

**DEC
OVER-
VIEW,
2/12/03**

Seafood and Food Safety Laboratory

Division of Environmental Health, Department of Environmental Conservation

The lab will close without an appropriation to build a new one. *Here's how we got to this point:*

1997

- Department of Administration determines it can no longer allow long-term leases at the facility because statutory rent reduction requirements.

1998

- Department of Transportation and Public Facilities hires Livingston Slone to produce feasibility study that considers leasing versus owning, best location, and consolidation of the two labs the Department of Environmental Conservation operates.
- Legislature appropriated \$145.7 to evaluate replacement options.

1999

- Private contractor assessment concludes Seafood and Food Safety Lab cannot be co-located with Public Health Lab primarily because construction of the Public Health Lab is already under way and its lab activities are very different, requiring detached, separate labs.

2000

- Department of Environmental Conservation explores the possibility of housing its lab at Alaska Seafood International. However, according to Alaska Seafood International, its microbiological laboratory cannot fully meet the department's requirements. Alaska Seafood International lab space is 540 square feet and was never intended to be a broad-spectrum test facility. (The new Seafood and Food Safety lab is designed to be 19,312 square feet.)
- Department of Environmental Conservation selects site near Boniface and Tudor with Dept. of Transportation & Public Facilities oversight based on lab functions (proximity to major airport), cost of utilities, and access to Public Health lab. The Anchorage Planning and Zoning Commission approves the site selection report.
- Livingston Slone, hired by Dept. of Transportation & Public Facilities, determines that any existing market rental space would require a major renovation; and that building a new facility on state owned land is more cost effective than renovating an existing space or contracting for the construction of a leased facility.
- Legislature appropriates \$240.0 updating Livingston Slone's 1998 Feasibility Study to reflect the facility's being located on state land.

2001

- Dept. of Natural Resources initiates land exchange with Municipality of Anchorage to acquire parcel.
- Dept. of Transportation & Public Facilities develops a construction timeline and budget.
- Dept. of Transportation & Public Facilities selects Livingston Slone for the design and engineering work with an expected completion date of June 2003.
- Legislature appropriates \$1,300.0 to design the facility.

2002

- The design contractor, Livingston Slone, updates the construction cost estimate after completing the schematic design: \$14,085,200.
- Dept. of Administration approves extending the lease until December 2006 under the provision DEC actively pursue another option.
- A bond bill (HB51), designating lab construction funds, is introduced in the first session, but dies before final adjournment.

February 6, 2003

- Anchorage Assembly approves the land exchange and Dept. of Natural Resources completes an Interagency Land Management Agreement giving DEC the authority to manage the selected site adjacent to the Public Health Lab.

What the Seafood and Food Safety Lab does

- Conducts product and water sampling required by the National Shellfish Sanitation Program so that bivalve shellfish can be commercially marketed.
- Routinely tests commercial bivalve shellfish for marine toxins responsible for paralytic shellfish poisoning and domoic acid poisoning.
- Is analyzing over 600 samples of salmon (all five species), halibut, pacific cod, sablefish, black rockfish, lingcod and pollock for heavy metals (methyl mercury, lead, and cadmium).
- Conducts on-site evaluations of, and certifies drinking water laboratories and water system operators for bacteriological monitoring as required by Safe Drinking Water Act.
- Works with commercial industries to develop safe, ready-to-eat food products to make sure the water activity, water phase salt, and salt moisture of their products are within acceptable levels.
- Evaluates raw and finished dairy products for bacterial contamination, antibiotics, butter fat content, and effectiveness of pasteurization.
- Performs animal testing to maintain USDA brucellosis- and TB-free certification, which is required for interstate and international shipment of cattle.
- Tests for equine infectious anemia in horses intended for interstate shipment or that will be entered in state fairs or other special events.

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- **No other lab in Alaska tests for PSP (paralytic shellfish poisoning).**
 - **A lab does not currently exist within the State of Alaska with the authority to test food or water that's been potentially poisoned with highly dangerous contaminants.**
 - **To be sold in international markets, Alaska's food products must be tested for compliance with federal food standards.**
 - **The shellfish industry depends on the Food Safety Lab to quickly test for marine toxins so they can sell their products in interstate commerce.**
 - **The Food lab is the only lab in the state that is permitted by the Food and Drug Administration to evaluate dairy products.**

For more information, please contact Kristin Ryan at 907-269-7644

DEPARTMENT OF ENVIRONMENTAL CONSERVATION OVERVIEW

"It is the policy of the state to conserve, improve, and protect its natural resources and environment and control water, land, and air pollution, in order to enhance the health, safety, and welfare of the people of the state and their overall economic and social well being." (AS 46.03.010).

