



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Environmental
Conservation**

DIVISION OF ADMINISTRATIVE SERVICES

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The Honorable Natasha von Imhof
Chair, Senate Finance Subcommittee
State Capitol Room 514
Juneau AK, 99801

Dear Senator von Imhof:

Thank you for the opportunity to provide a brief overview of the Department on March 2nd. During our meeting several questions arose that required additional information. I have responded to these questions below. If you would like additional information, or have additional questions, I am happy to assist.

I understand that the Anchorage dump is being mined for the methane that is emitted; do you have any jurisdiction there as far as that resource being used? (Sen. Giesel)

Landfill gas emissions at the Anchorage Regional Landfill (ARL), a Class I municipal landfill, are regulated under both Solid Waste Management and Air Quality. Larger Class I and Class II municipal landfills are subject to explosive gas control under Solid Waste regulations. Landfills at the size of the ARL are also required to collect landfill gas and manage it under a Title V Air permit.

The ARL is not being "mined" for gas, rather the gas collection system was installed for compliance with the Clean Air Act. Doyon Utilities operates an eight megawatt landfill gas power plant to burn that gas collected from the ARL. They have an operating Air Quality permit that covers the power plant as part of their Joint Base Elmendorf-Richardson utility operations. The plant can burn up to 166,000 standard cubic feet of landfill gas per hour.

Could you provide a map of where the caches of spill response equipment are across the state? (Sen. Giesel)

Attached is a map showing government response assets primarily utilized by small communities. Industry maintains response assets in their areas of operation to address their spills. The Department of Environmental Conservation does not maintain a map of industry response assets.

The state and federal caches are accessed primarily for spills from unregulated entities such as village tank farms, small boat harbors, and truck roll overs. Industry response assets are determined by the risks posed by the company. The equipment is geared for specific types of spills most likely to occur. Government and industry response assets serve different purposes and are in different locations. Industry is frequently unwilling to utilize their equipment for a community spill because then it wouldn't be available if they needed it.

How many staff in the Division of Spill Prevention and Response are specifically working on prevention and response? (Sen. Begich)

There are 65 employees in the Prevention Preparedness and Response (PPR) program. The Division of Spill Prevention and Response recently combined the response program with the prevention program to be more efficient and better serve the regulated public. PPR staff are responsible for reviewing industry contingency plans and verifying companies can execute them as described through drills and exercises. They also inspect facilities (underground storage tanks, above ground storage tanks, pipelines, production facilities, processing facilities, etc.) These same staff are responsible for responding to spills when they occur and ensuring the responsible party cleans the spill up to the State's regulatory standards. The majority of spills PPR responds to are at facilities the Department does not regulate or require prevention measures of.

Wastewater facilities in small communities all vary greatly; has there been an evaluation of these systems to determine what works best? (Sen. von Imhof)

As the question implies, there is no one size fits all approach to rural Alaska infrastructure. The Village Safe Water (VSW) program works closely with communities to plan, design, and construct rural water and sewer improvements. The Division of Water also provides the Remote Maintenance Worker (RMW) program, which works with village water and sewer operators throughout the state to provide training and emergency assistance. Both the VSW and RMW programs work closely with system managers and operators throughout the state, continually assessing which approaches have worked well, and which system components are a challenge to operate and maintain.

There is wide variety of technologies and system types that have been constructed throughout the state to address rural Alaska water and sewer infrastructure needs. The decisions about which technologies will work best in any particular community are driven by a variety of factors, including:

- **Local Conditions** – As a drinking water source, ground water is generally easier and less costly to treat than surface water, but most Alaska villages don't have access to a good groundwater source. Similarly, septic tanks and drain fields are the preferred way of treating and disposing of sewage, but the soil in most Alaska villages is not suitable for such systems. Instead, sewage lagoons are the most common approach to waste water treatment and disposal because they are easy to operate. Also, some areas of the state require water circulation pumping and heat addition to avoid freezing, and other areas do not. Likewise, it is possible to bury pipe in ground in some places and not in others.
- **Federal Regulations** – Drinking water and waste water regulations drive many infrastructure decisions. Recently, many existing drinking water treatment plants have required upgrades to address new requirements in national drinking water treatment requirements for surface water sources. Similarly, wastewater lagoons must be sized according to design standards for adequate treatment according to discharge quality requirements.
- **Local Capacity and Income** – Before the VSW program makes funding available to address capital project needs, the capital cost, the local capacity (technical and managerial), and the financial capability of the community are carefully assessed in relation to the options being considered for funding. In addition to making sure the capital cost is reasonable, there needs to be sufficient local capacity and financial resources in the community to maintain

and operate infrastructure improvements. When these requirements can't be met, the VSW program will either work with the community to select a more appropriate alternative, or defer funding until more capacity can be developed or a better technology is identified through research and development.

Have you implemented any regulations related to Waters of the U.S.? (Sen. Giessel)

Implementation of the Waters of the U.S. rule has been stayed amid legal opposition, so it has not been necessary for the Department of Environmental Conservation to adopt any conforming regulations.

Can you identify some examples of regulations being eliminated after a review? (Sen. von Imhof)

Under Administrative Order 266 establishing Regulatory Efficiency Guidelines, the Department reviews existing regulations each year and identifies regulations that could be repealed or amended to decrease burdens on the public. The following are some examples of regulations that have been repealed, as well as some amendments to reduce burden:

- Repealed air quality regulations regarding urea prill towers, Portland cement plants, pulp mills, and reduced sulfur standards
- Repealed requirements that the State Environmental Health Lab conduct third party laboratory certification for labs conducting analysis of samples taken at contaminated sites
- Repealed the Drinking Water Class C water system regulations
- Amended Spill Prevention and Response regulations to allow flexibility for a "qualified person" to do environmental sampling under the supervision of a qualified environmental professional
- Amended regulations to allow for the use of email and electronic documents in the submittal on spill contingency plans (C-plans)

Sincerely,



Tom Cherian
Director, Division of Administrative Services

Attachments: Map of Community Spill Response Agreements, Response Equipment Containers, and Emergency Towing Packages in Alaska

Cc: Alexei Painter, Legislative Finance Division
Samantha Gatton, Office of Management and Budget
Bridger Vance, Staff to Representative von Imhof

Map of Community Spill Response Agreements, Response Equipment Containers, and Emergency Towing Packages in Alaska

as of July 28, 2015

