

HB

399

# STATE OF ALASKA

**DEPT. OF ENVIRONMENTAL CONSERVATION**  
OFFICE OF THE COMMISSIONER

**FRANK H. MURKOWSKI, GOVERNOR**  
410 Willoughby Ave., Ste 303  
Juneau, AK 99801-1795  
PHONE: (907) 465-5065  
FAX: (907) 465-5070  
<http://www.state.ak.us/dec/>

February 6, 2004

The Honorable Bruce Weyhrauch  
Chair, House State Affairs Committee  
State Capitol, Room 102  
Juneau, Alaska 99801

Dear Representative Weyhrauch:

The Department of Environmental Conservation respectfully requests your consideration in scheduling a hearing for HB 399, an Act "Relating to certain fees of the Department of Environmental Conservation and actions relating to permits for nonpayment of permit fees," before the House State Affairs Committee at your earliest convenience.

This bill amends existing statutory fee authority to allow DEC to recover the estimated actual costs of services provided for a pesticide registration program; seafood food/safety laboratory services; and contingency plan review and financial responsibility for non-crude oil operations. The bill also eliminates the prohibition on including travel costs in the estimated actual costs for services, and adds late fee and permit revocation for nonpayment authority.

HB 399 has an associated fiscal note that reflects the fund source changes from general fund and Oil and Hazardous Substance Release Prevention and Response funds to general fund program receipts, and no additional expenditure authority.

Kristin Ryan, Director of the Division of Environmental Health, can provide you with any additional information you might require regarding this bill. You can contact Ms. Ryan at 269-7645, or Melanie Lesh, the department's legislative liaison, at 465-5290. Thank you for your consideration.

Sincerely,



Ernesta Ballard  
Commissioner

cc: Kristin Ryan, Environmental Health, DEC



Governor's transmittal letter dated January 22, 2004

Dear President Therriault:

Under the authority of article III, section 18, of the Alaska Constitution, I am transmitting a bill relating to the fee authority of the Department of Environmental Conservation (DEC) AS 44.46.025. The bill would require a variety of persons benefiting from DEC's services to contribute toward the costs of providing those services.

This bill would expand DEC's authority to collect fees for services relating to pesticides under AS 46.03. Unlike most states, DEC does not have statutory authority to charge fees for its pesticide-related services. DEC provides services such as certifying applicators, issuing permits for pesticide application, and registering pesticides.

Similarly, this bill would grant DEC authority to collect fees for services provided through the state seafood and food safety laboratory. The seafood and food safety laboratory provides a myriad of services to certain users and the general public. Such services include testing crab, geoducks, and other shellfish for toxins before sale, testing local dairy products before sale to schools and the military, testing food products for the presence of harmful bacteria, and performing nutritional analyses.

This bill would require non-crude oil operators to contribute towards DEC's costs for reviewing, commenting upon, approving, and retaining oil discharge prevention and contingency plans and proof of financial responsibility. Non-crude operators include operators of: oil terminal facilities; oil barges; tank vessels; nontank vessels; and railroad tank cars that store or transport petroleum products derived from crude oil. Currently, only crude oil operators contribute towards DEC's costs for handling oil discharge prevention and contingency plans and proof of financial responsibility through the oil conservation surcharge on crude oil production in AS 43.55.300.

Both types of operators, non-crude and crude, derive a benefit from DEC's services. They should both contribute to the cost of maintaining the State of Alaska's oil spill safety net. The fee amount would be limited to recovering DEC's applicable direct costs associated with oil discharge prevention and contingency plans and proof of financial responsibility.

This bill would also authorize DEC to include travel costs in determining the amount of a fee and to assess late fees against a person for failing to pay amounts owed DEC. The late fees would be assessed on a monthly basis until the amount due is paid. The late fees would be adopted by DEC as fixed fees and may not exceed DEC's estimated average reasonable costs in collecting unpaid and late monetary charges. Under proposed AS 44.46.027, DEC would periodically review regulations adopted under that section, to identify any changes in the average actual cost of collecting unpaid and late monetary charges and, by regulation, adjust the late fees accordingly. After 30 days' written notice to the person, DEC could revoke or refuse to issue, modify, amend, or renew permits, approvals, or any other DEC authorization until payment is made to the department.

