually improves their bottom line. These farsighted companies identify potentially costly problems -- including environmental violations -- early and then take corrective actions before the costs get out of control.

Unfortunately, not all companies have learned this lesson. They may make environmentally-friendly promises, but their anti-environment actions speak louder than their words. Doyon Drilling, for instance, illegally disposed of hazardous waste at the Endicott oil field, saving thousands of dollars per year for up to five years.

That's why strong government oversight is so important. Government must define the standards, rules and regulations necessary to achieve environmental protection and then it must hold industry accountable to those standards.

A significant problem in Alaska is inadequate government oversight. We know what motivates corporations: profit. Many will voluntarily "do it right" in their pursuit of profit. And the rest must be forced to do so. But government is simply not doing its job -- it is not holding industry accountable. Here are just two examples.

- ◆ **Double-Hulled Tankers.** Industry officials promised double-hulled tankers in the early 1970s. But once pipeline construction started those promises died a quick death. First, the oil industry lobbied government officials to block proposed federal regulations requiring double hull tankers. Next, the industry challenged the State of Alaska's double-hull law in court and won. The state did not appeal the case. It took the Exxon Valdez oil spill -- which might have been prevented if that tanker had had a double hull -- to finally pass a federal double-hull law.
- ◆ **Alyeska's Quality Program.** Alyeska promised a world class quality assurance/quality control program on the pipeline in 1974. Since construction began, however, the plan has consistently fallen far short of this promise. Last May, Alyeska submitted the most recent iteration of its quality program to the state-federal Joint Pipeline Office for approval. Despite the fact that the program failed to meet several of JPO's approval criteria, the agency approved the program anyway.

Government oversight should be free of excessive industry pressure. But industry has learned that politicians respond to the requests of those who spend the most money on lobbying and re-election campaigns. And politicians have learned that regulatory agencies respond to legislative threats to cut agency budgets. Once again, dollars are the bottom line.

Corporations do whatever is necessary to increase their profits. Politicians and government bureaucrats should do whatever is necessary to protect the public interest. And that means holding industry accountable to their commitments to protect the environment.

Polluter's Secrecy Act Becomes Law

Legislature Overrides Governor's Veto

Despite strong opposition from the Alaska Forum and others, the Polluter's Secrecy Act became law in May. Governor Knowles did the right thing and vetoed Senate Bill 41 in early May.

I cannot support legislation that creates a perception of secrecy and risks undermining public trust in [government-industry] partnerships . . .

— Governor Tony Knowles

"I cannot support legislation that creates a perception of secrecy and risks undermining public trust in [government-industry] partnerships," said Knowles.

"The driving principle I tell prospective investors is in Alaska, we do development right — basing decisions on sound science, prudent stewardship and open, responsive public involvement,"

Knowles' veto message continued. "Sending the wrong message on this nationally important issue, hurts Alaska's

efforts to demonstrate that we can be trusted to open new areas for development."

Unfortunately, and to no one's surprise, the legislature quickly overrode the Governor's veto. The new law became effective in August.


As we have said before, the Alaska Forum supports the fundamental purpose of this law: to encourage compliance with environmental laws by providing incentives for regulated entities to voluntarily find, disclose and correct violations. We encouraged the legislature to adopt a simple but effective bill modeled after US EPA's policy, which grants penalty leniency for violations discovered in a self-audit and then voluntarily disclosed and cleaned-up. Instead, Alaska got incentives plus

pages and pages of secrecy.

We remain particularly concerned about the impact of this new law on whistleblowers in Alaska. The law could limit the ability of a concerned employee to prove harassment and retaliation because it makes "self-audits" exempt from discovery in a civil proceeding. It won't take long for employers to learn how to hide their dirty laundry under the "self-audit" label

Senator Loren Leman (R-Anchorage), the bill's sponsor, said that Senate Bill 41 was not intended to negatively impact the ability of a whistleblower to receive a fair hearing. But when Representative Ethan Berkowitz (D-Anchorage) introduced amendments that would have added a "no negative impacts on whistleblowers" paragraph to the intent section of the bill, his amendment was defeated.

We won't know the actual effects of this bad law on whistleblowers for sometime. At the very least, it gives industry lawyers one more trick for their bag of delay tactics that wear down the usually limited emotional and financial resources of whistleblowers.

A worst case scenario? A legitimate whistleblower fails to prove harassment and retaliation because the necessary proof is contained in a self-audit that is exempt from disclosure at trial. That scenario will send a chilling effect to all future whistleblowers in Alaska. 

