

NOTICE OF PUBLIC COMMENT PERIOD ON PROPOSED CHANGES TO
ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION REGULATIONS

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation (ADEC) is proposing revised regulations that are required by House Bill 80, passed by the 28th Alaska Legislature, and to correct minor errors and update obsolete information contained in the chapter. The subject of House Bill 80 was commercial passenger vessel wastewater discharges.

The Department of Environmental Conservation, Division of Water proposes to adopt regulation changes in Title 18, Chapter 69 of the Alaska Administrative Code, dealing with the Commercial Passenger Vessel Environmental Compliance Program as follows:

- 18 AAC 69.046(b)(3), which required documentation verifying the date when a vessel keel was laid, is proposed to be repealed. The intended effect of this repeal is to reflect the statutory change instituted with House Bill 80.
- 18 AAC 69.046(e) is being amended to reflect the statutory change in the length of plan approval from three years to five years.
- 18 AAC 69.050(d) is being amended to change the requirement for when and how an owner/operator must submit treated sewage, graywater, or wastewater discharge records, to align with existing statutory requirements.
- 18 AAC 69.070 is being amended to clarify resampling requirements after an exceedance of discharge limitations for fecal coliform.
- Several sub-sections are being amended to update department email addresses and websites.
- Several sub-sections are being amended to reflect changes in the numbering of the statutory authority for the regulation.
- Several sub-sections are being amended with slight wording changes in order to improve clarity.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Melissa Goldstein, DEC Division of Water, at P.O. Box 111800 Juneau, Alaska 99811-1800. Additionally, the Division of Water will accept comments by facsimile at (907) 465-5177 and by electronic mail at melissa.goldstein@alaska.gov. The comments must be received no later than 5:00 p.m. on September 13, 2013.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kim Nix at (907) 269-3059 no later than 4:30 p.m. on September 4, 2013 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Rob Edwardson, Division of Water, at 410 Willoughby Avenue, Suite 303, PO Box 111800, Juneau, Alaska 99801-1800 or (907) 465-5312, or go to the Division of Water Cruise Ship web page at http://www.dec.alaska.gov/water/cruise_ships/index.htm.

After the public comment period ends, the Division of Water will either adopt these or other provisions dealing with the same subject, without further notice, or decide to take no action on them. The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

Written comments received are public records and are subject to public inspection.

Statutory Authority: AS 46.03.010; AS 46.03.020; AS 46.03.050; AS 46.03.460

Statutes Being Implemented, Interpreted, or Made Specific: AS 46.03.460 – AS 46.03.490

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.

DATE: August 9, 2013


Lynn Kent, Deputy Commissioner
(under delegation from Commissioner Hartig)

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Environmental Conservation, Division of Water
2. General subject of regulation: Commercial Passenger Vessel Environmental Compliance Program
3. Citation of regulation (may be grouped): 18 AAC 69
4. Department of Law file number, if any: JU2013200347
5. Reason for the proposed action: Compliance with new or changed state statute
6. Appropriation/Allocation: 0
7. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY <u> 0 </u>	Subsequent Years
Operating Cost	\$ <u> 0 </u>	\$ <u> 0 </u>
Capital Cost	\$ <u> 0 </u>	\$ <u> 0 </u>
1002 Federal receipts	\$ <u> 0 </u>	\$ <u> 0 </u>
1003 General fund match	\$ <u> 0 </u>	\$ <u> 0 </u>
1004 General fund	\$ <u> 0 </u>	\$ <u> 0 </u>
1005 General fund/program	\$ <u> 0 </u>	\$ <u> 0 </u>
1037 General fund/ mental health	\$ <u> 0 </u>	\$ <u> 0 </u>
Other funds (specify)	\$ <u> 0 </u>	\$ <u> 0 </u>

8. The name of the contact person for the regulations:

Name Robert Edwardson
Title Environmental Program Manager II, Division of Water Cruise Ship Program
Address 410 Willoughby Avenue, Suite 303
PO Box 111800
Juneau, Alaska 99801-1800
Telephone: (907) 465-5312
E-mail address: Robert.Edwardson@alaska.gov

9. The origin of the proposed action: staff of state agency; DEC Division of Water

10. Date: August 9, 2013

Prepared by:


[signature]

Name (typed) Earl Crapps
Title (typed) Env. Program Specialist IV
Telephone: (907) 269-7681