I urge your prompt and favorable action on this measure.

Sincerely yours,

/s/

Frank H. Murkowski  
Governor

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1  
Bill Version: HB 399  
(H) Publish Date: 1/28/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Environmental Conservation  
Title Relating to fees for the DEC RDU Multiple  
Component Commissioner's Office  
Sponsor Rules by Request Component No. 633  
Requester Governor

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>541.1</b>	<b>653.5</b>	<b>653.5</b>	<b>653.5</b>	<b>653.5</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	(68.9)	(68.9)	(68.9)	(68.9)	(68.9)
1004 GF	0.0	(262.2)	(374.6)	(374.6)	(374.6)	(374.6)
1005 GF/Program Receipts	0.0	465.1	577.5	577.5	577.5	577.5
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
1052 Response Fund	0.0	(206.8)	(206.8)	(206.8)	(206.8)	(206.8)
1156 Receipt Supported Services	0.0	72.8	72.8	72.8	72.8	72.8
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

See Attached

Prepared by: Kristin Ryan, Director  
Division: Environmental Health  
Approved by: Kurt Fredriksson  
Agency: Department of Environmental Conservation

Phone 269-7644  
Date/Time 1/26/04 12:33 PM  
Date 1/26/2004

## FISCAL NOTE #1

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

BILL NO. HB 399

### ANALYSIS

This bill amends existing fee authority to allow DEC to recover the estimated actual costs of services provided for a pesticide registration program; seafood food/safety laboratory services; and contingency plan review and financial responsibility for noncrude oil operations. The bill also eliminates the prohibition on including travel costs in the estimated actual costs for services, adds late fee and permit revocation for nonpayment authority, and results in fund source changes from general fund or the Response Fund to general fund program receipts.

#### **FY2006**

##### **RDU: Environmental Health**

###### Component: All

Page 1, line 10. Removing the travel cost recovery prohibition in AS 44.46.025(a) will allow the department to recover costs from ongoing inspection and permit related activities. Estimated average costs that can be recovered, assuming field travel and associated per diem for inspections, not including complaint investigation, or non-fee generating travel, is \$90.0 beginning in FY2006. The programmatic breakdown for travel cost recovery and associated general fund replacement is:

Food Safety Program (RSS)	\$ 72.8
Laboratory Services (GFPR)	\$ 6.5
Drinking Water (GFPR)	<u>\$ 10.7</u>
	\$ 90.0

##### **RDU: Environmental Health**

###### Component: Laboratory Services/Pesticide Program

Page 2, line 14. Subsection (8) allows the department to recover direct costs from ongoing pesticide registration program activities. DEC will charge \$40.00 per pesticide brand registered beginning in FY2006. Fees will replace current general funds used to match the federal pesticide grant (\$68.9), and will replace general funds (\$59.9) for a position that processes registrations for manufacturers and suppliers of 5,500 pesticide brands sold in Alaska. Assumptions include a 40% reduction in the potential number of registrations, generating approximately \$132.0 annually.

##### **RDU: Environmental Health**

###### Component: Laboratory Services/Seafood Food Safety Lab

Page 2, line 15. Subsection (9) allows the department to recover program costs relating to services provided by the state seafood and food safety laboratory. SB 215 authorized the construction of a new seafood food safety lab. A move in date of July, 2005 with full operation by mid-FY2006 is expected. FY2006 revenue projections for testing drinking water and shellfish toxins for one half year is \$112.3. These receipts will double with the full year of operations in FY2007.

##### **RDU: Spill Prevention and Response**

###### Component: Industry Preparedness

Page 2, line 16. Subsection (10) allows the department to recover estimated actual costs relating to the ongoing Plan Review for Oil Discharge Prevention and Contingency Plans (C-Plans) for noncrude oil operations and the related C-Plan Financial Responsibility requirement.