ALERT!

Unfortunately, industry efforts to pass Polluter Secrecy laws have now moved from the States to the US Congress. See "Call to Action!" on page 11 to learn more about the federal bills and what you can do to stop them.

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What foresters and ecologists agree on is that when logging does take place, loggers must follow "best management practices" (or BMPs). Careless logging can limit forest regeneration and degrade wildlife habitat and water quality. BMPs are designed to minimize the negative impacts of logging on the forest environment. Alaska's Forest Practices Act established BMPs for Alaska's public forests.

Areas such as Moose Pass could be devastated by the short- and long-term effects of careless logging. Moose Pass is an important brown bear habitat and the headwaters of the Kenai River watershed, a world renowned fishery.

Why a Community "Forest Watch" Program?

The Division of Forestry is currently allowing logging in several areas on the Kenai Peninsula—including Moose Pass. Unfortunately, this logging comes at a time of considerable budget cuts. Very little money is now available for state inspectors to verify that loggers are complying with BMPs. These cuts have occurred despite the fact that competent, experienced persons have observed numerous violations on lands that have already been logged.

In response, the Alaska Forum, in partnership with the Alaska Center for the Environment, launched the Community Forest Watch Program in May. Its purpose is to train citizen volunteers to inspect logged areas for compliance with the BMPs required under the Forest Practices Act. Field data gathered by the volunteers will provide feedback to managers about what's working and what's not.

How Does the Forest Watch Work?

Community Forest Watch volunteers are currently being trained to recognize the most obvious --and often most important --violations of the Forest Practices Act. For instance, volunteers look for improperly constructed roads, out-of-compliance slash piles, and quality and number of seed trees.

Volunteers go into the forest one weekend per month over the summer. Our goal is to collect high-quality data so that the Division of Forestry and other government monitors have useful information upon which they can act.

Join the Forest Watch Team!

The Community Forest Watch is a rare opportunity to combine your enjoyment of the woods with doing the woods some good! Call me at (907)344-6220 to learn how you can become involved or to answer any specific questions you have.

Join me and other concerned Alaskans to help ensure our public forests are treated with the tender loving care they deserve!

Lorvel "Smiley" Shields is the Coordinator of the Community Forest Watch program. He can be reached at (907)344-6220 or on the internet at sshields@alaska.net.

The Community Forest Watch is a rare opportunity to combine your enjoyment of the woods with doing the woods some good... Join me and other concerned Alaskans to help ensure our public forests are treated with the tender loving care they deserve!
— Lorvel Shields



TAPS Whistleblower News



BLM Finds Major Flaws in Pipeline's Employee Concerns Programs

In March, the U.S. Bureau of Land Management released its evaluation of the trans-Alaska pipeline's employee-concerns program. BLM found that roughly half the workers on the pipeline still fear reprisals if they speak the truth about threats to worker safety and the environment.

The BLM analysis also found that many Alyeska employees do not trust the state-federal Joint Pipeline Office to properly and confidentially investigate their concerns, and that government monitors provide little meaningful oversight of Alyeska's program.

BLM's evaluation shows that although the Alyeska Pipeline Service Co. has made some progress in replacing its "shoot the messenger" mentality with a "culture of trust," the company is still a long way from that goal. Not surprisingly, the BLM analysis confirms what conscientious employees have been telling the Alaska Forum for several years: Alyeska's and JPO's programs look great on paper but fall apart on implementation.

BLM announced the study shortly after the release of the Alaska Forum's *Pipeline in Peril* last September. As *Pipeline in Peril* observed, "Alyeska has attempted to solve its 'whistleblower problem' through a combination of public pronouncements and shooting enough messengers to silence others who might consider speaking the truth." *Pipeline in Peril* also concluded that government monitors are "slow to recognize and acknowledge whistleblower concerns or to address the chilling effects of retaliatory action."

The Alaska Forum believes that whistle-blowers -- hardworking Alaskans concerned about safety, their home and their children's future -- are the first line of defense against environmental degradation in Alaska. They must be able to speak the truth without fear of reprisals.

Employee-concerns programs provide an internal and confidential means for conscientious workers to report their concerns and get them resolved without fear of losing their job. These programs also provide an important source of feedback to quality assurance/quality

control and regulatory compliance programs.

