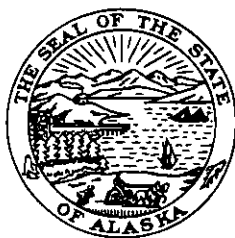


HB

318

Alaska State Legislature

Interim: (June – Dec.)
716 West 4TH Avenue, Suite 600
Anchorage, Alaska 99501-2133
(907) 269-0129
Fax (907) 269-0128



Session: (Jan. – May)
State Capitol, Room 403
Juneau, Alaska 99801-1118
(907) 465-4859
Fax (907) 465-3799

REPRESENTATIVE JOHN HARRIS

Sponsor Statement

HB 318

“An Act relating to public use of unregulated water systems”

In many parts of Alaska water for home and domestic use is difficult to obtain. Many Alaskans do not live in places where water can be reached by drilling a well or tapping into spring water, so many must find other ways to provide water for their personal use.

Some communities have common watering points where people can go to fill containers and haul water to their homes and places of residence. Those watering points may not always be state certified water wells. Under current regulations if 25 people or less use the well water the state of Alaska will allow it, but if more than 25 people use the well the state requires the well to be a Community public water system (PWS). This adds cost and additional management practices some communities don't have the resources to provide, and takes away a person's right to choose what they put into their bodies.

HB 318 allows Alaskans the freedom to choose where and how they get water for their personal use by providing language in statute for unregulated public water systems. This new language will require any watering point that isn't regulated by the state to have a notice posted conspicuously at the watering point stating the water is not regulated and users use it at their own risk. With proper disclosure citizens will be able to choose if they want to use the water and how they will maintain the water system.

26-LS1357R
Bullard
1/29/10

CS FOR HOUSE BILL NO. 318()

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVE HARRIS

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to public use of unregulated water systems."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * Section 1. AS 46.15 is amended by adding a new section to read:

4 **Sec. 46.15.032. Unregulated public water systems.** (a) The department may
5 not prohibit the consumption or use of water from a public water system that has a
6 notice posted conspicuously at all watering points warning that

7 (1) the water system is not regulated by the department;

8 (2) water from the system may not meet minimum drinking water
9 standards established by the department under AS 46.03.020(10)(C); and

10 (3) any person consuming or using the water from the water system
11 does so at the person's own risk.

12 (b) In this section,

13 (1) "public water system" means a system for the provision of water to
14 the public for human use or consumption; and

15 (2) "watering point" means a common tap from which a community

1

may obtain water.

Peter Fellman

From: Brenda Hannah
Sent: Monday, February 01, 2010 10:32 AM
To: Peter Fellman
Subject: FW: Sen Coghill//Water Testing Parks

Hey there Pete,
Please keep me in the loop.
Thanks for your time.

Respectfully,
Brenda Hannah

-----Original Message-----

From: King, James G (DNR) [mailto:james.king@alaska.gov]
Sent: Wednesday, January 27, 2010 10:40 AM
To: Brenda Hannah
Cc: Brakes, Heather K (DNR)
Subject: FW: Sen Coghill//Water Testing Parks

Brenda,

Here are the answers to your questions regarding drinking water in State Parks.

Regards,
James

Is drinking water in parks tested by DEC?

No, not by DEC, but by private contractors who take water samples and report the results to both DEC and DPOR.

If so how often?

Our water in the campgrounds or picnic areas is tested quarterly for nitrates and monthly for fecal coliform bacteria (during the visitor use season only, and not tested during non-use winter months)

What are the specs?

There can be no detection of fecal coliform bacteria; I'm not sure about the nitrates.

What is our policy on testing drinking water?

We test at the beginning of each visitor season and then monthly or quarterly depending on the test (see second Q above) We test all of our drinking water systems. However, as added precaution, we also post a sign at each hand pump water source stating that "this water may not meet drinking water standards and the user is advised to boil or purify the water before using."

