

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

The Department of Environmental Conservation proposes to adopt regulation changes in Title 18, Chapter 80, of the Alaska Administrative Code, dealing with drinking water. The changes would include the following:

- Adoption of a new section, 18 AAC 80.055, entitled "Public water system emergency preparedness requirements." This new section would
  - require community water systems serving 1,000 or more people, and non-transient non-community water systems serving 1,000 or more people, to complete a security vulnerability assessment, to prepare a written emergency response plan based on the security vulnerability assessment, and to update the emergency response plan every two years;
  - require community water systems serving fewer than 1,000 people, non-transient non-community water systems serving fewer than 1,000 people, and transient non-community water systems serving 1,000 or more people, to prepare a written emergency priority measures plan, and to update the emergency priority measures plan every two years;
  - set out the elements of a security vulnerability assessment, an emergency response plan, and an emergency priority measures plan;
  - require the owner of a public water system that falls under the proposed new section to submit to the department a certification of the system's compliance with the requirements within stated deadlines; and
  - provide that failure to timely file a certification required by the section is a violation for which an administrative penalty may be assessed.
- Amendment of 18 AAC 80.1220 regarding calculation of an administrative penalty for non-compliance with 18 AAC 80.055.
- Amendment of 18 AAC 80.1900 to clarify requirements regarding signature as certification, including adding certified laboratories.
- Amendment of 18 AAC 80.1990 to add a new definition for "emergency."

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 Daniel Weber, Regulations Specialist, Drinking Water Program, Department of Environmental Conservation, at 555 Cordova Street, Anchorage, AK 99501. Additionally, the Department of Environmental Conservation/Drinking Water Program will accept comments by facsimile at 907-269-7650 and by electronic mail at [decehdw.publiccommentsregs@alaska.gov](mailto:decehdw.publiccommentsregs@alaska.gov). The comments must be received no later than 5:00 p.m. on November 14, 2011.

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 by November 1, 2011, to ensure that any necessary accommodations can be provided.

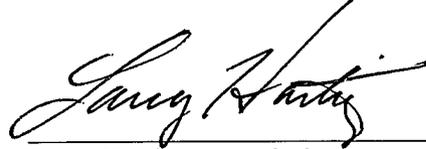
For a copy of the proposed regulation changes, contact Daniel Weber at 907-269-7514 or [daniel.weber@alaska.gov](mailto:daniel.weber@alaska.gov), or go to: <http://dec.alaska.gov/regulations/index.htm>.

After the public comment period ends, the Department of Environmental Conservation 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 44.46.020; AS 46.03.020

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 46.03.010, AS 46.03.020, AS 46.03.050, AS 46.03.710, AS 46.03.720, AS 46.03.761, AS 46.03.850. **Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: September 23, 2011



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Larry Hartig, Commissioner

ADDITIONAL REGULATIONS NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Department of Environmental Conservation
2. General subject of regulation: Drinking Water Standards
3. Citation of regulation (may be grouped): 18 AAC 80
4. Reason for the proposed action:
  - ( ) compliance with federal law
  - ( ) compliance with new or changed state statute
  - ( ) compliance with court order
  - (x) development of program standards
  - ( ) other: (please list) \_\_\_\_\_

5. Appropriation/Allocation: \_\_\_\_\_

6. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year	Subsequent Years
	FY 12	FY 13
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 receipts	\$ <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>

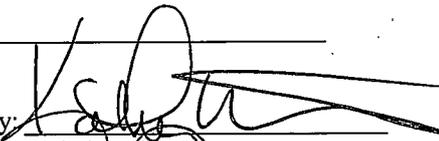
7. The name of the contact person for the regulations:

Name Daniel Weber  
Title Regulations Specialist  
Address 555 Cordova Street  
Anchorage, AK 99501  
Telephone 907-269-7514  
E-mail address [daniel.weber@alaska.gov](mailto:daniel.weber@alaska.gov)

8. The origin of the proposed action:

- staff of state agency
- federal government
- general public
- petition for regulation change
- other (please list) \_\_\_\_\_

9. Date: 9/23, 2011

Prepared by:   
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DEC Drinking Water Program  
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