ALASKA STATE LEGISLATURE
SENATE RESOURCES STANDING COMMITTEE
January 22, 2014
3:31 p.m.

MEMBERS PRESENT

Senator Cathy Giessel, Chair
Senator Peter Micciche
Senator Click Bishop
Senator Lesil McGuire
Senator Anna Fairclough
Senator Hollis French

MEMBERS ABSENT

Senator Fred Dyson, Vice Chair

OTHER LEGISLATORS PRESENT

Representative Kreiss-Tomkins

COMMITTEE CALENDAR

Overview: Department of Environmental Conservation (DEC) by Commissioner Larry Hartig

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to consider

WITNESS REGISTER

LARRY HARTIG, Commissioner
Department of Environmental Conservation (DEC)
Anchorage, Alaska
POSITION STATEMENT: Presented overview of the DEC.

ACTION NARRATIVE

3:31:37 PM
CHAIR CATHY GIESSEL called the Senate Resources Standing Committee meeting to order at p.m. She welcomed everyone back to Senate Resources. Present at the call to order were Senators McGuire, Micciche, Fairclough, Bishop, and Chair Giessel.

OVERVIEW: Department of Environmental Conservation (DEC)

3:32:10 PM
CHAIR GIESSEL invited Larry Hartig, Commissioner, Department of Environmental Conservation (DEC), to present his overview. She also asked him to touch on the effects of the Fukushima radiation on our fish and how it's being monitored.

3:32:29 PM
LARRY HARTIG, Commissioner, Department of Environmental Conservation (DEC), Anchorage, Alaska, said DEC's mission is to protect human health and the environment. He said the DEC works closely with the Department of Health and Social Services (DHSS) on environmental impacts on human health. For instance, fish tissue monitoring from around the state is done at their Environmental Health Lab, and information is turned over to HSS to evaluate whether food consumption advisories or such things need to be issued.

DEC works most closely with Department of Natural Resources (DNR) and Alaska Department of Fish and Game (ADF&G) for protecting the environment side; for example, ADF&G has the wild animals and DEC has domestic animals and their care, and their concern is with diseases that can be transmitted to humans from animals. Water quality might impact fish and they have ongoing talks with ADF&G about that. He explained that DNR is the land manager and DEC talks with them quite a bit on land reclamation and bonding for water treatment for things like large mines.

3:36:11 PM
DEC has five divisions:
1. Administration: IT, human resources, budget and finance, accounting, and the Environmental Crimes Unit (two people) that provides service to the other four divisions. They look at air quality, food safety or midnight dumper situations that might involve Spill Prevention and Response (SPAR) and things like that.

One of the department-wide challenges being addressed primarily through the Division of Administration is trying to move towards a GIS (graphic information systems) based way of maintaining records that enhances talking with each other within and outside the department; for instance if a spill is occurring at a particular site, they can see which fisheries have openings or if it's a spawning area that needs to be protected.

COMMISSIONER HARTIG said one of the other challenges they face with the other departments is trying to maintain continuity of operations while replacing the aging workforce with a declining pool of applicants. Sometimes he hears the way they are going to solve the budget problem is to hire younger people; "well, those people aren't there," he said. The average age of a new employee at DEC is in the 40s and they are seeing a lot of retirements, especially in SPAR and it's hard to replace those people.

3:39:16 PM
2. Division of Air Quality:
This is the smallest division and sets air quality standards, issues air permits, monitor air quality issues (in Fairbanks, for instance). One of the larger tasks is tracking the new proposed EPA federal rules on air quality in Alaska.

3:40:30 PM
The Air Permitting Program has several types of permits, some are state and some are federal (Clean Air Act), which tend to be the larger emitters like power plants and industrial-type facilities. These have more complicated requirements and sometimes facilities will purposely try to stay below certain levels to simplify the permitting by taking "owner requested limits" that limit their hours of operation (emissions).

The larger facilities fall into two big areas: Construction Permits and Title V Operating Permits. Construction permits are the toughest they issue, for example - a North Slope liquefaction plant. What will it look like? Where will it be? What kind of emissions will it have and will the area's meteorology affect the distribution of those contaminants in the air; and how quickly will they be able to meet air quality standards?