The mission of the Department of Environmental Conservation is to protect human health and the environment. The department's duties as defined by the legislature are to adopt and enforce regulations setting standards for the prevention and abatement of all water, land, subsurface land, and air pollution, and the regulation of sanitation and sanitary practices in the interest of public health (AS 44.46.020).

Alaska's citizens and regulated industries must have confidence that the department has credible standards and monitoring systems in place to verify compliance with requirements to protect human health and the environment. Confidence in the department is achieved when its performance is timely, predictable, rational, based on facts. The department's credibility suffers when its actions appear to be based on generalized concerns or personal values unrelated to legislative goals.

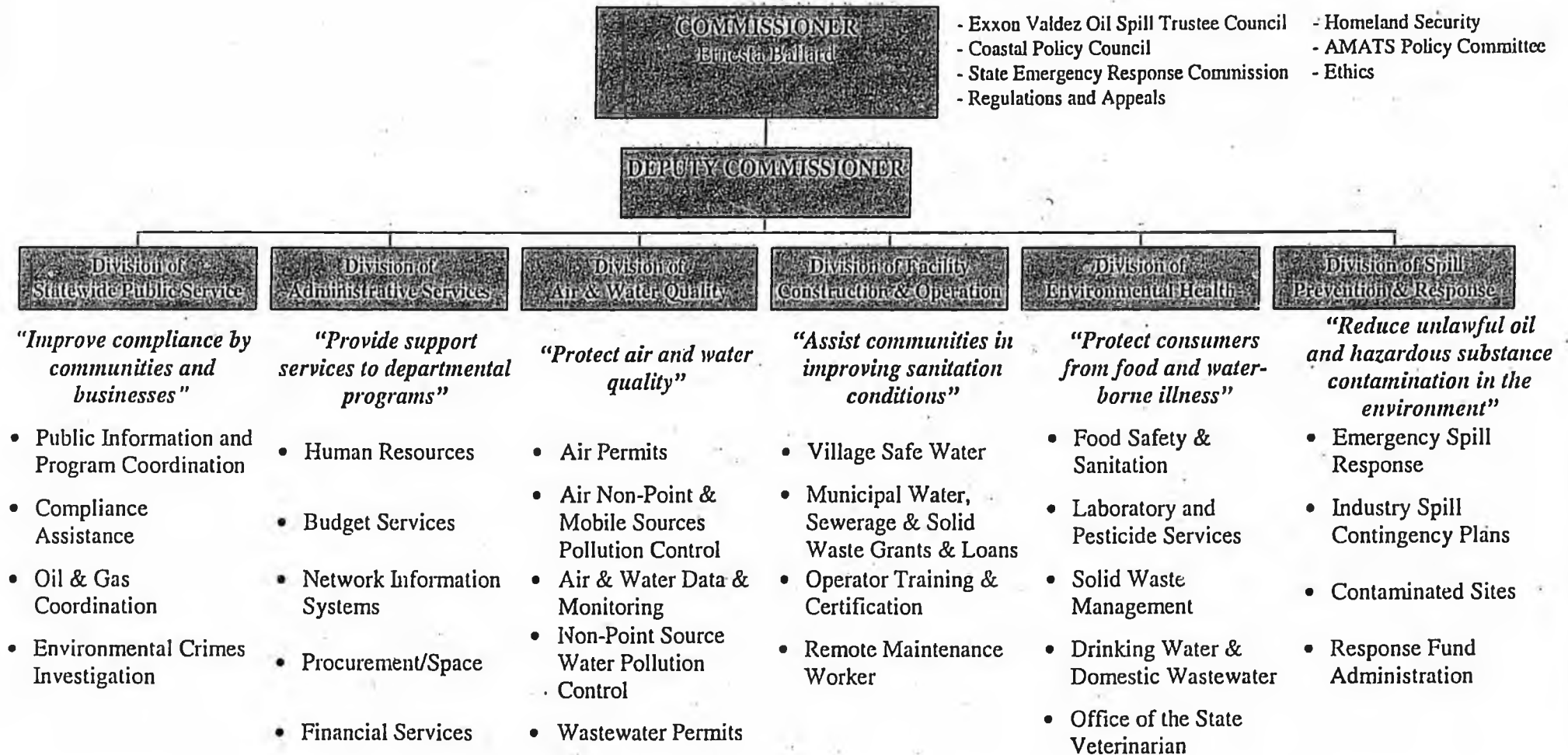
The industries operating in Alaska have both the will and technical ability to comply with human health and environmental protection standards. The goal of the department is to monitor and verify compliance with state standards. It is not the goal of the department to dictate how compliance must be achieved.