Financial responsibility applications: 980 per year at \$150 per application = \$147,000

Nontank vessel contingency plans: 128 per year at \$250 per application = \$32,000

Other operator contingency plans - new applications: 10 per year at \$1,000 each = \$10,000

Other operator contingency plans - significant amendments: 10 per year at \$500 each = \$5,000

Other operator contingency plans - renewal applications: 17 per year at \$750 each = \$12,750

Current funding source for these activities is the Oil and Hazardous Substance Release Prevention and Response Fund. Fee revenues would replace expenditures from this funding source. Fees would be assessed beginning in FY2006. Total fund source change resulting from the noncrude C-Plan review and financial responsibility requirements is \$206.8.

FISCAL NOTE #1

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

BILL NO. HB 399

ANALYSIS (cont.)

RDU: Air & Water Quality

Component: Water Quality

Page 3, line 9. Adds a new section in AS 44.46 allowing the department to assess late fees against a person who has failed to pay monetary charges. The section also allows the department to revoke or refuse to issue a permit or approval until payment of the charge is made. In 2002-2003 there were over 650 statements for past due balances. With statutory authority to compel clients to pay late fees on outstanding balances we estimate that the number of subsequent statements billed would be reduced by 75% and view the late fee as a deterrent to growing delinquent accounts along with the ability to revoke or refuse to issue authorization for nonpayment. At an average cost per statement of \$14.64 we expect late fees to be minimal and have not included them as a new revenue source.

FISCAL NOTE #1

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

BILL NO. HB 399

ANALYSIS CONTINUATION

FY2006 Impacts to Funding by Section

FUND SOURCE	EH Travel	EH Lab Pesticides	EH Lab Fees	SPAR C-Plans	AWQ-WQ	Total
1002 Federal Receipts						0.0
1003 GF Match		(68.9)				(68.9)
1004 GF	(90.0)	(59.9)	(112.3)			(262.2)
1005 GF/Program Receipts	17.2	128.8	112.3	206.8		465.1
1037 GF/Mental Health						0.0
1052 Response Fund				(206.8)		(206.8)
1156 Receipt Supported Services	72.8					72.8
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

	EH Travel	EH Lab Pesticides	EH Lab Fees	SPAR C-Plans	AWQ-WQ	Total
Revenues	96.0	132.0	112.3	206.8		541.1

FY2007 and Out Years  
Impacts to Funding by Section

FUND SOURCE	EH Travel	EH Lab Pesticides	EH Lab Fees	SPAR C-Plans	AWQ-WQ	Total
1002 Federal Receipts						0.0
1003 GF Match		(68.9)				(68.9)
1004 GF	(90.0)	(59.9)	(224.7)			(374.6)
1005 GF/Program Receipts	17.2	128.8	224.7	206.8		577.5
1037 GF/Mental Health						0.0
1052 Response Fund				(206.8)		(206.8)
1156 Receipt Supported Services	72.8					72.8
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

	EH Travel	EH Lab Pesticides	EH Lab Fees	SPAR C-Plans	AWQ-WQ	Total
Revenues	90.0	132.0	224.7	206.8		653.5

## **PSP Biotoxin fees**

Washington doesn't charge per test, nor do they charge the recreational users for testing.

How it works in WA:

The department figured out how much of the lab testing was recreational vs. commercial. They came up with 37% commercial so that is the percentage of the PSP lab budget figure they used to recoup from the industry. Next, they determined which producers are the heavy testers and from that information the department created a two-tiered fee structure.

mom & pop ops are charged and annual fee of \$173.00/per year.

multi-million dollar shell shucker shipper/packers are charged \$1,189.00/per year.

This testing fee is in addition to a license fee of \$250/per year. This fee is currently undergoing some changes to benefit mom & pop ops. The reductions this group pays will be recouped in the lab testing fee structure.

Washington's program is in the second year of its existence and it works well. It came about in a budget bill and controversy quickly ensued. The department assumed that 10% of the businesses would drop out and they did. Now they are finding that the 10% loss is coming back online, however.

