

NOTICE OF PROPOSED CHANGES ON PUBLIC WATER SYSTEMS
IN THE REGULATIONS OF DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BRIEF DESCRIPTION

The Department of Environmental Conservation proposes to adopt by reference the federal Revised Total Coliform Rule, repeal the state's regulatory requirements for Class C public water systems, and revise the drinking water emergency preparedness regulations.

The Department of Environmental Conservation proposes to adopt regulation changes in 18 AAC 80 of the Alaska Administrative Code, dealing with Drinking Water, including the following:

- Repeal and readopt 18 AAC 80.010(a) adoptions by reference of the Code of Federal Regulations (CFR) to add the Revised Total Coliform Rule (RTCR), including related definitions; add alternative analytical methods for laboratory testing; reorganize and renumber the provisions to align numerically with the CFR citations; and update the CFR version dates to 2015.
- Amend 18 AAC 80.020, 18 AAC 80.200, and 18 AAC 80.205, and repeal 18 AAC 80.310(c), 18 AAC 80.1910(b)(4), and 18 AAC 80.1990(a)(14) to repeal the regulatory requirements for Class C Public Water Systems.
- Amend 18 AAC 80.055 on emergency preparedness requirements to change the submittal date of required documents, allow department waiver or revision of plan requirements for certain water systems, and allow an "authorized representative" to submit documents.
- Amend 18 AAC 80.310 on coliform sampling requirements for water haul systems and rain catchment systems.
- Amend 18 AAC 80.355 to update notification procedures.
- Amend 18 AAC 80 Article 4 on coliform bacteria requirements by adding new sections for the assessments requirements of RTCR.
- Amend 18 AAC 80.400 to clarify applicability of the requirements.
- Repeal and readopt 18 AAC 80.405, 18 AAC 80.410, 18 AAC 80.415, 18 AAC 80.420, and 18 AAC 80.425 to reflect the CFR adoption by reference of RTCR provisions and add clarifying details for routine monitoring, sample siting plans, repeat monitoring, coliform testing and laboratory reporting, and invalidation of total coliform samples.
- Amend 18 AAC 80.430, 18 AAC 80.438, and 18 AAC 80.439 to update and clarify requirements for sanitary surveys and sanitary survey inspectors.
- Repeal 18 AAC 80.440 on standard sample volume because standard sample volume is already included in a CFR provision adopted by reference.
- Amend 18 AAC 80.1990(a) by revising, adding, and repealing definitions related to RTCR and Class C public water systems, including revisions to definitions for "private water system" and "public water system."
- Other conforming changes that reflect the changes noted above and technical corrections to make the regulations internally consistent, including revising and clarifying wording, correcting and updating cross references, and deleting outdated Statutory Authority citations.

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 Gloria Collins, Regulations Specialist, Drinking Water Program, Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK 99501. Additionally, the Department of Environmental Conservation will accept comments by electronic mail at decehdw.publiccommentsregs@alaska.gov. Alternatively, comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 4:30 p.m. on August 9, 2016

You may submit written questions relevant to the proposed action to Gloria Collins, Regulations Specialist, Drinking Water Program, Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK 99501 or by e-mail to gloria.collins@alaska.gov. The questions must be received at least 10 days before the end of the public comment period. The Department of Environmental Conservation will aggregate its response to substantially similar questions and make the questions and responses available on the Department of Environmental Conservation website at <http://dec.alaska.gov/eh/dw/index.htm>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Natalie Wolfe at (907) 269-0291 or TDD Relay Service 1-800-770-8973/TTY or dial 711 not later than July 29, 2016, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System at <http://aws.state.ak.us/OnlinePublicNotices/>, on the Department of Environmental Conservation website at <http://dec.alaska.gov/commish/regulations/index.htm>, or by contacting Kathy Blomquist by mail at the address above, by email at kathy.blomquist@alaska.gov, or by phone at 907-269-3068.

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 regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.

Statutory authority: AS 44.46.020; AS 46.03.020

Statutes being implemented, interpreted, or made specific: AS 44.46.025; 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: July 1, 2016



Larry Hartig, Commissioner