He explained that the big problems are in solving the Construction Permit before going to an Operating Permit. One of the federal requirements is one year of meteorological data and six months or more of pollutant data before the application can even be considered. So, these permits have a larger lead time. For instance, they are having a lot of discussions with Alaska Industrial Development and Export Authority (AIDEA) right now about a liquefaction plant. Also, under federal law you can't even begin construction (before you start emitting) until you have the permit. It's a very key permit and often is one of the big drivers on the timing of a large construction project that has air emissions.

COMMISSIONER HARTIG described the Air Permitting Program as being fairly mature, the state having had primacy for decades. The division has a lot of good, skilled people with experience; although that makes them vulnerable to those retirements he talked about. So, one of their big objectives is to capitalize on that experience by putting systems in place to capture that knowledge, so it can go to the next generation - things like tracking permits on line where people make one application and everybody in the division has access to that information and people can track their permits and know where they are in the permit process.

3:44:31 PM
A big air quality challenge is in Fairbanks and they are working closely with the Interior delegation to meet their needs. Fairbanks has high energy costs with people switching to wood burning as a heating source; the winter cold air inversions trap smoke close to ground where people breathe it.

He explained that the Environmental Protection Agency (EPA) has rules for PM2.5 particulates that can cause health problems with healthy individuals to say nothing of people with asthma. The DEC is required by federal law to get that area into attainment with the national standard and there are deadlines for putting a plan out there with sanctions if a plan is not in on time. Interest groups are standing behind EPA that have lawsuits filed and threatened to pile on to these potential consequences. At the same time they are working with the governor and the legislature to promote bringing natural gas and propane into the area, which ultimately is part of the solution. But the federal deadlines arise before that can happen.

Mendenhall Valley in Juneau has PM2.5 challenges, too, the commissioner said, but the city has a system in place to do burn bans, so they don't go into the non-attainment that triggers sanctions and plan requirements. The Butte area in the Matsu is bumping up against it, as well as areas in Anchorage.

3:47:56 PM
SENATOR MCGUIRE said Fairbanks people are very upset and asked if the state has sovereign immunity from litigation and what Clean Air Act fines are being threatened. Is there any evidence in Fairbanks of this particulate matter damaging lungs in Alaska? Has a set of hypotheticals from the federal government been overlaid on a place in Alaska?

3:49:13 PM

COMMISSIONER HARTIG answered PM2.5 is a world-wide problem that has been studied a lot. Spots in Fairbanks are really bad; one study done by the Department of Health and Social Services (DHSS) and the University of Alaska Anchorage (UAA) found the number of visits to the local hospital emergency for respiratory issues went up with high PM2.5 particulates. How strong of a correlation can be made? Data suggests there is a correlation that is consistent with other areas with small populations.

3:51:34 PM
He said that federal immunity doesn't apply here. All states are subject to the Clean Air Act and no one is immune. He often reminds people that they are not just trying to make the EPA or the federal government happy; these are real health concerns. One of the federal sanctions is if you are thinking about bringing more military people in, if the area is not meeting CAA requirements, there can't be any federal monies that would support a project that would make the problem worse in the non-attainment area. Another one is if a new discharger comes in, even a private one, their new emissions have to be "two for one" or for every increase of one you have to find a decrease of two somewhere else.

Fairbanks has a 2014 deadline to submit an approvable plan to EPA for how the area will reach attainment by the end of 2015, which isn't achievable, because natural gas is needed to get all the way. That will put them into "serious non-attainment," which kicks in other new sanctions (because of some federal litigation where EPA was found to not have been applying all the requirements of the CLA that they were supposed to for new PM2.5 rules). It will be hard to escape. The new EPA administrator visited Fairbanks this summer and she wanted them to know the EPA would work with them to try and find accommodations here; but they will reach a roadblock, too, when they get sued by private litigants if they don't find the state in serious non-attainment.

COMMISSIONER HARTIG said the issue can't be ignored, because of the human health consequences, the legal requirements that they have to meet and the fact a federal judge could force them into it, too.

3:56:25 PM
SENATOR BISHOP stated that help is on the way for Fairbanks. LNG trucking will help the hardest hit areas and the EPA is aware of that.

3:57:19 PM
COMMISSIONER HARTIG said a lot is heard about greenhouse gas emissions from existing power plants and new ones under President Obama's climate change strategy. EPA is working on new rules to lower emissions, because power plants can be big emissions contributors in most of the United States. Alaska's plants are a lot smaller and are responsible for a lot less percentage-wise or the state's greenhouse gas emissions and the DEC has determined that they are not one of the two top emitters like it would be elsewhere and it's likely that existing plants are below the limit that would trigger application of new federal requirements that are being proposed. He didn't think the new liquefaction plant would be impacted by the new rules for a variety of reasons: North Slope plants are already using natural gas being one.