The Department has approximately 504 budgeted positions in its 6 divisions including Administrative Services, Statewide Public Service, Air and Water Quality, Environmental Health, Facility Construction and Operation, and Spill Prevention and Response. The department maintains 16 offices located in 14 different Alaska communities with the main presence in Anchorage, Juneau and Fairbanks. The department's functional organization chart, legislated policy, duties and division program services follow.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

"PROTECT HUMAN HEALTH AND THE ENVIRONMENT"

ORGANIZATION - MISSIONS AND FUNCTIONS



DEPARTMENT OF ENVIRONMENTAL CONSERVATION

AS 46.03.010 - Declaration of Policy

It is the policy of the state to conserve, improve, and protect its natural resources and environment and control water, land, and air pollution, in order to enhance the health, safety, and welfare of the people of the state and their overall economic and social well being.

It is the policy of the state to improve and coordinate the environmental plans, functions, powers, and programs of the state, in cooperation with the federal government, regions, local governments, other public and private organizations, and concerned individuals, and to develop and manage the basic resources of water, land, and air to the end that the state may fulfill its responsibility as trustee of the environment for the present and future generations.

AS 44.46.020 - Duties of department

- (a) The Department of Environmental Conservation shall
- (1) have primary responsibility for coordination and development of policies, programs, and planning related to the environment of the state and of the various regions of the state;
 - (2) have primary responsibility for the adoption and enforcement of regulations setting standards for the prevention and abatement of all water, land, subsurface land, and air pollution, and other sources or potential sources of pollution of the environment, including by way of example only, petroleum and natural gas pipelines;
 - (3) promote and develop programs for the protection and control of the environment of the state;
 - (4) take actions that are necessary and proper to further the policy declared in AS 46.03.010;
 - (5) adopt regulations for
 - (A) the prevention and control of public health nuisances;
 - (B) the regulation of sanitation and sanitary practices in the interest of public health;
 - (C) standards of cleanliness and sanitation in connection with the construction, operation, and maintenance of a camp, cannery, food handling establishment, food manufacturing plant, mattress manufacturing establishment, industrial plant, school, barbershop, hairdressing, manicuring, esthetics, tattooing and permanent cosmetic coloring, body piercing, or ear piercing establishment, soft drink establishment, beer and wine dispensaries, and for other similar establishments in which lack of sanitation may create a condition that causes disease;
 - (D) the regulation of quality and purity of commercially compressed air sold for human respiration.
- (b) The department's regulations for tattooing and permanent cosmetic coloring shops and for body piercing shops must include requirements that
- (1) the shop be equipped with appropriate sterilizing equipment, with availability of hot and cold running water, and with an appropriate waste receptacle;
 - (2) the owner of the shop is responsible for ensuring that case history cards are kept for each client for a period of three years after the client's most recent tattooing and permanent cosmetic coloring or body piercing;
 - (3) a practitioner in the shop may use only instruments for tattooing and permanent cosmetic coloring or body piercing that have been sterilized in accordance with methods approved by the department.

DIVISION OF AIR AND WATER QUALITY PROGRAM SERVICES

Air Permit Program

- Issue operating permits to existing major facilities incorporating all applicable requirements.
- Issue construction permits to new large facilities and for expansions of existing facilities.
- Issue general operating permits for small facilities.
- Monitor compliance with regulations and air quality standards through annual inspections and uniform enforcement procedures.
- Maintain Alaska's air quality management regulations.
- Certify and train air inspectors.
- Monitor suspected emission releases to support investigations.