Alaska's issues are slightly different in that we are just starting to develop this new industry. Washington's industry was well-established when they kicked in fees for PSP biotoxins. Also of interest is the fact that California and Oregon do not charge, because their shellfish harvesting industries are very fledgling say the Washington official. However, the fact that they don't test might also be attributed to the fact that biotoxin testing is good public health policy and isn't that the role of government?

Sorry about  
the delay -  
It took some time  
to find the woman  
and then catch up to  
her in phone tag.  
This was completed  
yesterday a.m.  
I know the bill is  
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FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES



Washington State Department of

**Health**

Office of Food Safety & Shellfish Programs

**Shellfish Operation Licensing & PSP Fees**

**EFFECTIVE August 16, 2002**

*Shellfish Operators must pay both an annual certification fee and an annual PSP fee.*

**Annual certification (license) fee:**

<u>Type of Operation:</u> *	<u>Fee:</u>
Harvester .....	\$ 250.00
Shellstock Shipper:	
0-49 Acres .....	\$ 282.00
50 or greater acres .....	\$ 452.00
Scallop Shellstock Shipper .....	\$ 282.00
Shucker-Packer:	
Plants with floor space < 2000 sq. ft. ....	\$ 514.00
Plants with floor space 2000 - 5000 sq. ft. ....	\$ 622.00
Plants with floor space > 5000 sq. ft. ....	\$ 1,147.00

**Annual PSP fee: \*\***

<u>Type of Operation:</u>	<u>Number of Harvest Sites:</u> ‡	<u>Fee:</u>
Harvester .....	2 or less .....	\$ 173.00
	3 or more .....	\$ 259.00
Shellstock Shipper (0 - 49 acres).....	2 or less .....	\$ 195.00
	3 or more .....	\$ 292.00
Shellstock Shipper (50 or greater acres) .....	N/A .....	\$ 468.00
Shucker-Packer (plants <2000 sq ft) .....	2 or less .....	\$ 354.00
	3 or more .....	\$ 533.00
Shucker-Packer (plants 2000-5000 sq ft) .....	2 or less .....	\$ 429.00
	3 or more .....	\$ 644.00
Shucker-Packer (plants >5000 sq ft) .....	N/A .....	\$ 1,189.00

‡ Two or more contiguous parcels with a total acreage of one acre or less is considered one harvest site.

See reverse for definitions and instructions

**\* Type of operations are defined as follows:**

- A. **"Shellstock Shipper"** shall mean shippers growing, harvesting, buying or selling shellstock. Shellstock shippers are not authorized to shuck shellfish or to repack shucked shellfish.
- B. **"Shucker-Packer"** shall mean shippers shucking and packing shellfish. A shucker-packer may act as a shellstock dealer.
- C. **"Harvester"** shall mean a commercial shellfish operation with activities limited to harvesting shellstock, and shipping and selling it within Washington State to shellfish dealers licensed by the department. Harvesters do not shuck shellfish; repack shucked shellfish; repack shellstock; or store shellstock in any location other than the approved growing area where the shellstock was harvested.

**\*\* PSP fees do not apply to the following:**

- ◆ Companies that are exclusively wholesalers, i.e., perform no harvesting (operations are limited to purchasing and selling).
- ◆ Companies that exclusively harvest subtidal geoduck from Department of Natural Resources tracts (Department of Natural Resources pays these fees for non-tribal harvesters).

**Please submit all application forms and total fee payment (check, draft or money order made payable to the Department of Health) to the following address:**

**DEPARTMENT OF HEALTH  
REVENUE DEPARTMENT  
PO BOX 1099  
OLYMPIA WA 98507-1099**

# Alaskan Shellfish Growers Association



February 12, 2004

Rep. Bruce Weyhrauch  
 Capitol Building, Room 102  
 Juneau, AK 99811

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Dear Rep. Weyhrauch:

I'd like to take this opportunity to thank you on behalf of shellfish farmers throughout the state for your strong support for development of Alaska's shellfish farming industry. It is a relief to know we have at least one advocate in the Capitol who truly understands the needs of our developing industry.

