

ADDITIONAL REGULATION NOTICE INFORMATION

(AS 44.62.190(d))

1. Adopting agency: Alaska Department of Environmental Conservation
2. General subject of regulation: solid waste reuse, storage, treatment, disposal, and user fees
3. Citation of regulation (may be grouped): 18 AAC 60
4. Department of Law file number, if any: JU201320245

5. Reason for the proposed action:

- (X) Compliance with federal law or action (identify): Regulations specific to coal ash and beneficial use are being revised to align state regulations with the federal regulations in 40 CFR 257 adopted October 19, 2015.
- () Compliance with new or changed state statute
- () Compliance with federal or state court decision (identify): _____
- (X) Development of program standards
- () Other (identify): _____

6. Appropriation/Allocation

The proposed regulation amendments are not expected to require an increased appropriation.

7. Estimated annual cost to comply with the proposed action:

a. Private Persons: The increases in current annual fees for treatment facilities, non-municipal solid waste landfill facilities, biosolids land application, and general permit coverage range from \$15-\$3,526 per year depending on the type of permit. Affected industries, include the Oil and Gas, Mining, Timber, Construction, Agriculture, Medical Waste Treatment, and Remote Fishing/Hunting Lodges.

There is also a potential for additional one-time costs to affected parties due to increases in one-time solid waste facility fees such as, storage plan review, monofill authorizations, and closure plan review. There may also be costs to property developers and owners (including homeowners) that undertake projects requiring a solid waste as fill authorization, due to an increase in fees ranging from \$685-\$1,595.

Medical treatment facilities and facilities that treat sewage solids or septage to create biosolids with small waste streams (less than 5 tons per day or 10 tons per batch) will now be required to obtain a Type Z permit and be subject to an annual fee of \$2,225. The permit application will involve the one-time cost of filling out a form; developing an operation and monitoring plan; and providing proof of treatment efficacy, which is estimated to take about 10-15 hours of time.

b. Another state agency: There is the potential for additional costs to state agencies with projects requiring remote monofill authorization, storage plan review, and project solid waste fill authorizations, including, University of Alaska, Dept. of Transportation and Public Facilities, or other agencies that deal with polluted soil disposal.

c. Municipalities: Municipalities, boroughs, and tribal governments that operate Class I, Class II, Class III solid waste landfills and treatment facilities will experience a direct increase in costs. Annual fees are increased and range from \$69-\$3,526 per year depending on the type of permit. This group may also be affected by the one-time costs outlined in section "a." above. There may be the potential for landfills and waste treatment facilities operated by local governments to pass permitting costs through to individual rate payers, but there is not enough information to evaluate this potential effect.

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

	Initial Year FY <u>2018</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>
Other (identify)	\$ <u>0</u>	\$ <u>0</u>

9. The name of the contact person for the regulation:

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10. The origin of the proposed action:

- Staff of state agency
- Federal government
- General public
- Petition for regulation change
- Other (identify): _____

11. Date: 4/21/17

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