Other information:

If a test comes back positive for fecal coliform, we discontinue allowing the public to use the well until it can be chlorinated thoroughly and retested until a clean test. In some cases, we have recurring positive tests, and in these cases, we try to abandon that well and

drill a new one that is not as susceptible to contamination. (usually from surface water runoff)

-----Original Message-----

From: Brakes, Heather K (DNR)
Sent: Monday, January 25, 2010 2:45 PM
To: King, James G (DNR); 'chris_degernes@alaska.gov'
Subject: Sen Coghill//Water Testing Parks
Importance: High

James,
Please contact Brenda in Sen Coghill's office 465.3719. They would like information on water testing in state parks.

Thank you so much.
Heather



Salcha Fair Association

P.O. Box 140086 Salcha, AK. 99714 Phone 907-488-4556 Fax 907-488-7097
salchafair@alaska.net

EIN #92-0118522

To Whom It May Concern,

The Salcha Fair Association received a \$2500.00 donation to put in a well at the fairgrounds in 2003. Mr. Partridge had lost his son in a horrible accident on Eielson Air Force Base. His son loved Salcha so he wanted to do something for the community in memory of his son.

There as a well put in and we named it Jacob's well in memory of his son. Salcha is a rural community with a lot of areas that produce very bad water. Therefore, the need for good water in this area is essential for basic needs. We are fortunate to have good quality water at Jacob's well located on the Salcha Fairgrounds. We got the water tested as soon as it was running and it came back good. We have the water tested 2 times a year and it has always been understood that it was a use at you own risk well.

We were very surprised at the amount of people who actually needed water in this area. It is good water, it is close to their home and they don't have to haul it that far. A lot of people used to get water in North Pole and they did not like all the additives and softeners that were in the water. Now look at the big mess North Pole is in and their water was supposedly regulated by safe water standards.

Input that I have received from the people who use this well is they appreciate it being there and say it is very good water and Thank us for having it available to them. Since the notoriety of the well has gotten attention. The Department of DEC has made us comply with community well regulations which the SFA cannot afford to test on a monthly basis so we have had to put a lock on the well and limit use of the well to only 24 people. There are so many more people in this area that need water and can't get it. "WE THE PEOPLE", should have the right to drink water from a well that has a proper disclaimer notice posted at the well site stating "USE AT YOUR OWN RISK". Why is it any different than at the Salcha River boat launch that has a well for people to use that has un-potable water but the people can still use that water. Also, it is the same as the Harding Lake facilities. So why is the SFA's well any different?

The Salcha Fair Association is run solely on volunteers. We have no gaming permit or a steady way to make money to run the operations of the yearly fair other than donations from sponsors for special events. Originally, we would just shut off electric after the fair event was over because we didn't need

it on all year long. After we put in the well and saw the huge need for water we kept the electric on all year long and asked the residents to make donations to help us to pay the monthly electric bill.

In Conclusion, It would be very nice to have the limited use restrictions lifted and be able to offer our community this life saving necessity provided that we have it properly posted as "use at your own risk".

Thank you for your time and consideration in this matter.

Sincerely,

Peggy Burns (Treasurer)
Salcha Fair Association
907-488-4556
salchafair@alaska.net

Peter Fellman

From: chris burns [burnsmarketing@alaska.net]
Sent: Thursday, December 17, 2009 3:02 PM
To: Peter Fellman
Subject: FW: Drinking water Notice for Salcha Fair
Attachments: Notice for well use 12-09.docx

Here is the final reply. She did not like the fact that I put on the well notice that DEC forced us to shut it down. As you can see the way she talks to me! Anyway just wanted to keep you posted.

Thanks,
Peggy

From: Grantham, Linda J (DEC) [mailto:linda.grantham@alaska.gov]
Sent: Wednesday, December 16, 2009 9:12 AM
To: chris burns
Subject: FW: Drinking water Notice for Salcha Fair

I added our phone number to the notice.

*Linda J. Grantham
Environmental Program Specialist III
ADEC Drinking Water Program
610 University Avenue
Fairbanks, AK 99709
Phone: 907-451-2137
Fax: 907-451-2188*

From: Grantham, Linda J (DEC)
Sent: Tuesday, December 15, 2009 3:09 PM
To: 'chris burns'
Subject: RE: Drinking water reminder for Salcha Fair
Importance: High

We received the clarification on the list you sent for persons using the watering point. With that information it does appear you will be operating as a Class C public water system.