Air Non-Point & Mobile Sources Program

- Maintain air quality plans to comply with health standards for carbon monoxide and particulate matter.
- Oversee the implementation of the vehicle inspection and maintenance (I/M) programs by the municipalities of Anchorage and Fairbanks.
- Implement the Matanuska-Susitna Valley commuter I/M program.
- Ensure fuel distributors provide ethanol-blended fuels in Anchorage during the winter months.
- Conduct studies to develop Alaskan solutions to air quality problems resulting from motor vehicle emissions.
- Ensure municipal "conformity" agreements comply with federal requirements.
- Develop State Improvement Plans for regional haze in four Alaskan Class I areas including Denali National Park & Preserve
- Evaluate the public health threat of toxic air pollutants to Alaska citizens.
- Provide oversight of the Department of Energy's environmental assessment and monitoring at the Amchitka former nuclear weapons test site.
- Monitor for radioactive fallout from nuclear accidents within or near the arctic.

Air and Water Data and Monitoring Program

- Maintain air and water quality databases and information management systems.
- Install and maintain air and water quality monitoring systems.
- Award financial assistance grants and provide technical assistance for community monitoring of local air and water quality.
- Maintain Water Quality Standards that incorporate state-specific considerations.

Non-Point Source Pollution Control Program

- Set priorities to preserve and improve water quality.
- Develop, and implement water recovery plans for polluted water.
- Award financial assistance grants to municipalities, local groups, and other state agencies involved in water quality projects.
- Review timber harvest plans and perform field inspections to ensure that best management practices are used during logging operations.
- Certify and inspect stormwater discharge plans for highway projects and development projects greater than five acres in size.
- Certify dredge and fill projects that require the approval of the Corps of Engineers.
- Develop methods for assessing wetland functions, providing a scientific foundation for wetlands planning and permitting decisions.

Wastewater Discharge Program

- Issue permits for smaller-volume sewage treatment plants and small industrial discharges.
- Certify larger-volume discharges of facilities that require the approval of the federal Environmental Protection Agency.
- Monitor and inspect permitted wastewater discharges.
- Register, monitor and inspect discharges from cruise ships under the Commercial Passenger Vessel Environmental Compliance Program established by State law in 2001.

DIVISION OF ENVIRONMENTAL HEALTH PROGRAM SERVICES

Drinking Water and Domestic Wastewater Program

- Establish design, construction, and operation standards for public water systems and on-site domestic wastewater treatment disposal systems.
- Review and approve public water systems and on-site domestic wastewater system operation and construction plans.
- Review financial, managerial, and technical capacity for all public water systems.
- Review laboratory monitoring of the water provided by public water systems.
- Oversee inspections and sanitary surveys of public water systems.
- Work with public water system owners to protect drinking water sources by assessing how vulnerable water sources are to contamination.

Food Safety and Sanitation Program

- Establish design, construction, and operation standards for retail food, food processors, hair and body art facilities, child and adult care facilities, pools and spas, and public toilets, showers and laundromats.
- Approve food safety and sanitation plans for most regulated facilities.
- Approve shellfish growing areas and implement the National Shellfish Sanitation Program.
- Inspect and permit most regulated food and public facilities.
- Participate in food safety recalls.
- Investigate reports of foodborne and waterborne illnesses.

Office of the State Veterinarian

- Establish criteria for livestock imports and care.
- Conduct surveillance of livestock and other animals for emerging diseases such as chronic wasting disease.
- Oversee the implementation of the Pasteurized Milk Ordinance.
- Inspect and approve commercial dairy farms and processors.

Laboratory Services Program

- Conduct laboratory testing of commercial food products processed in Alaska, including testing of shellfish for PSP.
- Certify or accredit commercial laboratories to conduct analysis of public drinking water systems, as well as underground storage tank and contaminated site remediation.
- Monitor Alaska's seafood for methyl mercury and other pollutants.
- Conduct analysis of animals such as reindeer for brucellosis and tuberculosis
- Conduct pesticide marketplace inspections
- Issue state required pesticide permits for application by or for a government entity, projects that will affect land owned separately by two or more people, and any aerial or water applications.
- Train and certify pesticide applicators.
- Register pesticides that are sold in Alaska.

Solid Waste Management Program

- Establish design, construction, and operation standards.
- Establish criteria for closing solid waste disposal sites.
- Conduct inspections.
- Issue solid waste permits.
- Work with rural communities on alternatives to permitting.

