

NOTICE OF PROPOSED CHANGES ON WASTEWATER SYSTEMS  
IN THE REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION

BRIEF DESCRIPTION

The Department of Environmental Conservation proposes a technical change to the definition of "construction supervision" in 18 AAC 72 (wastewater treatment and disposal), to resolve differing interpretations between the department and the State Board of Registration for Architects, Engineers, and Land Surveyors.

The Department of Environmental Conservation proposes to adopt regulation changes in 18 AAC 72 (wastewater treatment and disposal), of the Alaska Administrative Code, dealing with term "Construction Supervision", including the following:

- (1) 18 AAC 72.511 is amended to replace "supervises".
- (2) 18 AAC 72.550 is amended to clarify who must notify the department when conventional wastewater systems are installed and how that notification occurs.
- (3) 18 AAC 72.611 is amended to replace "supervises".
- (4) 18 AAC 72.650 is amended to clarify who must notify the department when alternative wastewater systems are installed and how that notification occurs.
- (5) 18 AAC 72.990(16) is amended to replace "supervise" and clarify that only registered engineers and those under their responsible charge are authorized under this definition.
- (6) 18 AAC 72.990(78) is amended to replace "direct supervision" with "responsible charge".
- (7) 18 AAC 72.990(100), the definition of "supervising construction", is proposed for repeal.

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 electronically on the Electronic Comment Submission page at <https://dec.alaska.gov/commish/public-notice/>. If you are unable to submit comments via this site, you may submit written comments to Tonya Bear, Division of Water, Department of Environmental Conservation, 610 University Ave., Fairbanks, AK 99709 or by electronic mail at [tonya.bear@alaska.gov](mailto:tonya.bear@alaska.gov). The comments must be received not later than 11:59 PM on December 23, 2024.

You may submit written questions relevant to the proposed action to [Tonya.Bear@alaska.gov](mailto:Tonya.Bear@alaska.gov) or 610 University Ave., Fairbanks, AK 99709. 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://septic.alaska.gov>.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact [Julia.Schweminski@alaska.gov](mailto:Julia.Schweminski@alaska.gov) or 907-334-5994, not later than [month and day, year], to ensure that any necessary accommodation can be provided

APPENDIX B-2: Notice of Proposed Regulations (Non-Newspaper)

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting [Tonya.Bear@alaska.gov](mailto:Tonya.Bear@alaska.gov) or 907-451-2177.

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.

**Statutory authority:** AS 44.46.020; AS 46.03.020; AS 46.03.100

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 46.03.010; AS 46.03.060; AS 46.03.100; AS 46.03.110; AS 46.03.120; AS 46.03.720

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

The Department of Environmental Conservation keeps a list of individuals and organizations interested in its regulations. Those on the list will be sent a copy of all of the Department of Environmental Conservation, Division of Water, Engineering Support and Plan Review notices of proposed regulation changes. Individuals can sign up for this list at <https://list.state.ak.us/mailman/listinfo/dec.wastewater.systems/>.

Individuals can also sign up to receive automated notifications of all State of Alaska notices, including public notice for regulation changes, by subscribing to the Alaska Online Public Notices System: <https://aws.state.ak.us/OnlinePublicNotices/Default.aspx>.

Date: 11/25/2024

  
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Emma Pokon, Commissioner