

LABORATORY FEES: NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS OF ALASKA DEPARTMENT OF ENVIRONMENTAL
CONSERVATION

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation proposes to change regulations on fees for laboratory analysis and testing for paralytic shellfish poisoning (PSP) toxin and shellfish growing water.

The Alaska Department of Environmental Conservation proposes to adopt regulation changes in Title 18 Chapter 34 of the Alaska Administrative Code, Seafood Processing and Inspections. The amendment is based on the Governor's Fiscal Year 2021 Proposed Budget, and proposes the increase of fees for the Department of Environmental Conservation's Environmental Health Laboratory for laboratory analysis and testing for paralytic shellfish poisoning (PSP) toxin and shellfish growing water, including the following:

- 18 AAC 34.905: Increase paralytic shellfish poisoning (PSP) analysis and testing fees
- 18 AAC 34.905: Increase microbiology analysis and testing fees for presumptive coliform, confirmed coliform, and Escherichia coli (non 0157:H7) and (0157:H7).

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 Alaska Department of Environmental Conservation, Attention: Kimberly Stryker, 555 Cordova Street, Anchorage, AK 99501. Additionally, the Alaska Department of Environmental Conservation will accept comments by facsimile at (907) 269-7654, by electronic mail at kimberly.stryker@alaska.gov, and online by visiting <https://dec.alaska.gov/eh/fss/regulations/> and using the comment link. The comments must be received not later than 11:59 pm on April 17, 2020.

You may submit written questions relevant to the proposed action to Kimberly Stryker, Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK 99501 or by email to kimberly.stryker@alaska.gov. The questions must be received at least 10 days before the end of the public comment period. The Department of Environmental Conservation will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and <https://dec.alaska.gov/eh/fss/regulations/faq/>. The 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 by electronic mail at kate.orozco@alaska.gov or by phone at (907) 465-6171 or TDD Relay 1-800-770-8973/TTY or dial 711 not later than April 7, 2020, 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 at <https://dec.alaska.gov/eh/fss/regulations/>, or by contacting Kimberly Stryker by email at kimberly.stryker@alaska.gov or by phone at (907) 269-7645.

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 regulation may be different from that of the proposed regulation. **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 17.20.005; AS 17.20.072; AS 44.46.020; AS 17.20.065; AS 17.20.180; AS 44.46.025

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

The Department of Environmental Conservation, Food Safety and Sanitation Program keeps a list of individuals and organizations interested in seafood processing and inspection regulations. Those on the list will automatically be sent a copy of all of the Department of Environmental Conservation, Food Safety and Sanitation Program's notices of proposed seafood processing and inspection regulation changes. To be added to or removed from the list, send a request to the Department of Environmental Conservation, Food Safety and Sanitation Program Manager Kimberly Stryker at kimberly.stryker@alaska.gov, giving your name and either your e-mail address or mailing address, as you prefer for receiving notices.

Date: March 13, 2020

A handwritten signature in black ink, appearing to read "Jason W. Brune", written over a horizontal line.

Jason W. Brune, Commissioner