The notice you sent us suggests that someone could get a key even if they couldn't afford to pay. You must change the notice to say the use of the well is being restricted because the SFA cannot afford to operate the watering point as a community well. I have attached a more appropriate notice for your use.

In order to put an ending to this issue, we are drafting a document for you to sign and have notarized stating that you do not and will not provide water to 25 or more residents from the well owned and operated by the Salcha Fair Association. We have a notary here in our office that you can use at no cost. I will be providing the document in a separate email or the USPS.

We will be sending one of our staff to take photographs of the newly installed lock.

Linda J. Grantham
Environmental Program Specialist 999
ADEC Drinking Water Program
610 University Avenue
Fairbanks, AK 99709
Phone: 907-451-2137
Fax: 907-451-2188

From: chris burns [mailto:burnsmarketing@alaska.net]
Sent: Tuesday, December 15, 2009 11:32 AM
To: Grantham, Linda J (DEC)
Subject: RE: Drinking water reminder for Salcha Fair

Ms. Grantham. In my haste to comply because of computer being down I sent the list and did not share all the details not realizing the impact of the people count on the list. Rod and Patty Lloyd live on the north slope and are only here 2-3 months in the summer and use the water at their Harding Lake cabin They have not gotten a key yet. (2 people), Cindy and Steve Jeffries don't use the well they just donate to help the fair they don't even have a key, (2 people) Walter Floyd is deceased (1 person) ,Beverly Lucas does not use the well she is the Secretary of SFA and she just donates to help us out. (1 person) and John and Donna Sones live in North Pole and only come out for a month in the summer and like to help the fair by donating. (2 people). That makes us below the 25 person count and the well is locked down and there are no more memberships being sold as to make us comply with the requirements. I am only a volunteer and do not get paid for my services for the Fairs doings and I feel I have done everything in my power to comply with your wishes. If you could send out your people to do an on site inspection as they did in the past then that should be verification of the information that I have submitted to you.

Respectfully,
Peggy Burns (Treasurer)
Salcha Fair Association

From: Grantham, Linda J (DEC) [mailto:linda.grantham@alaska.gov]
Sent: Monday, December 14, 2009 2:18 PM
To: chris burns
Cc: Irwin, Marci L (DEC); Christian, Cindy L (DEC)
Subject: RE: Drinking water reminder for Salcha Fair
Importance: High

Ms. Burns. You should note that the number of paying customers on the list you provided is 28. By definition, a water system with 25 or more residents is considered a Community water system and must comply with the Alaska Drinking Water Regulation 18 AAC 80.

As it stands, you are operating a Community water system without Department approval.

The Department has never forced you to do anything. We have advised you of the regulations and it is your decision as to whether or not you continue to operate as a Community water system. The Department is tasked to enforce Federal and State regulations in order to protect the health of those using a public water system.

Linda J. Grantham
Environmental Program Specialist 999
ADEC Drinking Water Program
610 University Avenue
Fairbanks, AK 99709

STATE OF ALASKA

**DEPT. ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL HEALTH
DRINKING WATER PROGRAM**

SEAN PARNELL, GOVERNOR

610 University Avenue
Fairbanks AK 99709
Phone: (907) 451-2108
Fax: (907) 451-2188
<http://www.dec.state.ak/>

100.07.287

Enf. Tracking #:09-1034-37-8197

January 8, 2010

CERTIFIED MAIL-RETURN RECEIPT REQUESTED #: 7009 1410 0002 1106 7083

Ms. Peggy Burns, Treasurer
Salcha Fair Association, Inc.
P.O. Box 140086
Salcha, AK 99714-0086

Re: Bilateral Compliance Agreement

Dear Ms. Burns:

This letter documents the Bilateral Compliance Agreement (BCA) between the Alaska Department of Environmental Conservation's Drinking Water Program (DEC) and the Salcha Fair Association, Inc. (SFA).