The BLM evaluation team deserves credit for documenting the slow change in corporate culture at Alyeska, persistent retaliation against concerned employees and the failures of the government oversight program. They also deserve credit for seeking input from the Alaska Forum and pipeline whistleblowers. Finally, the team also developed 23 recommendations that will, if implemented, go a long way towards improving the effectiveness and credibility of both Alyeska's and JPO's employee concerns programs.

BLM's evaluation had one major weakness: it made no attempt to deal with the actual threats to the environment and worker safety that prompted concerned employees to blow the whistle in the first place.

BLM found that two out of three people who brought employee concerns to management in the last two years do not believe their concerns were corrected or resolved satisfactorily. Were these problems fixed or not? BLM's evaluation team only looked at the paperwork, not at the pipeline. Until there is clear evidence that concerns described as "fixed" on paper actually have been fixed on the pipeline, employees will continue to perceive the pipeline's employee-concerns program as meaningless, and public confidence in the pipeline will remain low.

The relevance of employee concerns to safeguarding Alaska's environment — and 10 percent of the nation's oil — cannot be understated. A case in point is the 30,000-gallon oil spill on the pipeline in April 1996 near Black Rapids Glacier in the Alaska Range. Inspectors identified welding problems and warned of leaks at pipeline check valves as early as 1994. But Alyeska and its government monitors failed to address those concerns.

One of the inspectors who brought valve and other problems to the attention of management was eventually fired. With an effective and credible employee-concerns program in place, the valve problems might have been fixed, preventing the first serious mainline oil spill in a decade. And the concerned employee might not have lost his job.

BLM also failed to examine whether JPO has sufficient legal authority to protect employees who voice their concerns or provide meaningful oversight to Alyeska's employee concerns programs. This issue

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(Pipeline Update, continued from page 1)

- ⇒ **Finding #2:** Alyeska's most recent reorganization, announced in January 1997, may be disrupting safe operations by diverting energy, dislocating the work force, and otherwise distracting from basic operations and much needed and long awaited reforms.
- ⇒ **Finding #3:** During 1994 and 1995, a potentially serious incident occurred somewhere on the pipeline once every ten days. Similar incidents continued in 1996.
- ⇒ **Finding #4:** Despite this list of significant operational problems, Alyeska is still unprepared to deal with a major pipeline oil spill.
- ⇒ **Finding #5:** Alyeska continues to cut costs and downsize. The persistent focus of Alyeska managers on saving money runs in diametric opposition to the industry's promises to deliver blue-ribbon environmental protection.
- ⇒ **Finding #6:** There has been little meaningful response from state and federal regulators to the 10 recommendations of the original *Pipeline in Peril*.

Despite this long list of problems, Fineberg also noted that there have been some recent signs of improvements at Alyeska.

First, while risky from a short-term operational standpoint, Alyeska's recent reorganization plan is a long-term plus. Alyeska deserves credit for recognizing that it would be even riskier to continue to run the pipeline from a site more than 100 miles distant from the line.

Second, Alyeska is more open to external critics in mid-1997 than it was in 1996. And many of those Alyeska managers who eschewed environmental compliance as a necessary evil have been dropped during the reorganization.

Third, Alyeska has agreed to dig-up, inspect and fix problems on the mainline valves at major river crossings this summer.

Fourth, Alyeska may finally be taking seriously the need for a credible employee concerns program. It recently hired a former internal critic of the program who was dismissed in 1996 to train management in how to handle employee concerns.

Unfortunately, Fineberg and the Alaska Forum have not seen similar signs of improvement from state and federal regulators. Alyeska appears to be making a real effort to correct serious shortcomings identified by its critics. But as Finding # 6 makes clear, government monitors have done little to strengthen their all too often ineffective oversight efforts.

Given this long list of serious and persistent problems on TAPS, and some limited signs of improvement at Alyeska, what is to be done?

The answer is simple. Alyeska needs to finally walk its talk. And the public, through its government, needs to trust but verify.

For this reason, the Alaska Forum has called on Congress and the Clinton Administration to fund the independent review of the pipeline that Congress mandated in the Oil Pollution Act of 1990 but never funded. An in-depth review is necessary before the public can be assured that Alyeska can safely pump oil for another forty years. In 1996, the state-federal Joint Pipeline Office said an external audit would occur in late 1997; but as of today, no such audit is planned.

Today, on the 20th anniversary of TAPS, an independent, in-depth review is more important than ever. Why?