3:59:14 PM
3. Division of Environmental Health:
It's one of the larger divisions and the most diverse: it covers everything from restaurant inspections, shellfish farming, geoducks, the state vet, tattoo parlor inspections, public drinking water systems, landfills, and right now includes marine debris and radiation.

COMMISSIONER HARTIG said the biggest program is drinking water and food safety, and the biggest challenge, which people take for granted, is having clean air, water and food, and good sanitation. It doesn't take much to make food unsafe and DEC has responsibility for food safety within the state; if things get shipped out of state that becomes the FDA. The state sometimes collaborates with the FDA by doing their inspections (getting reimbursement).

4:00:10 PM
Food safety and sanitation is not just someone walking through a restaurant with a check list; it's a very sophisticated program. They are really looking at the whole process of what is going on and whether it's creating a situation where the types of contaminants you worry about might grow and get into the food. It's more of an evaluation. DEC should be able to go into the establishment and have a dialogue with the owners, particularly in the smaller establishments where they may not understand what and why the department is doing what it is. If you can explain to them when the shipment of food arrives, how it gets into the refrigerator, where it is stored in the refrigerator and how often is the temperature checked, how long it gets left out, and

thawed: these dialogues are educational and lead to compliance with food safety.

One of the big challenges in Alaska is that the state is spread out so much. In the rest of the country you see county food inspectors, but in Alaska and the municipalities' check restaurants but everything else is DEC. All the schools have lunch programs and there are workers camps.

COMMISSIONER HARTIG said people want to do things like onboard processing of salmon. People that want to see the whole crab rather than pieces of it; when you have a whole crab you have the viscera which have the paralytic shellfish toxin in it. So, they try to coordinate the DEC's program with the producers' needs, which is an ongoing challenge that takes consistent dialogue.

4:02:18 PM
SENATOR FRENCH joined the committee.

4:04:16 PM
COMMISSIONER HARTIG said for example, geoducks are harvested in Southeast and that is a growing industry. They are worried about the paralytic shellfish toxin being in them, because it is natural to the environment, the result of algae in the area, and it comes and goes; it's just unpredictable. There is a federal limit on how much can be in the geoducks and still be safe to eat. So, they have to get a sample of geoduck and send it the Environmental Health Lab where it gets chopped up and fed to mice to see how long it takes them to die. While they are looking at other methods, the point is that it has to happen within a matter of days, and when they get the results from the lab, they call ADF&G and they open the fishery for 3-5 days and then it gets shut down again and the testing has to start over, because PSP can come back in. If there is a closure the testing has to happen again. The testing is heavily subsidized by the state and it costs a lot, he said.

4:06:23 PM
DEC's Environmental Health Lab is in Anchorage and right next to the Human Health Lab that DHSS runs and close to the new Crime Lab that Public Safety has. Their lab doesn't compete with other commercial labs that sample for mines and others who are trying to comply with permit requirements all the time. It covers things that aren't available commercially like PSP testing and other testing that federal or state law says must be done by a government for security or other reasons. They also oversee

other state labs by testing them. The lab is not a money maker and the fees don't nearly cover the costs. They need complicated equipment and need expensive certifications to have the lab certified to be able to do the test they do. That's why other labs don't do it.

4:08:26 PM
COMMISSIONER HARTIG said the State Veterinarian is also in the Environmental Health Division; he works at the lab and mainly looks for disease in animal populations, domestic and farm. Animals come into the state all the time and he tests them. He works with Canada and the farm community within the state. He is also responsible for animal care under state emergency planning.

Working with ADF&G they also collect fish for tissue samples and test for mercury and other contaminants that are present in the environment. They look for trends of other contaminants coming in from outside the state that could impact our fisheries. That requires maintaining a good data base, which is also a budgetary challenge.

4:10:40 PM
COMMISSIONER HARTIG stated that if the fishing industry is questioned about how safe Alaska fish are the division can show a record of sampling our fish.

4:11:01 PM
The Drinking Water Program is another big program. Under federal law you have to meet Safe Drinking Water Act standards and new rules come in all the time, because something that happened in the Lower 48 starts getting applied to every drinking water system in Alaska. So, they have to figure out how those rules can be applied in rural Alaska and help them do it.