The SFA is a nonprofit organization formed to showcase local individual and community endeavors at an annual fair. The association owns and operates a drinking water well, PWSID# AK2312415, located at the Salcha fair grounds in Salcha, AK. The well was originally approved and served as a drinking water source to be used during the fair, but local interest prompted the SFA to provide water to the general public. At this time, the SFA does not have the financial capacity to operate and maintain the well as a Community public water system (PWS) as defined in 18 AAC 80. Therefore, SFA has chosen to operate as a State-regulated Class C PWS, and limit access to the well to less than 25 residents. This agreement establishes the requirements for use of this well as a State-regulated Class C public water system (PWS).

The SFA and its responsible party, currently Peggy Burns, shall limit access to the well by January 1, 2010 by providing to users keys to the locked watering point. The SFA shall provide to the DEC a current list of users of the well. The SFA shall provide annually by January 1st of each year to DEC an updated list of the users of the well, and in addition shall provide an updated list upon DEC's request.

The SFA also agrees that in order to retain the State regulated Class C status, the SFA will not allow use of the watering point to exceed the requirement that it serve less than 25 residents. The SFA agrees to comply with the State regulations governing operation of Class C public water systems.

If at any time the SFA decides to provide water to 25 or more residents, it shall notify DEC immediately and the SFA shall abide by the monitoring and reporting requirements in the state and federal regulations for the class of system that it operates.

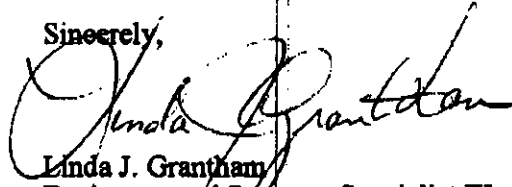
The Salcha Fair Association, Inc. shall designate an individual who has authority to bind the Salcha Fair Association, Inc. as the primary contact and agent on drinking water matters.

Currently, the SFA's designated agent is Ms. Peggy Burns. The SFA shall notify DEC of any changes to its designated agent.

To ensure the safety of the water, the Drinking Water Program recommends collecting monthly samples for total coliform bacteria analysis and annual samples for nitrate analysis, and have them analyzed by a State certified laboratory.

Please sign and date the attached agreement before a Notary and submit to the Drinking Water Program office in Fairbanks by January 29, 2010.

Sincerely,



Linda J. Grantham
Environmental Program Specialist III

LJG (G:\EHDWPWS\312415 Salcha Fair Association\BCA 2009.docx)

Enclosure: Bilateral Compliance Agreement

State of Alaska
Fourth Judicial District

Bilateral Compliance Agreement : State of Alaska and Salcha Fair Association, Inc.

I, Peggy Burns, being first duly sworn, depose and say that:

- (1) I am acting on behalf of the SAF under authority of its bylaws and I am the designated responsible agent for the purposes of entering into this bilateral compliance agreement;
- (2) I have authority to sign for and legally bind the SFA and its officials and successors to the commitments and conditions of this agreement;
- (3) The SFA will fully comply with all current procedures and requirements necessary to validly authorize my signature on this agreement;
- (4) The SFA agrees to the terms and conditions of this bilateral compliance agreement.

Peggy Burns

1-27-10

Signature of Peggy Burns
Treasurer and Designated Agent,
Salcha Fair Association, Inc.

Date

PEGGY BURNS

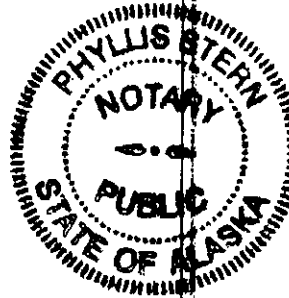
Printed Name

SUBSCRIBED AND SWORN to before me at 6961 Canada Rd. on 1-27-10
SALCHA, AK 99714 Date

Phyllis Stern

Notary Public, State of Alaska

My Commission Expires 12/17/11



Copy of original

Notice!

Thanks to all the notoriety of having a well for the community at the SFA grounds. The office of DEC drinking water program is forcing us to comply with regulations which require extensive testing. The SFA cannot afford to comply with all the tests required. Therefore: We are no longer allowed to provide water at large. We are locking up the well. If you are a paid member of the SFA then we will give you a key to Jacobs well. If you

cannot afford the \$40.00 a year membership let one of us know and we will get a key to you.

