

**NOTICE OF PROPOSED CHANGES IN THE  
REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**BRIEF DESCRIPTION**

The Alaska Department of Environmental Conservation (ADEC) is proposing revised regulations to streamline federal and state seafood processing requirements.

The Department of Environmental Conservation proposes to adopt regulation changes in Title 18 of the Alaska Administrative Code, dealing with processing seafood products, including the following:

- 18 AAC 34.010, which includes updating requirements adopted by reference
- 18 AAC 34.035, which includes removing obsolete language
- 18 AAC 34.045, which includes removing obsolete language
- Adding a new section, 18 AAC 34.047 addressing seafood product recall plans
- 18 AAC 34.060, which includes clarifying reference to the corresponding Code of Federal Regulations (C.F.R.) and removing language duplicative of C.F.R. requirements
- Repealing 18 AAC 34.065 and 18 AAC 34.070 and adding a new section 18 AAC 34.066, Sanitary Operations, to combine relevant portions of repealed sections and make our regulation easier to read and understand in conjunction with the C.F.R.
- 18 AAC 34.075, which includes clarifying reference to the corresponding C.F.R., removing language duplicative of C.F.R. requirements, and removing obsolete language
- 18 AAC 34.080, which includes clarifying reference to the corresponding C.F.R. and updating cross-references
- 18 AAC 34.085, which includes clarifying reference to the corresponding C.F.R., removing language duplicative of C.F.R. requirements, and removing obsolete language
- 18 AAC 34.090, which includes clarifying reference to the corresponding C.F.R. and removing language duplicative of C.F.R. requirements
- 18 AAC 34.100, which includes clarifying reference to the corresponding C.F.R., removing language duplicative of C.F.R. requirements, and clarifying reporting and exclusion requirements for health conditions transmissible through food
- 18 AAC 34.105, which includes clarifying reference to the corresponding C.F.R.
- 18 AAC 34.110, which includes clarifying reference to the corresponding C.F.R. and removing language that duplicates C.F.R. requirements or other statutory provisions
- 18 AAC 34.122, which includes a substantial reorganization to make it easier to read and changing the crab PSP limit
- 18 AAC 34.990 updates to the definitions section
- Several subsections are amended to reflect changes in numbering and cross-references throughout the regulation
- Several subsections are being amended with slight wording changes to improve overall clarity of the regulation

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 Brehan Kohl at Alaska Department of Environmental Conservation, 555 Cordova Street Anchorage, AK 99501. Additionally, the department will accept comments by facsimile at 907-269-7510 and by electronic mail at [brehan.kohl@alaska.gov](mailto:brehan.kohl@alaska.gov). The comments must be received no later than 4:30 p.m. on December 30, 2013.

A series of public workshops to facilitate an understanding of the regulation changes will be held. If you are unable to attend in person, you may teleconference in by dialing 1-800-315-6338, and, when prompted, enter 7643#. The times, dates, and locations are as follows:

10:00 a.m. November 8, 2013, DEC Main Floor Conference Room, 555 Cordova Street, Anchorage, Alaska.

10:00 a.m. November 19, 2013, Seafood Products Association, 1600 S. Jackson Street, Seattle, Washington.

1:00 p.m., November 20, 2013, DEC Juneau Conference Room, 2d floor, 410 Willoughby Avenue, Juneau, Alaska.

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Deborah Pock at (907) 269-0291 or TDD Relay Service 1-800-770-8973/TTY or dial 711 ten days prior to any workshop or the final comment deadline to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Brehan Kohl at 555 Cordova Street, Anchorage, AK 99501 or 907-269-7636, or go to <http://dec.alaska.gov/eh/fss/index.htm>.

After the public comment period ends, the Department of Environmental Conservation will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. 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 17.20.180; AS 44.46.020

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 17.20.005; AS 17.20.010; 17.20.020-AS 17.20.072; AS 44.46.020

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

DATE: September 27, 2013



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Larry Hartig, Commissioner,  
Department of Environmental Conservation

ADDITIONAL REGULATIONS NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Department of Environmental Conservation, Division of Environmental Health
2. General subject of regulation: Seafood Processing
3. Citation of regulation (may be grouped): 18 AAC 34
4. Department of Law file number, if any: JU2012200958
5. Reason for the proposed action: Meet FDA contract/grant requirements and update/clarify old regulatory language
6. Appropriation/Allocation: 0
7. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY <u>2014</u>	Subsequent Years
Operating Cost	\$ <u>0</u>	\$ <u>0</u>
Capital Cost	\$ <u>0</u>	\$ <u>0</u>
Federal receipts	\$ <u>0</u>	\$ <u>0</u>
General fund match	\$ <u>0</u>	\$ <u>0</u>
General fund	\$ <u>0</u>	\$ <u>0</u>
General fund/program	\$ <u>0</u>	\$ <u>0</u>
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: Jennifer Kosin  
Title: Program Coordinator, Division of Environmental Health Director's Office  
Address: 555 Cordova Street  
Anchorage, Alaska 99501  
Telephone: (907) 269-6066  
E-mail address: jenny.kosin@alaska.gov

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

10. Date: September 20, 2013

Prepared by: Jennifer Kosin  
Name (typed) Jennifer Kosin  
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