First, there is Alyeska's long history of broken promises. Second, there is the inevitable tension between cost-cutting and the achievement of high standards of quality assurance/quality control, promised long ago but still not yet achieved. Finally, now that it is clear that Alaska's North Slope will continue to pump significant quantities of oil for at least another forty years --far longer than planned when the pipeline was built --it is even more important to assure that TAPS is maintained in top-flight condition.

It is difficult to imagine how Alyeska can accomplish this goal --which means getting and staying on top of a broad range of persistent problems -- while the company continues to cut operating costs. Yet that's exactly what Alyeska managers are now asking their employees to do.

Pipeline in Peril: Alaska at Risk on the 20th Anniversary of the Trans-Alaska Pipeline can be found on the Alaska Forum's world wide web site, at <http://www.accessone.com>. Printed copies of the report are available for \$15 from the Alaska Forum.



Legislative Leaders Rip Report Before Reading It

The day before Alaska Forum's 20th anniversary update to *Pipeline in Peril* was publicly released, Speaker of the House Gail Phillips and Senate President Mike Miller issued a press release denouncing the report.

Substituting rhetoric for substance, the legislative leaders took it upon themselves to label a report they had not read as "unfounded and unwarranted," and "blatantly false." These words more accurately describe their own attack.

Had the legislative leaders read the report before judging it, they would have discovered that it was carefully documented and well balanced. Instead of deal-

ing with reality, Phillips and Miller chose to attack the credibility of the Alaska Forum and the report's author, Richard Fineberg.

According to Speaker Phillips, the report she had never seen was "incorrect and does not have the support of anyone in Alaska except for the extreme environmental fringe. Many do not recognize Mr. Fineberg as an authority" on the pipeline. She said the report was "submitted to the regional Valdez spill response organization (but) was not even considered by their board for action."

Speaker Phillips is entitled to her opinion, but she should get her facts straight. Fineberg's report was not submitted to the board of the regional spill response organization because the report was not prepared for that group. The report was prepared for the Alaska Forum, a small but growing organization of Alaskans. Far from the "fringe," our members include oil industry workers, small business owners, fishermen — and,

yes, environmentalists — who are concerned about holding industry and government accountable to their promises to protect the environment.

While Fineberg's research and writing on oil and gas issues have sparked controversy, his credentials are not at issue. Between 1987 and 1989, Fineberg served as a senior adviser on oil and gas policy to Gov. Steve Cowper. The state-federal Joint Pipeline Office based its 1997 Comprehensive Monitoring Program on seven criteria, including "relevant outside criticism, such as 'Pipeline in Peril' by R. Fineberg."

Unfortunately, Phillips and Miller overlooked the report's primary concern: assuring safe pipeline operations for the next forty years of North Slope production.

The irrational response of Alaska's legislative leadership to persistent and well-documented problems on the pipeline is disturbing. Our report honestly assesses both the successes and failures of the last 20 years and then identifies concrete steps to ensure the safe future operation of one of Alaska's most important economic assets. Instead of applauding this balanced approach, Phillips and Miller have adopted Alyeska's old, now discarded and discredited strategy: If you don't like the message, shoot the messenger.

While the Alaska Forum and Alyeska's leaders are working hard to maintain open channels of constructive communication, Alaska's legislative leadership continues to fan the flames of controversy and division. Phillips and Miller should apologize for their mistake, retract their inaccurate and incendiary remarks and finally read the report.

Phillips and Miller have adopted Alyeska's old, now discarded and discredited strategy: If you don't like the message, shoot the messenger.

—Stan Stephens



Lease Sale 85 Affects Most Alaskans

State Proposes to Lease Huge Area to Oil and Gas Development

Imagine oil rigs as part of your next visit to Potter's Marsh or special time on the Coastal Trail or Little Susitna River. It's not just a bad dream, but a real possibility.

Larger than the state of Connecticut, Lease Sale 85 encompasses the homes of most Alaskans. It extends from Willow through Anchorage, including Turnagain Arm and south to Anchor Point on the Kenai Peninsula. The Kenai, Susitna and Yenta Rivers are included.

Lease Sale 85 has major problems. Here are some of the most important.

The is no demonstrated need for Lease Sale 85. Because North Slope production is expected to increase a full 50% over the next six years, interest in both state and federal Cook Inlet leases has been minimal. Tracts from the earlier lease sale 85A are even being re-offered separately because they didn't sell. Opening up even larger tracts may lead to less of a return on development of our natural resources.

The sale area — 4.2 million acres — is too large. Oil companies would never think of going to the state of Connecticut and asking to drill anywhere in the state without being more specific, but it is happening in Alaska.

