

# Action Alert

## Take 5 Minutes to Tell the Dunleavy Administration: Stop Toxic Oil & Gas Dumping in Cook Inlet! *Comments Due May 22*

**What's Happening?** The Alaska Department of Environmental Conservation is poised to re-issue the Clean Water Act permit that allows oil and gas corporations to dump billions of gallons of toxic waste into Cook Inlet fisheries and beluga whale habitat every year. Cook Inlet is the ONLY coastal waterbody in the United States where the oil and gas industry enjoys this special loophole. And to compound matters, the proposed permit is considerably weaker than the previous permit, creating giant, mile-wide sacrifice zones (i.e. "mixing zones") which fail to meet the basic goals of the Clean Water Act.



**Background:** Arco geologist Bill Bishop famously slammed his boot into the tundra of what's now the Kenai National Wildlife Refuge in 1957 to start commercial oil and gas development in Alaska. Soon after, the oil and gas industry moved offshore, into the imposing waters of Cook Inlet. But that early development predated the passage of the federal Clean Water Act in 1972, so when EPA got around to writing the rules for coastal oil and gas operations nationwide, they succumbed to industry pressure, and locked-in waste disposal standards used in the 1970's for Cook Inlet. Today, industry lobbying and influence, coupled with the acquiescence of our state and federal regulators, has turned Cook Inlet into a regulatory backwater, where the industry can dump billions of gallons of toxic waste each year with impunity. These discharges include thousands and thousands of pounds of oil and gas, and toxic heavy metals.

### **Raise Your Voice! Protect YOUR Fisheries!**

Comments are due to ADEC by 5 PM, Wednesday, May 22, and may be sent to:

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You can use these links to access the [public notice](#), [permit fact sheet](#), and the [draft permit](#).

### Talking Points:

- The oil and gas industry in Alaska enjoys some of the highest profit margins in the world, and they can afford to treat their toxic wastes properly. At a time when Alaska's struggling to fund basic services, it's time for the oil and gas industry to pay its fair share – and among other things, that means paying for the cost of proper waste treatment in Cook Inlet.
- State of Alaska officials frequently decry the heavy hand of the federal government, railing against so-called “federal overreach” and waving the banner of states' rights. Yet in this instance, ADEC has full authority to do the right thing, and assign more protective standards than the feds (the federal standard in Cook Inlet, as discussed above, has been locked-in at EPA due to industry lobbying and influence). Instead, ADEC is bowing to industry pressure, and using the federal standards as a shield to allow continued dumping in Cook Inlet.
- When Congress passed the Clean Water Act in 1972, it wanted technology to drive pollution reductions over time. Yet while the technology exists for the oil and gas industry to properly treat its wastes in Cook Inlet (i.e., reinject them back into the formation), it chooses to dump its toxic slurries into our fisheries because the corporations reap higher profits.
- Pollution is a subsidy that threatens our public resources. Under the Alaska Constitution, every man, woman and child “owns” our fish and water resources. When oil and gas corporations make the choice to dump their toxic wastes into our public fisheries and waters, they are avoiding the costs of proper treatment, and passing the costs off to us Alaskans in the form of pollution. That makes toxic dumping in Cook Inlet a huge subsidy for these companies.
- The proposed permits rely on so-called “mixing zones” to rationalize industry's toxic dumping. Mixing zones embrace the long-discounted notion that dilution is the solution to pollution, and they allow wastes to assimilate in receiving waters before measuring compliance (instead of measuring compliance at the end of the discharge pipe). Congress never even mentioned them in the Clean Water Act, because mixing zones undermine the law's central premise: to reduce and eliminate pollution to the nation's waters. But under current practice, industry simply tells ADEC what it wants to dump, and ADEC dutifully back-calculates, plugging numbers into a computer model until the discharge meets water quality standards at the edge of the mixing zone. Under the proposed permit, that means a mixing zone more than a mile across!

For more information, contact Bob Shavelson at [bob@inletkeeper.org](mailto:bob@inletkeeper.org)