

**DEPARTMENT OF  
ENVIRONMENTAL CONSERVATION**



**18 AAC 75**

**Oil and Other Hazardous Substances  
Pollution Control**

**Public Comment Draft**

**June 10, 2015**

**Comment Period Ends  
July 27, 2015, 5:00 p.m.**

**Bill Walker  
Governor**

**Larry Hartig  
Commissioner**

18 AAC 75.325(h) is amended to read:

(h) If proposing an alternative cleanup level for soil or groundwater, based on a site-specific risk assessment under method four in 18 AAC 75.340(f) or under the provisions of 18 AAC 75.345(b)(2), a responsible person shall ensure that the risk from hazardous substances does not exceed the cumulative carcinogenic risk standard of 1 in 100,000 across all exposure pathways and does not exceed the cumulative noncarcinogenic risk standard at a hazard index of one, reported to one significant figure, across all exposure pathways. Guidance on cumulative risk determinations is provided in the department's cumulative risk guidance, adopted in (g) of this section. [INSTEAD OF THE RISK STANDARDS REQUIRED BY THIS SUBSECTION, THE DEPARTMENT MAY CONSIDER A RISK STANDARD CONSISTENT WITH THE RANGE ACCEPTABLE UNDER 40 C.F.R. 300.430, REVISED AS OF JULY 1, 2004, ADOPTED BY REFERENCE, BASED ON

- (1) SITE-SPECIFIC CONDITIONS;
- (2) LAND USE;
- (3) HAZARDOUS SUBSTANCE CHARACTERISTICS;
- (4) STATUTORY COMPLIANCE;
- (5) PROTECTION OF HUMAN HEALTH, SAFETY, AND WELFARE, AND THE ENVIRONMENT;
- (6) ABILITY OF CLEANUP TO BE IMPLEMENTED;
- (7) LONG-TERM AND SHORT-TERM EFFECTIVENESS;
- (8) USE OF TREATMENT TECHNOLOGIES;
- (9) PUBLIC COMMENT; AND
- (10) COST.] (Eff. 1/22/99, Register 149; am 8/27/2000, Register 155; am

1/30/2003, Register 165; am 10/9/2008, Register 188; am \_\_/\_\_/\_\_\_\_, Register \_\_\_\_)

<b>Authority:</b>	AS 46.03.020	AS 46.03.740	AS 46.04.020
	AS 46.03.050	AS 46.03.745	AS 46.04.070
	AS 46.03.710	AS 46.03.822	AS 46.09.020

**Editor’s note:** The document adopted by reference in 18 AAC 75.325 may be reviewed at, or requested from, the department’s offices in Anchorage, Fairbanks, Juneau, and Soldotna.

**The documents adopted by reference may also be viewed through the department’s Internet website at [http://dec.alaska.gov/spar/csp/guidance\\_forms/csguidance.htm](http://dec.alaska.gov/spar/csp/guidance_forms/csguidance.htm).**

18 AAC 75.340(f) is amended to read:

(f) Under method four, the department will approve a site-specific alternative cleanup level if a responsible person

(1) performs a site-specific risk assessment and submits a risk assessment report to the department for approval, and if the department determines that the alternative cleanup level is protective of human health, safety, and welfare, and of the environment based on the site-specific risk assessment; in performing the risk assessment, a responsible person shall follow the department’s *Risk Assessment Procedures Manual*, dated **February 16, 2015** [JUNE 8, 2000], adopted by reference; (Eff. 1/22/99, Register 149; am 8/27/2000, Register 155; am 1/30/2003, Register 165; am 10/9/2008, Register 188; am \_\_/\_\_/\_\_\_\_, Register \_\_\_\_)

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