If you are a paid member to get your key please call 488-4556 for Peggy or 488-0803 for Lori we both live very close and we can run your key over to you or you can stop by my house or Lori's to get it.

We are sorry for the inconvenience but DEC gave us no choice.

**Salcha Fair Association
P.O.Box 140086
Salcha, AK. 99714**

**Lori Lovan @ 488-0803
Peggy Burns @ 488-4556**

Notice !

Use of this watering point has been restricted.

This is because the Salcha Fair Association currently cannot afford to operate the well as a Community water system as defined in the State Drinking Water Regulations 18 AAC 80.

Please contact Peggy Burns (488-0803) or Lori Lovan (488-4556) for information. Or, you can contact the DEC at 907-451-2108.

Alaska State Legislature

Interim: (June – Dec.)
716 West 4TH Avenue, Suite 600
Anchorage, Alaska 99501-2133
(907) 269-0129
Fax (907) 269-0128



Session: (Jan. – May)
State Capitol, Room 403
Juneau, Alaska 99801-118
(907) 465-4859
Fax (907) 465-3799

REPRESENTATIVE JOHN HARRIS

Past and current names of people
and families that have used the
Salcha well.

1. Amy Jo Horton 4887 FM 2087, Kilgore, Texas 75662
2. Becky Cummings
3. Beverly Lucas 5530 Xantheus Way, Salcha, AK. 99714 488-3568
4. Bob Murrey
5. Brandin Hechstrasser
6. Carol Tate 7027 Sewell Dr. Salcha, AK. 99714
7. Cindy Jeffries
8. Debbie Mantir
9. Dillon Horton 4887 FM 2087 Kilgore, Texas 75662
10. Gail Owen
11. Gary Johnson
12. Ann Johnson 488-3228
13. James Kley
14. Jan Owen-Denton
15. John Biddle 7473 Harding Drive, Salcha, AK. 99714 488-6798
16. Lori Lovan 7060 SnowWhite Ct. Salcha, AK. 99714 488-0803
17. Margie Hauger 5920 Richardson Hwy, Salcha, AK. 99714
18. Nancy L. Smith
19. Patty Lloyd General Delivery Salcha AK. 99714
20. Paul Delcourg General Delivery, Salcha, AK. 99714
21. Phyllis Stern
22. Richard Farrar Harding Lake Host 9500 Coolidge Dr. Salcha, AK. 99714
23. Rod Lloyd P.O.BOX 1636 Barrow, AK. 99723
24. Roger Hocking 7250 DeHalden Lane Salcha, AK. 99714
25. Sid Parrish P.O.BOX 140102 Salcha, AK. 99714
26. Steve Gulman Salcha Hardware 488-6398
27. Bill Tate
28. Morrie Mills
488-7114

29. Laura Vandermoot 5920 Richardson Salcha, AK. 99714
30. Ann Stone 7495 Richardson Hwy Salcha, AK. 99714 488-3027
31. James Stone
32. Dale Mantei 6225 Johnson Rd. Salcha, AK. 99714
33. Sharon Mantei 6225 Johnson Rd. Salcha, AK. 99714 488-2677
34. Roger Wilson 9535 Cooledge St. Salcha, AK. 99714
35. Leila Wilson 9535 Cooledge St. Salcha, AK. 99714
- 36.
- 37.
- 38.
- 39.
- 40.

