LAND DISPOSAL OF LOW LEVEL NATURALLY-OCcurring RADIOACTIVE MATERIAL NOTICE OF PROPOSED CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BRIEF DESCRIPTION

The ADEC proposes to change regulations because of unintended consequences from a 2015 regulations change that resulted in material with low-level, natural radiation no longer being allowed for disposal. The proposed regulations change will allow for land disposal of these materials in certain permitted Alaska landfills with the most protective containment design. This regulatory change is necessary for compliance with statutory requirements in AS 46.03.250.

The ADEC proposes to adopt regulation changes in Title 18, Chapter 85 of the Alaska Administrative Code, dealing with land disposal of low level naturally-occurring radioactive material, including:

(1) 18 AAC 85.300 is amended to allow disposal of waste containing certain low-level, naturally-occurring radiation in a Class I municipal solid waste landfill, drilling waste monofil, or industrial waste monofill that meets the design standards in 18 AAC 60.

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 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, by electronic mail at rebecca.colvin@alaska.gov, and online at http://dec.alaska.gov/eh/solid-waste/. The comments must be received not later than 11:59 pm on August 31, 2020.

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 http://dec.alaska.gov/eh/solid-waste/.

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 not later than August 24, 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 by contacting Rebecca Colvin by email at rebecca.colvin@alaska.gov or online at http://dec.alaska.gov/eh/solid-waste/.
After the public comment period ends, the 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. Written comments received are public records and are subject to public inspection.

**Statutory authority:** AS 46.03.020; AS 46.03.250; AS 46.03.260

**Statutes being implemented, interpreted, or made specific:** AS 46.03.250; AS 46.03.260

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

Date: July 28, 2020

Jason Brune, Commissioner
Department of Environmental Conservation