

WATER QUALITY STANDARDS: PROPOSED CHANGES IN THE REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BRIEF DESCRIPTION

The Alaska Department of Environmental Conservation (DEC), Division of Water proposes to amend regulations in 18 AAC 70 and 18 AAC 83 of the Alaska Administrative Code, dealing with state water quality standards. DEC is proposing multiple amendments and adoption of new language to clarify how state water quality standards will be interpreted and implemented in state water pollution control programs.

The DEC proposes to adopt regulation changes in Title 18, Chapter 70 of the Alaska Administrative Code dealing with water quality standards. DEC proposes new language at 18 AAC 70.020(b) that provides clarification on how state water quality standards will be interpreted, amended language at 18 AAC 70.020(c) to update standard analytical methods used in state water pollution control programs, new language at 18 AAC 040 regarding how water quality standards will be applied, new definitions at 18 AAC 70.990, and amended language at 18 ACC 83 establishing consistency with federal regulations.

You may comment by submitting written comments to Brock Tabor, DEC Division of Water at 410 Willoughby Avenue, Suite 303. P.O. Box 111800, Juneau, Alaska 99811-1800, or by electronic mail at brock.tabor@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 and using the comment function on the department’s Smart Comment web page for this regulation project. The comments must be received no later than 11:59 on August 1, 2022. Comments submitted by a delivery service or by U.S. mail must be received on or before the due date.

Oral or written comments also may be submitted at a hearing to be held virtually on June 16, 2022, instructions for attending can be found at <https://dec.alaska.gov/water/water-quality/standards/recent-activities/>. There will not be in-person attendance provided at the hearing site, so please prepare to share your oral comments virtually. This public meeting and hearing is scheduled from 4 p.m. to 6 p.m. and priority will be given to commenters on the line before the beginning of the hearing. The hearing may be extended to accommodate those on the line before 5:30 p.m., who did not have an opportunity to comment.

You may submit written questions relevant to the proposed action to Brock Tabor by electronic mail at brock.tabor@alaska.gov or to Water Quality Standards Section, DEC Division of Water at 410 Willoughby Avenue, Suite 303. P.O. Box 111800, Juneau, Alaska 99811-1800. All questions must be received at least 10 days before the end of the public comment period. DEC will aggregate its response to substantially similar questions and make the questions and responses available at <https://dec.alaska.gov/water/water-quality/standards/recent-activities/>

DEC 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 Claire Fishwick at (907) 465-5871 or TDD Relay Service 1-800-770-

8973/TTY or dial 711 no later than June 10, 2022 to ensure that any necessary accommodations can be provided.

A copy of the proposed regulation changes are available on the Alaska Online Public Notice System and by contacting Brock Tabor, brock.tabor@alaska.gov or (907) 465-5185. A copy of material proposed for adoption by reference may be viewed at the agency's office at 410 Willoughby Ave, Suite 303, P.O. Box 111800, Juneau, Alaska 99811.

After the public comment period ends, DEC 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 46.03.010; AS 46.03.020; AS 46.03.050; AS 46.03.070; AS 46.03.080; AS 46.03.100; AS 46.03.110; AS 46.03.365; AS 46.03.710; AS 46.03.720

Statutes Being Implemented, Interpreted, or Made Specific: AS 46.03.010 – AS 46.03.024; AS 46.03.050; AS 46.03.070; AS 46.03.080; AS 46.03.100; AS 46.03.110; AS 46.03.710; AS 46.03.720

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

[4/29/22]

Jason W. Brune, Commissioner