2008-2009 Paid Well Membership

Bill Crandall
P.O. Box 14005
Salcha, AK. 99714
590-6105 Paid Cash May 08 \$20.00

Randy Owsley
P.O. Box 140115
Salcha, AK. 99714 Paid \$10.00 May 08 cash

Gary and Ann Johnson
 Johnson Rd
Salcha, AK. 99714
488-3228 Paid \$20.00 Cash May 08

Dale and Sharon Mantei
6225 Johnson Rd.
Salcha, AK. 99714 Pd ck# 1217 May 08 \$20.00

Rodney and Patricia Lloyd or General Delivery, Salcha, AK. 99714
P. O. Box 1636
Barrow, AK. 99723 pd. Ck#3081 \$20.00 May 08

John and Mary Jane Biddle
7473 Harding Dr.
Salcha, AK. 99714 pd CK#1047 \$20.00 on 6-7-08

Leroy H. Thayer
P.O. Box 60346
Fairbanks, AK. 99706-0346 pd. CK#314 for \$20.00 on 6-7-08

John Smoot
7197 Johnson Rd.
Salcha, AK. 99714 Paid 20.00 on 6/27/08

Paul Ratcliff
P.O. Box 56598
North Pole, AK. 99705 paid 20.00 cash 6/08

Roger and Jane Hocking
7250 Dehalden Ln.
Salcha AK. 99714 pd 20.00 on 6/23/08

John and Francis Sones
P.O. Box 140067
Salcha, AK. 99714 pd. 20.00 on 6/24/08

William W. Murden
7190 Johnson Rd.
Salcha, AK. 99714 Pd 20.00 ck#126 on 6/27/08

Mr. and Mrs. Wayne Hunter
6091 Homestead CT.
Salcha, AK. 99714 488-3784 paid \$40.00 ck#1385 (bounced) on 7/15/08

Jeff and Sherry Emmons
10380 Endeavor Dr.
Salcha, AK. 99714 pd. 20.00 on 7/25/08 ck#1500

Steve and Cindy Jeffries
Salcha AK. 99714 paid \$20.00 cash at front gate on 6/27/08

\$310.00 paid to date 8/4/08

Marge and Bob Houger
Richardson Hwy
Salcha, AK. 99714 488-2320 Paid Cash of \$20.00 on 9-28-08

Ernest and Robin Smith
7516 Johnson Rd.
Salcha, AK. 99714 paid Ck#3625 of \$20.00 on 9-20-08

\$350.00 paid to date 10/10/08

Well Memberships Fees paid
June 2006 thru June 2007

Nanci Jones
P.O. Box 55314
North Pole, 99705
488-

Paid \$10.00 6-27-06

Bill and Lynette Taylor
5382 Ingrid Dr.
Salcha, AK 99714
488-3953

Paid \$20.00 6-20-06

Mitch Collum
Don't have address or phone?
Donated 250.00 Cash towards well on July 5th, 2006

Cindy and Steve Jeffries
Salcha Ak. 99714
488-0794
6-23-06

Paid 20.00 on

Nick Jr. and Petite Bradshaw
7150 Johnson Rd.
Salcha, AK. 99714

Paid 10.00 on 7-6-06

Sharon and Jerry Morrison
9407 Coolidge
Salcha, AK. 99714
488-2512
6383 on 7-31-06

Paid \$20.00 ck #

Susan Carey
can't

Tara Huffman
members!

Gave Bev membership \$ I

remember receiving it.

Tina Williams
8914 Walts Road
Salcha, AK. 99714

paid \$10.00 at Sept meeting

Marge Houger
Richardson Hwy
Salcha, AK. 99714

paid \$10.00 at Sept meeting

Martina A. Delp
6401 Johnson Rd.
/donation
Salcha, AK. 99714
347-1533

paid \$20.00 membership

Oct. 7,

Leroy and Carolyn Thayer
P.O.Box 60346
Fairbanks, AK. 99706-0346
9-18-06

paid \$10.00 Ck # 178 on

Jeff and Sherry Emmons
10380 Endeavor Drive
Salcha, AK. 99714
10/11/06

paid \$10.00 Ck# 1456 on

Dale Mantei
6225 Johnson Rd.
Salcha, AK. 99714

paid \$10.00 cash 12/ 2006

Gary and Ann Johnson

Johnson Rd.