There is one very troubling issue that has arisen recently and has the potential to literally destroy all of our recent hard-won gains. Two administration bills (HB399 and SB 275) instruct DEC to impose fees for the services of the food safety laboratory. DEC tells me that means growers would be faced with costs of \$125 for each sample submitted for analysis of toxin, such as paralytic shellfish poisoning (PSP).

This would put all current farms out of business and bring development to a grinding halt. In the case of my own farm, about 15% of my gross sales revenues would be eaten up by the fees. It's even worse for new farms. I talked to several farms to determine the number of samples they were required to submit in 2003. Here's what I found:

2003 Farm Businesses	No. Samples	\$/Sample	Annual Cost
PWS Oyster Farm	32	\$125	\$4,000
Kake Oyster Farm	20	\$125	\$2,500
POW Oyster/Clam Farm	86	\$125	\$10,750
POW Oyster/Clam Farm	198	\$125	\$24,750

The number of samples vary according to experience of the farm, season, amount of product sold and number of species produced, so the costs are significantly different from farm to farm. All of the farms I've contacted say the fees would put them out of business.

The impact on new farmers is the heaviest. Consider this example:

New Oyster Farm	Gross Sales*	DEC Fees	% of Rev.
50 doz./week for 18 weeks	\$3,375	\$1,250	37.04%
100 doz./week for 17 weeks	\$6,375	\$4,250	66.67%
200 doz./week for 17 weeks	\$12,750	\$2,500	19.61%
<b>Total</b>	<b>\$22,500</b>	<b>\$8,000</b>	<b>35.56%</b>

\*\$3.75/doz. farmgate

Rodger Painter, vice president • Box 20704 Juneau, AK 99802 • (907) 463-3600 • rodgerpainter@hotmail.com

The impact on the newly emerging geoduck farms in the Ketchikan area also would be heavy:

New Geoduck Farm	No. Samples	\$/Sample	Annual Cost
3 samples/sale/50 sales	150	\$125	\$18,750

Policymakers become accustomed to industry saying government fees or regulations will put them out of business, but it certainly is the case with these fees. Alaska shellfish farms are mom-and-pop businesses and they simply can't shoulder fees of this magnitude.

Important to keep in mind is the farms operate year round, selling relatively small amounts of product on a weekly basis. This feature increases economic benefits to local communities, allows farmers to charge premium prices, and provides Alaskans with the only fresh local seafood products they can buy 52 weeks a year. However, it also greatly increases the cost of PSP testing.

Under current PSP testing guidelines, geoduck divers can certify an entire bay for two days on the results of three tests. The divers might harvest 30,000 pounds of product from the bay during the two-day opening. Contrast the \$375 lab fee bill with the cost to a farmer to sell 30,000 pounds in weekly lots of 1,000 pounds: \$11,250.

Every state with extensive shellfish beds provides some level of testing to ensure public health for recreational and commercial harvested product. Shellfish growers are not charged for these tests anywhere else in the country, as it is regarded as a necessary public health service.

The state's current marine toxin testing program is an important safeguard for public health, as the aquatic farms are ensured of providing safe shellfish for local consumption. Outbreaks of PSP are an unfortunate fact of life in Alaska and the testing at farms provide the only information available in most areas about the risks of PSP.

Two things are clear to us: (1) the fees would sink most, if not all, existing farms, and (2) interest in starting new farms will cease if the fees are enacted. While we are very mindful of the state's precarious fiscal situation, ASGA believes transfer of the cost of these essential public health programs to the private sector would be self-defeating because the impacted businesses will go broke. As one grower commented, "The state won't have to build a new lab...there will be no customers."

I have had no success in my discussions with DEC officials who say their hands are tied. This is a decision only the legislature or governor can make. We need your help to stop this very bad idea.

  
Rodger Painter  
Vice President

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1  
Bill Version: HB 399  
(H) Publish Date: 1/28/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Environmental Conservation  
Title Relating to fees for the DEC RDU Multiple  
Component Commissioner's Office  
Sponsor Rules by Request  
Requester Governor Component No. 633

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Note: Amounts do not include inflation unless otherwise noted below.

