

OIL SPILL FINANCIAL RESPONSIBILITY: SUPPLEMENTAL NOTICE OF PROPOSED
CHANGES TO THE REGULATIONS OF ALASKA DEPARTMENT OF ENVIRONMENTAL
CONSERVATION (ADEC)

BRIEF DESCRIPTION

ADEC proposes to amend the regulations for proof of financial responsibility that must be provided to ADEC by persons who operate certain oil facilities and vessels.

AS 46.04.045 requires the dollar amounts to be reviewed and adjusted every three years.

The increase for this adjustment is 4.5%. **This is a SUPPLEMENTAL NOTICE. The reason for this supplemental public notice is to add days to the comment period.**

ADEC proposes to adopt regulation changes at 18 AAC 75.235 and 18 AAC 75.270 to adjust the dollar amounts of proof of financial responsibility in accordance with changes to the Urban Alaska Consumer Price Index (CPI) for the second half of 2019. The CPI was published in January 2020 and these increased dollar amounts correspond with the updated Urban Alaska CPI.

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, Alaska Department of Environmental Conservation, PO Box 111800, Juneau, AK 99811-1800, or 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 April 9, 2020.

You may submit written questions relevant to the proposed action to ADEC by sending in questions by electronic mail at dec.cpr@alaska.gov or by sending the questions to Clare Pavia, Alaska Department of Environmental Conservation, PO Box 111800, Juneau, AK 99811-1800. The written questions must be received by March 30, 2020, which is 10 days before the end of the public comment period. The Alaska Department of Environmental Conservation will aggregate its response to substantially similar questions and make the questions and response available at <http://dec.alaska.gov/spar/regulation-projects>. The Alaska Department of Environmental Conservation may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Kate Orozco at (907) 465-6171 or TDD Relay Service 1-800-770-8973/TTY or dial 711 no later than March 30, 2020 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Clare Pavia at the address or email above or by calling 907-465-5283.

After the public comment period ends, the Alaska 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 will be posted online.

Statutory authority: AS 46.03.020; AS 46.04.045; AS 46.04.070

Statutes being implemented, interpreted, or made specific: AS 46.04.040; AS 46.04.055;

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

Date: March 6, 2020

/s/
Jason W. Brune, Commissioner

ADDITIONAL REGULATIONS NOTICE INFORMATION
(AS 44.62.190(d))

1. Adopting agency: Department of Environmental Conservation
2. General subject of regulation: Proof of Financial Responsibility Requirements
3. Citation of regulation (may be grouped): 18 AAC 75.235 and 18 AAC 75.270
4. Department of Law file number, if any: 2020200093
5. Reason for the proposed action:
 - ☐ compliance with federal law
 - ☐ compliance with new or changed state statute
 - ☐ compliance with court order
 - ☐ development of program standards
 - ☒ other: (please list) statutory requirement in AS 46.04.045
6. Appropriation/Allocation: Prevention, Preparedness and Response Program
7. Estimated annual cost to comply with the proposed action to:
 - a. Private Persons: No identifiable additional compliance costs.
 - b. Another state agency: None
 - c. Municipalities: No identifiable additional compliance costs.
8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY <u>2021</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 regulations:

Name Clare Pavia
Title Environmental Program Specialist
Address P.O. Box 111800
Juneau, AK 99811-1800
Telephone (907) 465-5283
E-mail address dec.cpr@alaska.gov

10. The origin of the proposed action:

☒ staff of state agency
☐ federal government
☐ general public
☐ petition for regulation change
☐ other (please list) _____

11. Date: March 3, 2020

Prepared by: /s/
Name (typed) Clare Pavia
Title (typed) Environmental Program Specialist IV
Telephone: (907) 465-5283