Once the area is open for leasing, it stays open for ten years with essentially no additional public review. The entire lease area becomes available each August for ten years, effectively holding area residents hostage to the "trust industry and government" slogan for a decade. Where, how, and

how much leasing happens is part of the public's responsibility as common owners of Alaska's resources. Yet Lease Sale 85 provides public involvement only once in ten years.

Even private property in the lease sale area can be opened to development. Most people do not own the subsurface mineral rights to their property, the state does. If leased, drilling rigs will have the right to enter private land.

Lease Sale 85 effectively gives priority to oil and gas leasing over all other land and water uses. Many people reject the State's position that it can "mitigate" use conflicts with fishing, hunting, recreation, subsistence, wilderness, wildlife and wetland protection. Enormous areas onshore and offshore are potentially affected.

Lease Sale 85 should not proceed. If a major redesign were to be made, perhaps it could be useful. Certain portions might be okay to lease now or in the future. But the untried areawide leasing concept of Lease Sale 85 — particularly its lack of adequate public participation and review and its lack of specificity — makes it unacceptable.

Unfortunately, the state plans to use this lease sale as model for vast areas throughout Alaska. Your comments are needed to help prevent Lease Sale 85 from going forward.

To learn how to comment on "State Lease Sale 85—Cook Inlet Areawide," see "Call to Action!" on page 11.



TAPS Whistleblower News



Safety Specialist Files Complaint Against TCC and Alyeska

Employee Concerns Program Still Not Working

A safety worker at the Ship Escort/Response Vessel System (SERVS) in Valdez, has filed a whistleblower complaint against his former employer Tatitlek, Chenega, and Chugach, (TCC) and the Alyeska Pipeline Service Company.

The complaint, filed with the federal Occupational Safety and Health Administration in late June, alleges the worker lost his job because he raised worker safety concerns at SERVS. The complaint seeks damages, lost wages and benefits, and attorney's fees. (The worker's identity is not being revealed to protect him from further retaliation.)

Stan Stephens, president of the Alaska Forum, was disappointed by the news of the complaint.

"It saddens me that we have to tell yet another story of a silenced pipeline worker," said Stephens. "While we have seen some recent signs of progress at the top, this complaint shows that Alyeska's employee concerns program is still not working very well."

"'Whistleblowers will be silenced' is the wrong message for Alyeska or its contractors to be sending to workers, especially in the midst of Alyeska's current reorganization," continued Stephens. "But Alyeska and TCC have a real opportunity here: they should find a way to reinstate this worker at

SERVS and prevent further reprisals against him. This will send a clear signal that Alyeska and its contractors no longer tolerate harassment and retaliation of concerned employees."

The safety specialist was employed by TCC from January 1994 until his termination on June 6 of this year. TCC has a contract with Alyeska to operate and maintain the oil spill response equipment for Prince William Sound. While he was not directly employed by Alyeska, his complaint alleges that the pipeline company exercised control over the terms and conditions of his employment, including his termination.

According to the complaint, the worker first reported safety concerns to his TCC supervisors in July 1994. After many of his concerns were ignored or downplayed by TCC, and the retaliation and harassment intensified, he brought his concerns to Alyeska's Ombudsman and eventually its employee concerns program.

In May 1997, an employee concerns program investigation concluded that there was "substantial evidence of efforts to harass, intimidate, and terminate" the worker because he raised safety concerns. Nonetheless, he was terminated shortly after the investigation was completed.

The safety concerns the worker reported to TCC management include the following:

- ⇒ workers required by Alyeska to perform jobs in adverse and unsafe weather conditions;
- ⇒ problems with individual pieces of heavy equipment, including a spreader

(Continued on page 10)

'Whistleblowers will be silenced' is the wrong message for Alyeska or its contractors to be sending to workers, especially in the midst of the current pipeline reorganization.

— Stan Stephens

(Complaint, continued from page 9)

- ⇒ bar and dock cranes;
- ⇒ inadequate confined space training for workers;
- ⇒ falsified accident reports; and
- ⇒ use of paints that caused air quality problems and that were not approved for use at SERVS.

The complaint also describes the harassment and retaliation he experienced because he raised these safety concerns. For example:

- ⇒ An Alyeska/SERVS employee falsely accused him of inadequate qualifications to perform his job correctly.
- ⇒ In response to pressure from Alyeska, TCC attempted to eliminate his position in early 1995. Failing that, TCC radically altered his work schedule.
- ⇒ Co-workers and supervisors publicly discussed how they could circumvent his safety decisions, and one supervisor threatened him for raising safety concerns with Alyeska's Inspection Services Group.
- ⇒ As part of Alyeska's current reorganization, TCC and Alyeska eliminated his position and created a new position with minimum qualifications that he could no longer meet.