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Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>541.1</b>	<b>653.5</b>	<b>653.5</b>	<b>653.5</b>	<b>653.5</b>
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<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time	0	0	0	0	0	0
Part-time	0	0	0	0	0	0
Temporary	0	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)

See Attached

Prepared by: Kristin Ryan, Director  
Division: Environmental Health  
Approved by: Kurt Fredriksson  
Agency: Department of Environmental Conservation

Phone 269-7644  
Date/Time 1/26/04 12:33 PM  
Date 1/26/2004

## FISCAL NOTE #1

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

BILL NO. HB 399

### ANALYSIS

This bill amends existing fee authority to allow DEC to recover the estimated actual costs of services provided for a pesticide registration program; seafood food/safety laboratory services; and contingency plan review and financial responsibility for noncrude oil operations. The bill also eliminates the prohibition on including travel costs in the estimated actual costs for services, adds late fee and permit revocation for nonpayment authority, and results in fund source changes from general fund or the Response Fund to general fund program receipts.

#### **FY2006**

##### **RDU: Environmental Health**

###### Component: All

Page 1, line 10. Removing the travel cost recovery prohibition in AS 44.46.025(a) will allow the department to recover costs from ongoing inspection and permit related activities. Estimated average costs that can be recovered, assuming field travel and associated per diem for inspections, not including complaint investigation, or non-fee generating travel, is \$90.0 beginning in FY2006. The programmatic breakdown for travel cost recovery and associated general fund replacement is:

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Laboratory Services (GFPR)	\$ 6.5
Drinking Water (GFPR)	<u>\$ 10.7</u>
	\$ 90.0

##### **RDU: Environmental Health**

###### Component: Laboratory Services/Pesticide Program

Page 2, line 14. Subsection (8) allows the department to recover direct costs from ongoing pesticide registration program activities. DEC will charge \$40.00 per pesticide brand registered beginning in FY2006. Fees will replace current general funds used to match the federal pesticide grant (\$68.9), and will replace general funds (\$59.9) for a position that processes registrations for manufacturers and suppliers of 5,500 pesticide brands sold in Alaska. Assumptions include a 40% reduction in the potential number of registrations, generating approximately \$132.0 annually.

##### **RDU: Environmental Health**

###### Component: Laboratory Services/Seafood Food Safety Lab

Page 2, line 15. Subsection (9) allows the department to recover program costs relating to services provided by the state seafood and food safety laboratory. SB 215 authorized the construction of a new seafood food safety lab. A move in date of July, 2005 with full operation by mid-FY2006 is expected. FY2006 revenue projections for testing drinking water and shellfish toxins for one half year is \$112.3. These receipts will double with the full year of operations in FY2007.

##### **RDU: Spill Prevention and Response**

###### Component: Industry Preparedness

Page 2, line 16. Subsection (10) allows the department to recover estimated actual costs relating to the ongoing Plan Review for Oil Discharge Prevention and Contingency Plans (C-Plans) for noncrude oil operations and the related C-Plan Financial Responsibility requirement.

Financial responsibility applications: 980 per year at \$150 per application = \$147,000

Nontank vessel contingency plans: 128 per year at \$250 per application = \$32,000

Other operator contingency plans - new applications: 10 per year at \$1,000 each = \$10,000

Other operator contingency plans - significant amendments: 10 per year at \$500 each = \$5,000

Other operator contingency plans - renewal applications: 17 per year at \$750 each = \$12,750

Current funding source for these activities is the Oil and Hazardous Substance Release Prevention and Response Fund. Fee revenues would replace expenditures from this funding source. Fees would be assessed beginning in FY2006. Total fund source change resulting from the noncrude C-Plan review and financial responsibility requirements is \$206.8.

FISCAL NOTE #1

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

BILL NO. HB 399

ANALYSIS (cont.)

