

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

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation proposes to change regulations dealing with Oil and Other Hazardous Substances Pollution Control. This includes revisions to update the regulations to incorporate current communications technology such as electronic mail, repeal outdated regulations, update references and provide consistency between related regulations.

The Alaska Department of Environmental Conservation proposes to adopt regulation changes in Title 75 of the Alaska Administrative Code, dealing with Oil and Other Hazardous Substances Pollution Control, including the following:

- (1) amend 18 AAC 75.215 to allow for the submittal of applications by electronic mail.
- (2) amend 18 AAC 75.225(a) to allow nontank vessel renewal applications to be submitted 15 days before the expiration.
- (3) amend 18 AAC 75.235(n)(3) to update the citation references for plugged and abandoned wells.
- (4) amend 18 AAC 75.240(b) to allow for the use of electronically mailed certificates.
- (5) amend 18 AAC 75.300(a) to allow for the use of electronic mail.
- (6) repeal 18 AAC 75.413, because the 2002 transition deadlines have passed.
- (7) repeal 18 AAC 75.443, credits for nontank vessel plans because they are no longer necessary to extend the approval period from three years to five because prevention plans are now valid for five years.
- (8) amend 18 AAC 75.456(b) and 460(d) to update the effective period for plan approvals from three years to five.
- (9) repeal 18 AAC 75.456(b)(3) and 460(d)(3), which refer to 18 AAC 75.443 which is being repealed.
- (10) amend 18 AAC 75.459(a) to indicate that department offices are no longer referred to as regional offices.
- (11) amend 18 AAC 75.475(b) to allow notifications to be provided by electronic mail and to indicate that department offices are no longer referred to as regional offices.
- (12) repeal 18 AAC 75.521(c), 522(c), and 523(c) because the 2002 transition deadlines have passed.
- (13) amend 18 AAC 75.990(151)(A) and (B) to correct outdated references.

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: Clare Pavia, Department of Environmental Conservation, PO Box 111800, Juneau, AK 99801-1800, and by electronic mail at dec.cpr@alaska.gov. 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 no later than 5 p.m. on February 26, 2014.

If you are a person with a disability who needs a special accommodation in order to participate in this 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 the final comment deadline to ensure that any necessary accommodations can be provided. For a copy of the proposed regulation changes, contact Clare Pavia dec.cpr@alaska.gov, or go to <http://dec.alaska.gov/commish/regulations/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 46.03.020; AS 46.04.055; and AS 46.04.070,

Statutes Being Implemented, Interpreted, or Made Specific: AS 04.030, AS 46.04.035
AS 46.04.040; and AS 46.04.055;

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

DATE: January 23, 2014


Larry Hartig, Commissioner

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Environmental Conservation, Division of Spill Prevention and Response
2. General subject of regulation: Oil and Other Hazardous Substances Pollution Control
3. Citation of regulation: 18 AAC 75
4. Department of Law file number, if any _____
5. Reason for the proposed action: To modernize the regulations to incorporate current technology such as electronic mail, repeal regulations that are outdated, and provide consistency between related regulations.
6. Appropriation/Allocation: 0
7. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY 2014	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>
1037 General fund/ mental health	\$ <u>0</u>	\$ <u>0</u>
Other	\$ <u>0</u>	\$ <u>0</u>

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

Name Clare Pavia
 Title Financial Responsibility and Prevention Initiatives Unit Lead
 Address PO Box 111800, Juneau, AK 99801-1800,
 Telephone 907-465-5283
 E-mail address dec.cpr@alaska.gov

9. The origin of the proposed action: staff of state agency

10. Date: JAN 24, 2014 Prepared by: Clare Pavia
 Name (printed) Clare Pavia [signature]
 Title (printed) Env. Program Specialist
 Telephone: 907-465-5283