NOTICE OF PROPOSED CHANGES ON ALASKA FOOD CODE EXEMPTIONS

IN THE REGULATIONS OF THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BRIEF DESCRIPTION

The Department of Environmental Conservation proposes to repeal 18 AAC 31.012(a) to avoid inconsistency with newly enacted state law, specifically AS 17.20.332 – 17.20.338.

The Department of Environmental Conservation proposes to adopt changes in Title 18 of the Alaska Administrative Code relating to Alaska Food Code Exemptions, including:

* 18 AAC 31.012(a) is proposed to be repealed. Repeal of this subsection is intended to align Alaska Food Code exemption regulations with the new homemade food exemption created following passage of HB 251 and enactment of AS 17.20.332 - 17.20.338.

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 Beth Fitzgerald, Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK, 99501. Additionally, the Department of Environmental Conservation will accept comments by electronic mail to beth.fitzgerald@alaska.gov or by facsimile to (907) 269-7654. The comments must be received no later than 11:59 p.m. on February 10, 2025.

You may submit written questions relevant to the proposed action to Beth Fitzgerald, Department of Environmental Conservation, 555 Cordova Street, Anchorage, AK, 99501 or by email to beth.fitzgerald@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 the Department's website at https://dec.alaska.gov/commish/public-notices/.

If you are a person with a disability who needs an accommodation in order to participate in this process, please contact Mike Kruzinski at (907) 334-0884 or mike.kruzinski@alaska.gov not later than February 6, 2025 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 or by contacting Beth Fitzgerald by email at beth.fitzgerald@alaska.gov or by phone at (907) 269-6066.

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 17.20.005; AS 17.20.010; AS 17.20.020; AS 17.20.180; AS 17.20.290

**Statutes being implemented, interpreted, or made specific:** AS 17.20.332

**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 automatically be sent a copy of all of the agency's

notices of proposed regulation changes. To be added to or removed from the list, send a request to

the Department of Environmental Conservation at julia.schweminski@alaska.gov, giving your name, and either your email address or mailing address, as you prefer for receiving notices.

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

Date:

Emma Pokon, Commissioner