RDU: Air & Water Quality

Component: Water Quality

Page 3, line 9. Adds a new section in AS 44.46 allowing the department to assess late fees against a person who has failed to pay monetary charges. The section also allows the department to revoke or refuse to issue a permit or approval until payment of the charge is made. In 2002-2003 there were over 650 statements for past due balances. With statutory authority to compel clients to pay late fees on outstanding balances we estimate that the number of subsequent statements billed would be reduced by 75% and view the late fee as a deterrent to growing delinquent accounts along with the ability to revoke or refuse to issue authorization for nonpayment. At an average cost per statement of \$14.64 we expect late fees to be minimal and have not included them as a new revenue source.

FISCAL NOTE #1

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

BILL NO. HB 399

ANALYSIS CONTINUATION

FY2006 Impacts to Funding by Section

FUND SOURCE	EH Travel	EH Lab Pesticides	EH Lab Fees	SPAR C-Plans	AWQ-WQ	Total
1002 Federal Receipts						0.0
1003 GF Match		(68.9)				(68.9)
1004 GF	(90.0)	(59.9)	(112.3)			(262.2)
1005 GF/Program Receipts	17.2	128.8	112.3	206.8		465.1
1037 GF/Mental Health						0.0
1052 Response Fund				(206.8)		(206.8)
1156 Receipt Supported Services	72.8					72.8
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

	EH Travel	EH Lab Pesticides	EH Lab Fees	SPAR C-Plans	AWQ-WQ	Total
Revenues	90.0	132.0	112.3	206.8		541.1

FY2007 and Out Years  
Impacts to Funding by Section

FUND SOURCE	EH Travel	EH Lab Pesticides	EH Lab Fees	SPAR C-Plans	AWQ-WQ	Total
1002 Federal Receipts						0.0
1003 GF Match		(68.9)				(68.9)
1004 GF	(90.0)	(59.9)	(224.7)			(374.6)
1005 GF/Program Receipts	17.2	128.8	224.7	206.8		577.5
1037 GF/Mental Health						0.0
1052 Response Fund				(206.8)		(206.8)
1156 Receipt Supported Services	72.8					72.8
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

	EH Travel	EH Lab Pesticides	EH Lab Fees	SPAR C-Plans	AWQ-WQ	Total
Revenues	90.0	132.0	224.7	206.8		653.5

9F local  
Budget hole fund switch  
Shell Shuck Shippers  
Packer  
2 yrs.  
Budget hole

100% dropped off  
and that built  
pays for lab testing  
licensing fee  
PSP bio toxin  
admin

best fee - harvestor  
\$173.00 / yr  
largest Shucker packer  
\$1189.00  
multi million  
dollar plants  
for licenses

2nd year

Washington doesn't charge per test

Id. how many were commercial vs recreational or both

Solely commercial only  
figured out how much of

37% of lab budget divided by  
all

goey ducks were doing more  
intertidal

Oregon : Cal

**PHONE CALL**

For LINDA Date 2-17-04 Time 3:40 <sup>AM</sup><sub>PM</sub>  
M Jennifer Of WA. St. Health Dept  
Phone 360 236 3325 Fax \_\_\_\_\_  
Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Signed \_\_\_\_\_

Telephoned  
 Returned Your Call  
 Please Call  
 Will Call Again  
 Came to See You  
 Wants to See You

**Sparco**  
B-E-A-R-I-N-G

SPR02301

# Department of Health Division of Environmental Health

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Gregg Grunenfelder, Acting Chief Administrator ..... 236-3053  
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Laurie Bahr, Contracts & Grants Administrator..... 236-3015  
Vicki Bouvier, EHP Rules Coordinator..... 236-3013  
Jill Christensen, Secretary Administrative..... 236-3005  
Kelly Cooper, EHP Rules Coordinator..... 236-3012  
Linda Gibson, Grant Management Analyst ..... 236-3016  
Jan Haywood, Leg Coordinator and Rules Program Manager  
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Eric Inouye, Operations Director..... 236-3010  
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Dennis Campbell, Liaison to Local Health ..... 236-3158  
Jim Hudson, Division Technical Advisor..... 236-3131  
Scott Decker, EPA Counter-Terrorism Project..... 236-3162  
Ginny Stern, Environmental Planner..... 236-3134