DIVISION OF SPILL PREVENTION AND RESPONSE PROGRAM SERVICES

Prevention and Emergency Response Program

- Lead the state's response to spills of oil and hazardous substances using area response teams in Anchorage, Fairbanks, and Juneau who can work as one team under the Incident Command System for large events.
- Oversee spill cleanup by the responsible party or take over cleanup when a responsible party is not found or is incapable.
- Evaluate spill impact, ensures containment and cleanup.
- Recover cleanup and restoration costs from the responsible party.
- Develop and coordinate an in-state hazardous materials response capability.
- Serve as state contact for the federal Community Right-to-Know program.
- Participate in government and industry response drills and exercises.
- Maintain the Alaska Federal/State Unified Plan and the ten Subarea/Regional Contingency Plans.
- Develop spill reporting and notification procedures.
- Manage term contracts with spill response organizations.
- Integrate Alaska communities into a statewide response system through local response agreements.
- Train local personnel in at-risk areas throughout the state.
- Keep timely and accurate spill information.
- Enforce statutes and regulations relating to oil and hazardous substance spill reporting, cleanup and restoration of the environment.

Industry Preparedness Program

- Assist regulated operators in spill prevention.
- Review and approve about 140 oil discharge prevention and contingency plans for installations or operations across the state.
- Inspect regulated operators to provide assistance and ensure compliance with requirements.
- Conduct oil spill drills with regulated operators to exercise and demonstrate response readiness.
- Administer the statewide Financial Responsibility Program to ensure that regulated operators maintain the financial resources to respond to any spill and mitigate environmental damage.
- Register primary response action contractors.
- Ensure that regulated operators employ the best available technology for spill prevention and response.
- Register primary response action contractors.

Contaminated Sites Program

- Identify and assess sites contaminated with oil or hazardous substances for potential threat to public health and the environment.
- Ensure that contaminated sites undergo investigation and cleanup in a priority order, based on threat.
- Use term contractors and the Oil and Hazardous Substance Release Prevention and Response Fund to clean up high priority sites when the responsible party is unknown or unable to perform cleanup.
- Recover state costs for oversight or cleanup from responsible parties.
- Negotiate cooperative funding agreements with federal agencies to enable staff oversight of federal sites.
- Coordinate the cleanup of state owned contaminated sites.

- Provide response and technical assistance for underground tank spills, and financial assistance to upgrade, close or clean up leaking USTs.
- Oversee the third-party inspection program for underground storage tanks.

Response Fund Administration

- Provide accurate three-year projections of the Response Fund balance and accurate and timely expenditure and revenue reporting.
- Target budget requests to limit annual funding requests to revenue available from the prevention account surcharge.
- Develop a long-term strategy for maintaining core spill prevention and response program with available revenue.
- Process grants and loans for underground storage tank cleanup and CIP expenditures for cleanup at state owned facilities.
- Track all state spill response expenditures and initiate timely billings to responsible parties to ensure maximum recovery of state costs.
- Identify and pursue other cost recovery sources such as the Federal Oil Spill Liability Trust Fund and participates in the settlement of cost recovery claims with the Department of Law.
- Manage and maintain contracts with private firms engaged in cleanup and remediation work for the Department.
- Prepare biennial Response Fund and annual Underground Storage Tank Revolving Loan Fund reports.
- In the case of a major spill response, support the Finance Section within the Incident Command System.

DIVISION OF ADMINISTRATIVE SERVICES PROGRAM SERVICES

Human Resources

- Provide leadership, advice, solutions and support in all areas of human resources.
- Record employee timesheets and manage payroll.
- Provide orientation training to all new employees and specialized training to employees in recruitment, leadership and mentoring, labor/management relations, EEO/Affirmative Action, ADA and workers compensation, classification, conflict resolution, workforce planning and organizational design.

Budget Services

- Provide leadership, training and technical support for statewide staff in the development and submission of the department's annual operating, capital, and loan budgets.
- Manage and operate the electronic budget systems and serve as the central contact for responses to requests for department budget information from the legislature, other state or federal agencies, and the general public.

Information Systems

- Provide planning and technical support to the department on centralized information systems, data management, network services, software and hardware, documentation standardization, and software licensing.

Procurement/Space

- Provide support in the areas of procurement and space/facility management.