According to Stephens, "TCC and Alyeska's treatment of this worker only proves that the BLM evaluation of the employee concerns program released last March was right on target: employees, especially those working for contractors, have much to fear if they speak up about problems along the pipeline system. Sadly, the 'shoot the messenger' mentality has not yet been eliminated on the pipeline."



(BLM Evaluation, continued from page 5)

still needs to be examined. If necessary, JPO's mandate should be expanded to explicitly include employee concerns.

Both Alyeska and JPO have taken the first steps to improve their employee concerns program. That's good. But we won't know if they are the needed changes until we see the details and, most importantly, hear from employees that the program has really changed for the better. Unfortunately, new whistleblower complaints continue to be filed against Alyeska (see page 9), suggesting that serious problems still exist with how the company deals with whistleblowers.

These new cases also underscore another of BLM's findings: pipeline workers still do not trust Alyeska and JPO because neither organization yet "walks the talk." Both organizations can begin "walking the talk" by implementing all 23 of BLM's recommendations.

As Alyeska reorganizes and downsizes, and Alaska prepares for another forty years of pumping North Slope oil south to Valdez, eradicating the "shoot the messenger" culture on the pipeline becomes increasingly important. In order to deliver on their commitments to pipeline employees to Alaska and to the nation, Alyeska and JPO must ensure that employees who bring concerns to management are not penalized for doing so, and that prompt and effective steps are taken to evaluate and fix valid concerns.



Call to Action!

Help Stop Federal Polluter's Secrecy Act!

Earlier this year, bills similar to Alaska's Polluter's Secrecy Act were introduced into the US Congress. The titles of the bills are S. 866--The Environmental Protection Partnership Act (introduced by Senator Kay Bailey Hutchinson, R-TX); and H.R. 1884--The Voluntary Environmental Self-Evaluation Act (introduced by Congressman Joel Hefley, R-5th CO).

Write a letter to your Senators and Representative asking him/her to oppose these bills. In your letter, make the following points:

- 1) You support the fundamental goal of both bills: to foster compliance with environmental laws by providing incentives for regulated entities to voluntarily find, disclose and correct violations. But, as written, these two bills will not achieve this goal. These bills are bad public policy because:
 - ⇒ they replace corporate responsibility and accountability with secrecy;
 - ⇒ rather than providing incentives for compliance, both bills effectively reward noncompliance by providing immunity from all civil and administrative penalties for self-discovered violations;
 - ⇒ they take away the public's right to know what toxins are being discharged into the air, water and land where we live; and
 - ⇒ they will greatly reduce the ability of concerned workers to defend their right to speak the truth in the workplace without fear of reprisals.
- 2) These bills also are not necessary because US EPA's self-audit policy is already achieving the bills' goals.

Senator _____
Senate Office Building
Washington, DC 20510

Representative _____
House Office Building
Washington, DC 20515

Help Stop Gigantic Oil and Gas Lease Sale

Your comments are needed to help prevent Lease Sale 85 from going forward. Make the following points in your comments (see page 8 for details):

- ⇒ There is no demonstrated need for Lease Sale 85.
- ⇒ The sale area--4.2 million acres--is too large and the sale does not identify specific areas targeted for leasing.
- ⇒ The areawide leasing process does not provide adequate opportunities for public participation and periodic review.
- ⇒ Lease Sale 85 effectively gives priority to oil and gas leasing over all other land and water uses for ten years.

The public comment period has been extended for several months, although the actual deadline is not firm. Therefore, send your comments by September 30 to:

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Anchorage, AK 99503-5948

Fax: 562-3852
Email: Jim_Hansen@dnr.state.ak.us

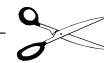
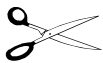


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In This Issue...

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Please Join Us in Our Efforts to Sustain Alaska's Future.

The Alaska Forum needs your help. Your membership dues directly support our work to protect the rights of conscientious employees to speak the truth about threats to worker safety and the environment in Alaska. Please join by filling out the membership form below and returning it to us. The Alaska Forum is a 501(c)(3) nonprofit corporation. Donations in excess of benefits are tax deductible to the extent allowed by law.

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