## Headquarters Operations

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Judy Sides, Publications, Internet..... 236-3096  
Ronni Woolrich, Public Disclosure/Training ..... 236-3092

## Program Development

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Sean Orr, Program Development ..... 236-3153  
Theresa Phillips, Program Development ..... 236-3147  
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Bill Thurston, Program Development ..... 236-3126

## Information Management (I.M.)

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Marie O'Leary, Programmer ..... 236-3112  
Brett Freier, Database Programmer..... 236-3163  
Nguyen Lam, Programmer..... 236-3109  
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Charles Lander, I.M. Operations Manager..... 236-3118  
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Jack Eden, Programmer ..... 236-3120  
Marian Ibanez, Data Compiler ..... 236-3103  
Heather Kearney, Data Entry ..... 236-3108

## Water Quality Section

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Derrick Dennis, Lead, Copper, and Nitrate Programs... 236-3122  
Donna Freier, GWI Program Manager..... 586-5179  
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# Department of Health

## Division of Environmental Health

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### Water System Support Section

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 Cheryl Bergener, Operator Certification Program..... 236-3137  
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 Denise Garrett, Operator Certification Program..... 236-3099  
 Lar. y Granish, Operator Certification Program..... 236-3141  
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### Field Operations

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 Brad Brooks, Water Facility Inventory .....664-9280  
 Jerrod Davis, Engineer .....586-2510  
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 Donna Frier, Source Monitoring and Water Quality, Lead and  
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 Sampling Monitoring Requirements .....586-5179  
 Belle Fuchs, Water Quality Program Manager.....586-5179  
 Linda Kildahl, Environmental Specialist.....664-2999  
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 Jim McCauley, Engineer .....664-8734  
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# Department of Health Division of Environmental Health

## Environmental Health & Safety

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Tom Gibbs, Zoonotics Program ..... 236-3060  
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### Wastewater Management Section

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Linda Gunnells, HSEES Coordinator ..... 236-3387  
Selden Hall, Wastewater Mgmt. Specialist ..... 236-3043  
Ben Hamilton, Research Analyst ..... 236-3364  
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Koenraad Marien, Sr. Toxicological Support .....236-3175  
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Milo Straus, CSEPP Project Manager .....236-3179  
Jim W. White, Toxicological Support .....236-3192

### Environmental Epidemiology

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Lenford O'Garro, Public Health Advisor .....236-3376  
Barbara Trejo, Hydrogeologist .....236-3373  
Marcia Henning, Environmental Education Outreach...236-3378  
Gary Palcisko, Public Health Advisor .....236-3377

## Food Safety & Shellfish Programs

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# Department of Health

## Division of Environmental Health

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### Food Safety Section

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### Growing Area Section

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 Scott Berbells, Shoreline Survey Program Lead..... 236-3324  
 Bill Cleland, Shoreline Surveys, Sanitary Surveys, Spill  
 Responses ..... 236-3306  
 Greg Combs, Water Quality Monitoring, Biotoxin Sampling  
 ..... 236-3308  
 Tim Determan, Puget Sound Ambient Monitoring Program  
 ..... 236-3311  
 Don Lennartson, Restoration Projects ..... 236-3318  
 Jerry Lukes, Ambient Monitoring Coordinator ..... 236-3319  
 Don Melvin, Sanitary Survey Reports, Restoration Projects  
 Leader Under PSWQA, Closure Response Coordinator  
 ..... 236-3320  
 Frank Meriwether, Environmental Engineer ..... 236-3321

### Environmental Radiation

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 Mike Brennan, Radiation Health Physicist.....236-3253  
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 Richard Lillie, Lead Inspector ..... 236-3313  
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### Radioactive Materials

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 Annine Grumbles, Radiation Health Physicist .....236-3222  
 Steve Matthews, Radiation Health Physicist.....236-3226

# Department of Health Division of Environmental Health

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## Waste Management

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## X-Ray

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