4:12:59 PM
The Solid Waste Program includes the landfills even in rural Alaska, but the funding they get for water and waste water treatment is the same money that is available for solid waste, and human health is foremost. Drinking water is first - sanitation and waste water treatment - then comes solid waste. There is never enough money and they are trying to be smarter with their approach. They are trying to use best management practices for Class 3 landfills in rural areas by making things simple and easy to follow.

4:14:46 PM

The larger municipalities are Class 1 and 2 landfills, and are 100 percent permitted and fully regulated.

The big challenge for the Pesticide Program is invasive species, the commissioner said. Mechanical removal can be tried, but that can break up species and actually propagate them. He worries that people want to turn to pesticides, but getting guidelines in place for its use is a looming challenge.

4:16:25 PM
COMMISSIONER HARTIG switched to commenting on the Tsunami Marine Debris issue saying that marine debris was with us before the March 2011 earthquake in Japan. Debris from it is being seen on the island shores around Prince William Sound and in Southeast. It came from a number of sources; part of the mariculture industry in Japan for one. Volunteers were out trying to pick up the debris and then the tsunami hit. He said there was no state program or budget for picking up marine debris, so the governor signed an Executive Order that put DEC in the lead among the state agencies to deal with it. The National Oceanic and Atmospheric Administration (NOAA) has a national marine debris program, but it is relatively small and had to ramp up.

Alaska got more than its share of Japanese debris: mostly solid waste like Styrofoam and polystyrene type construction materials and large floats from the mariculture industry - nothing deemed as hazardous waste. While people are concerned about radiation, the debris washed out five days before the radiation leaked out of the plant. So, you wouldn't expect to see radiation contamination and you don't. NOAA and EPA also advise that there is no risk there.

4:19:43 PM
He said there is a lot of public confusion about radiation risk, and he could understand the concerns because you can't see it and exposure to it can have big consequences. We get everyday exposure to radiation through the natural environment and medical procedures. People are not familiar with radiation and how it's measured and how doses are measured, so it's hard to put in context what their exposure might be to the Fukushima incident, but you get more radiation from eating a banana than from eating a big tuna caught in that area.

Alaska doesn't have a radiation program, he said, because we don't have nuclear power plants here. The other states of California, Washington, Hawaii and Oregon do have radiation programs, since they have nuclear power plants and they track

it. He displayed a map of currents that come to the U.S. from Japan and said that data from those Pacific states and Canada show no cause for human concern. So, Alaska doesn't see a driving need to try to institute a program, particularly since it would be started from scratch. DEC is working closely with the DHSS that has people who are experts in radiation.

CHAIR GIESSEL said the question she gets from constituents is that fish don't necessarily swim just based on the direction of the current and they could be swimming near Japan and then coming back to us and asked how she could respond with assurance to a constituent with this concern.

COMMISSIONER HARTIG answered those other states are sampling fish in their areas and haven't seen a reason for concern and Alaska fish don't have the same exposure. Some people might want to discredit Alaskan fish, but that is ridiculous.

4:25:39 PM
SENATOR MICCICHE asked if he is partnering with other agencies, so we can send periodic information to markets outside of Alaska that our fish are good.

COMMISSIONER HARTIG answered that Stephanie Moreland in the governor's office is watching these kinds of issues, as well as people in Alaska Seafood Marketing Institute (ASMI), and regular meetings are set up through NOAA and FDA to talk about what each is hearing and what data is available. The next concern is unpredictable, so these conversations are response oriented.

4:27:13 PM
4. Division of Spill Prevention and Response (SPAR):
This division has several programs:
Industry Preparedness and Response tries to prevent spills from happening; Prevention, Emergency and Response (PERP) is the emergency SWAT team that goes in when there is spill. Containment Sites take over from the PERP people if the remediation is going to be a long term or if it's a historic site rather than an emergency response. The Response Fund Administration is the group that oversees the expenditures out of the Response Fund that has the declining balance, their main challenge. It has contingency plans (C-plans) for certain operations and facilities in the state, how they are going to prevent spills and if they have a spill how they are going to respond to it and meeting certain planning scenarios from the state. They are required to actually be able to perform those

plans. Financial assurances are required and spill drills are practiced, the department does inspections

They license oil spill primary response contractors, people in the state that industry relies upon to help them with response. They are required to evaluate changes in technology and apply the best available technology when C-plans come up for renewal. For instance, they have had best available technology conferences recently on detecting corrosion in pipelines. That is especially important with OCS development and buried lines coming onshore.