Financial Services

Provide support in all areas of financial management including accounts payables and receivables, fund accounting, audit coordination, federal and state grants, management of the departmental billing system and the departmental indirect cost allocation plan.

DIVISION OF FACILITY CONSTRUCTION AND OPERATION PROGRAM SERVICES

Village Safe Water Program

- Secure federal grant funds with state matching funds.
- Provide grants to small communities for water, sewerage and solid waste studies and projects.
- Assign an engineer to each project to assist communities with planning facility design options and addressing regulatory issues.
- Ensure appropriate and effective use of grant funds by contracting for project-specific accounting services and disbursing funds to communities as progress payments after review of invoices.

Municipal Loans

- Secure Federal grant funds with State matching funds to further capitalize the Alaska Clean Water and Alaska Drinking Water Loan Funds.
- Provide low-interest loans to eligible systems for drinking water and wastewater projects.
- Assign an engineer to each project to assist eligible systems with project planning, design, construction, and addressing regulatory issues.
- Ensure appropriate and effective use of loan funds by disbursing funds to eligible systems as progress payments after review of invoices.

Municipal Water, Sewerage, and Solid Waste Grant Program

- Secure federal grant funds with State matching funds.
- Provide grants with a 50 to 15 percent local match requirement to larger communities for water, sewerage and solid waste projects.
- Assign an engineer to each project to assist communities with planning, developing facility design options and selection, and addressing regulatory issues.
- Ensure appropriate and effective use of grant funds by disbursing funds to communities as progress payments after review of invoices.

Operator Training and Certification Program

- Develop training curricula, correspondence courses, certification standards, and examination materials for over 1,100 certified drinking water and wastewater system operators.
- Coordinate and notify operators of training opportunities.
- Staff and work with the Alaska Water and Wastewater Advisory Board to establish standards for certifying operators and to adjudicate certification actions.
- Each year, arrange for and grade more than 20 special entry-level training courses for small community operators.
- Maintain a lending library of reference and training materials.

Remote Maintenance Worker Program

- Over-the-shoulder training and technical assistance to local water and sewer operators in over 170 rural communities through a circuit rider program.
- Immediate response to emergency situations that threaten or impact community water and sewerage facilities.
- Provide regional classroom training for area utility operators.
- Maintain an inventory of emergency repair equipment for loan to communities.

DIVISION OF STATEWIDE PUBLIC SERVICE PROGRAM SERVICES

Compliance Assistance Program

- "Enforcement Free" regulatory compliance assistance.
- On-site environmental compliance assessments, upon request.
- Training and Workshops on compliance and pollution prevention.
- Permitting Assistance related to compliance and pollution prevention.
- Pollution Prevention Planning.
- Facilitate Household hazardous waste collections and used oil management in regions around the State.
- "7 Generations" training and assistance to rural communities and Alaska Native Tribes.
- Establish partnerships with communities and businesses for pollution prevention work.
- Coordinate environmental leadership/beyond compliance projects.
- Coordinate department relationships with Alaska Native tribal governments.

Information, Coordination, and Education

- Assist the public, businesses and small communities navigate through the department's programs and its permitting and approval processes.
- Provide guidance and technical assistance on permitting options that do not require department permits.
- Department-wide disaster planning to ensure all agency programs are prepared to act when Alaskan citizens are in need during emergencies.
- Serve as the "one-stop-shopping" information center on department programs and services.
- Provide the public with efficient, easy to use tools to access department information.
- Serve as an independent third party to help resolve compliance problems related to inadequate information.
- Ensure fair, consistent, and proper handling of concerns and complaints.
- Coordinate major department projects involving several department programs.

Environmental Crimes Unit

- Investigate significant threats of harm to public health or the environment.
- Prepare evidence and present court testimony.
- Prevent unfair economic advantage by violators who try to avoid regulatory requirements.
- Identify those responsible for costs of environmental cleanups.

Oil and Gas Coordination

- Monitor Valdez Marine Terminal operations to ensure it is operated in a safe and environmentally sound manner.
- Coordinate department program work with the Joint Pipeline Office.
- Consult with oil and gas project proponents and other industry stakeholders, in advance of proposed projects.
- Ensure timely environmental reviews of oil and gas projects, coordinated within ADEC.
- Identify, evaluate, and take actions to streamline the ADEC permitting and approvals for oil and gas activities, while protecting human health and the environment.