

SUPPLEMENTAL NOTICE OF PROPOSED REGULATIONS ON HAZARDOUS WASTE
IN THE REGULATIONS OF DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The Alaska Department of Environmental Conservation (ADEC) proposes to adopt regulation changes in 18 AAC 62 of the Alaska Administrative Code, dealing with hazardous waste. The purpose of the regulations is to create a hazardous waste program under the Resource Conservation and Recovery Act (RCRA) Subtitle C for the State of Alaska. The program will be delegated to the state from the U.S. Environmental Protection Agency (EPA), and once authorized, will be carried out “in lieu of” the federal program. The regulations include:

- (1) The purpose of the chapter;
- (2) Standards for identification and listing of hazardous waste;
- (3) Standards applicable to generators of hazardous waste;
- (4) Standards applicable to transporters of hazardous waste;
- (5) Standards applicable to hazardous waste treatment, storage, and disposal facilities;
- (6) Land disposal restrictions;
- (7) Permitting procedures for hazardous waste facilities;
- (8) Standards for universal waste management;
- (9) Standards for management of used oil; and
- (10) Definitions for the chapter.

This is a SUPPLEMENTAL NOTICE adding to the NOTICE OF PROPOSED CHANGES that was issued on August 10, 2023, concerning these proposed regulation revisions contained in the Department of Law files number 2023200060. This SUPPLEMENTAL NOTICE is being issued to extend the public comment period by 45 days to receive additional public comments.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting comments electronically via ADEC’s public notice website at <https://dec.alaska.gov/commish/public-notice/>.

If you are unable to submit comments via this site, you may submit written comments to Rebecca Colvin, ADEC Division of Environmental Health at 555 Cordova St. Anchorage, AK 99501. Additionally, the ADEC will accept comments by facsimile at 907-269-7510 and by electronic mail at rebecca.colvin@alaska.gov. The comments must be received not later than 11:59 pm on October 30, 2023.

You may submit written questions relevant to the proposed action to Rebecca Colvin by email at rebecca.colvin@alaska.gov or at 555 Cordova St. Anchorage, AK 99501. The questions must be received at least 10 days before the end of the public comment period. The ADEC will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and at <https://dec.alaska.gov/commish/public-notices/>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Megan Kohler at Megan.Kohler@alaska.gov or 907-269-4198 not later than October 23, 2023, 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 and online at <https://dec.alaska.gov/commish/public-notices/>.

A copy of material proposed for adoption by reference is available on the Alaska Online Public Notice System.

After the public comment period ends, ADEC 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 46.03.020; AS 46.03.296; AS 46.03.299

Statutes being implemented, interpreted, or made specific: AS 44.46.020; AS 46.03.010; AS 46.03.020; AS 46.03.296; AS 46.03.299; AS 46.03.302; AS 46.03.305; AS 46.03.308; AS 46.03.311; AS 46.03.710; AS 46.03.830; AS 46.03.833; AS 46.03.900

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

Date: September 8, 2023

Emma Pokon, Acting Commissioner
Department of Environmental Conservation