4:29:47 PM
COMMISSIONER HARTIG said Cook Inlet has a lot more exploration activity and more players are coming in. So, there are more C-plans and the division tries to make them aware of Alaska and Arctic conditions, high tides, and a big fishery.

Shell was hoping to get back in 2014 to the Chukchi and least by 2015. Even though that is outside state waters, a spill out there could move onshore. They also have a large fleet of vessels they bring with them that have C-plan requirements.

One of the ongoing challenges for industrial preparedness is the aging infrastructure on the North Slope; for example, the two BP corrosion spills in 2006.

4:31:09 PM
They are also involved in the Arctic Council discussions on how to collaborate with other nations; Director Kristin Ryan, is part of the U.S. delegation just came back from Norway on a new spill prevention work group that will come up with best practices and voluntary standards for prevention of spills for the Arctic.

4:31:57 PM
For context, he said there are about 2,000 reported spills in the state each year and not all of them warrant an agency response. Most of them are onto land, but 344 are reported into water a year. They are largely diesel fuel from ships going belly up and trucks rolling over, aviation fuel, hydraulic oil, engine lube oil, gasoline, and others like produced water used in mining. Not much is from crude oil spills, but industry complains that the surcharge on crude oil is what is taxed and pays for it all.

4:33:42 PM

Historically, about half of the contaminated sites are largely federal legacy sites, a third of them are private, and the state also has a number of them.

COMMISSIONER HARTIG said they are working with local communities to try to build capacity, because not every spill is big. Most of the 2,000 spills a year can be handled at a local level. They try to train people and preposition response equipment like absorbent pads and boom. Then they come back to the legislature every few years for a half million dollar request response agreements and equipment. It provides some education about what is involved in a response, which gives people more ownership in their communities.

4:34:48 PM
CHAIR GIESSEL noted that there wasn't much equipment or training between Kotzebue, Barrow, and the Canadian border doesn't have much there, and that is one of the things the Artic Policy Commission is recommending.

COMMISSIONER HARTIG said they are out in those areas and trying to recruit and maintain interest.

SENATOR FRENCH asked why nothing is at Prudhoe Bay.

COMMISSIONER HARTIG replied it has no community and so there is no local group to coordinate with. Historically, large state resource development projects have purposely not created a new community, because they don't want to compete for the local resources with the local communities. So, there are camps like Red Dog and Dead Horse. To him it's a trade-off, because it means that you don't have all the public infrastructure that you would normally have.

He explained that the North Slope's response organization is a skilled coop called the Oil Spill Response Organization (OSRO), that is funded by the major companies; on top of that they have great participation by the employees that get trained as the backup responders.

4:37:49 PM
One of the big questions the state faces moving towards work in the Chukchi Sea area is that it is getting pretty far from Prudhoe Bay and relying on Alaska Clean Seas, an OSRO, and providing the opportunities to involve communities like Wainwright is how much industry presence do they want; that will

determine the level of their involvement. Maybe there will be a policy change.

SENATOR FRENCH said it seems that with mountains of gear at Prudhoe Bay, there would some for the Chukchi.

COMMISSIONER HARTIG answered that specialized equipment and training will be needed that can get in and out of the ice and the person who owns the facility has the primary responsibility to respond to a spill. If they fail, then he can tap the Response Fund and hire contractors to do that and then do cost recovery.

CHAIR GIESSEL commented that the Conexes are intended to respond to the smaller spills around a fuel tank in a village, for example, not to go out to sea and put booms out.

4:40:21 PM
COMMISSIONER HARTIG said they have a lot of natural events like the Galena annual flood cycle where they try to stabilize fuel tanks to prevent losing them; Environmental Health is involved in the drinking water wells and grounding of fishing vessels.

4:41:32 PM
A hot topic in Alaska is the use of oil dispersants. The state's policy is to maximize mechanical recovery when you have a spill; the two backup options are to burn it and to use dispersants, which goes into water column providing more opportunity for the oil eating bacteria to do its thing. These decisions have to be made quickly; maybe it is better to let it go ashore in the Arctic rather than stay in the water column. If dispersants become the option it has to be deployed pretty quickly. They may not be in the area or the planes might not be there nor the trained people to deliver it. Or it might have to be flown from Kodiak and it could take a while if the spill is on the North Slope. It has to be part of the upfront planning and communities have to be involved.

4:44:04 PM
He said in 2004/5 they had closed more contaminated sites than they had active sites; they are trying to keep the new number of sites down and deal with all the legacy sites, including the federal sites. Their federal receipts include $900 thousand to deal with contaminated federal sites.

A big challenge is the Response Fund with declining oil production, because it is funded with the nickel a barrel

surcharge that is split with four cents going to the Prevention account, which pays for the operations of SPAR. That account had a surplus that has offset the declining production historically, but by the end of FY15 they anticipate going into the red; and that is when a general fund $5-7 million per year increment (assuming no inflation or labor increases) would be needed to maintain its level of services, although that could change depending on some ongoing cost recoveries.

4:45:26 PM
5. Division of Water: He explained that last year HB 80 directed the DNR and DEC to work together to examine the cost and benefits of the state assuming the dredge and fill program, the Clean Water Act 404 Program. If you put fill material into waters of the United States, you need a 404 permit, and since Alaska has a lot of wetlands, 404 is a big program here. So they looked to see if it could be made more user-friendly by assuming primacy of the program.

One of the ideas on mitigation is that there is a no net loss policy in the country, so if you fill in some wetlands you have to replace it with additional wetlands. Here that opportunity may not be readily available or you may be on the North Slope that has millions of acres of wetlands and the question arises do you want to add to the millions of acres of wetlands just like it or could you do something about those legacy wells as part of the mitigation. So, they are looking at more all-around water quality benefits in the state as a whole and coming up with ways of doing mitigation banking and in lieu programs so that people don't have to scrounge around for mitigation projects to do something that may not make a whole lot of sense in the grand scheme of things.

COMMISSIONER HARTIG said they are getting a lot of collaboration from the federal agency, both EPA and the Corps and have hired two people from DEC that are now housed at the Corps of Engineers that are participating in the review and issuance of permits. They have ongoing meetings with the State of Oregon and have met with the two states that have primacy, Michigan and New Jersey. Next year their initial report will come before the legislature, but ultimately they will bring a final report and recommendation to the legislature, and then it would decide whether to fund the program or not. But until they have the resources to run the program, they can't even apply for primacy.

4:48:25 PM

Their other challenge in the Water Division Facility Program, the Village Safe Water Program (VSW), is the water and sewer projects in Rural Alaska. It relies mainly on federal funds (75/25 state) and federal funding has gone down by 60 percent in the last 10 years. So, they are looking at ways of doing things in a smarter way in the villages. One current project has put out an RFP to form teams of engineers and others that then are proposing ideas on projects, some of which will be selected to look for ways of combining existing technologies with new technologies to deal with some of the unmet needs in the villages at lower costs for both construction and operation. They are teamed up with Alaska Native Tribal Health Corporation (ANTHC), EPA, Department of Agriculture (a big funder), and a host of other agencies. Everybody is interested in this project, which is called the Alaska Challenge Project.

4:49:59 PM
SENATOR MICCICHE asked if changing the cruise ship regulations to not allow mixing zones had been drafted yet.

COMMISSIONER HARTIG answered that the current status is that HB 80 did two things; it took the general permit that was already out for cruise ships that was due to expire in 2013 and extended the termination date until 2015. Otherwise that permit would have expired and DEC would have had to require ships to meet a water quality criterion at the end pipe, which they couldn't do.

It also allowed DEC to issue permits in the future following the existing mixing zones regulations. So, they had been working on a draft permit based on mixing zone and other water quality standards for the next cycle that is in draft form, and that should go out for public review in time for the start of the 2014 cruise season. If it can't make it through that process, the existing permit stays in place until 2015. He didn't recall having to go back to do a regulation change to deal specifically with the critical habitat areas around the state; those are designated by ADF&G and one of them is in Kachemak Bay, which didn't have a discharge this summer. He offered to get more information on that.

4:53:31 PM
SENATOR BISHOP asked for a map of the Superfund sites.

COMMISSIONER HARTIG replied those are designated by the EPA and when EPA proposes a site, they will ask for the state's opinion, but there is just a handful.

4:54:29 PM

CHAIR GIESSEL thanked him for the overview and adjourned the Senate Resources Standing Committee at 4:54 p.m.