Salcha, AK. 99714

paid \$20.00 cash 10/06

Ms. Brenda Wilbur

1045 Gilmore St.

Fairbanks, AK. 99701-4116 paid \$10.00 1-29-07 ck# 6774

Terry and Tamara Reily

6939 Military Pipeline

Salcha, AK. 99714

paid \$20.00 ck# 2628 Jan 07

Ms. Carolyn Plum

6883 Johnson Rd.

Salcha, AK. 99714

paid \$10.00 12/26/06 ck# 1251

Grant D. Davenport

P. O. Box 140113

Salcha, AK. 99714

paid \$20.00 on 3/6/07 ck# 1811

\$450 paid towards well as of 3/7/07 pb

Red and Patty Lloyd

General Delivery

Salcha, AK. 99714

pd, 20.00 ck#2822 on 5-19-07

Salcha Fair Well Membership List June 25, 2005-----June 25, 2006

1. Jon Estephan P.O.Box 10411 Fbks. AK.99710
2. Mary Estephan 10500 Wrong Way Lane Salcha pd. 20.00
3. Raymond R. Rood 2601 E. Rose City, RD p.o.box 154 Lupton MI
48635 pd. 10.00 4/18/05
4. Kelley and Archie Wemark 6330 Grieme Rd. Salcha AK pd. 10.00
5. Bill and Kim Stock 6679 Johnson Rd. pd. 10.00 6/26/05C
6. Rick and Marge Holland 216 Dunbar Ave. Fbks. AK. 99701 pd. 10.00
7. Shelly Shupe 7505 Richardson Hwy. Salcha 488-3710 pd 10.00 7/13/05
8. Tina Williams 8914 Walts Rd. Salcha 488-2548 pd. 10.00 7/13/05
9. Nancy Jones P.O.Box 55314 North Pole 99705 pd. 20.00 10,donation
on 6/31/05
10. Sharon Morrison 9407 Coolidge dr. Salcha 488-2512 pd. 20.00
11. Jerry Morrison “ “ “ “
12. Debbie Mantei Johnson Rd. pd.
10.00
13. Carolyn and Leroy Thayer 10308 old valdez trail pd. 10.00 7/28/05
14. Joe Horton 4887 FM 2087 Kilgore TX 75662
15. Eldie Horton paid 50.00 on 7/28/05 30.00 donation
16. Marilyn Marsh paid 10.00 6252 Johnson Rd Salcha 488-3045
17. Cindy Jeffries paid 10.00 6365 River Running Rd. Salcha 488-0794
18. Steve Jeffries paid 10.00
19. Sidney Parrish paid 10.00 donated 40.00 P.O.Box 140102 Salcha
20. Cecili Balough 6955 Johnson Rd. Salcha, AK. Pd. 7-13-05
21. Leroy Thayer 488-2450
22. John Biddle 7473 Harding Dr. Salcha 99714 Pd. 9/27/05
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.

2009-2010 Paid Well Membership

Rod and Patty Lloyd pd \$40.00 on 6/8/09

Steve Gulmon pd \$100.00 on 6/19/09 978-9828

Leroy H and Carolyn Thayer

10308 Old Valdez Trail

Salcha, AK. 99714 pd Ck# 427 for \$20.00

P.O.Box 60435 Fbks, AK. 99706

John Smoot 460-1467

7197 Johnson Rd.

Salcha, AK. 99714 paid at 09 fair. \$20.00

Cindy and Steve Jeffries paid at 09 fair \$20.00

Kris and Christie Bowman

10240 Old Valdez Tr.

Salcha, AK. 99714 Paid 40.00 on 8/21 check # 1562

John and Mary Biddle

7473 Harding Dr.

Salcha, AK. 99714 Paid Ck# 1051 on 8/21-09 for \$20.00

Judy Sewell

10421 Old Valdez Tr.

Salcha, AK. 99714 on 8/29/09 cash of \$40.00

Roger and Jane Hocking

7250 Dehalden Ln.

Salcha, AK. 99714 488-0863 pd Ck # 7601 \$50.00

Mike S. King

7100 Johnson Rd.

Salcha, AK. 99714 799-8901 pd cash \$40.00 on 10/9/09

Roger and Leila Wilson

9535 Coolidge St.

Salcha, AK. 99714 347-1737 pd ck#195 \$40.00 on 9/1/09

Walter and Florence Floyd

7205 Johnson Rd.

Salcha, AK. 99714 488-3058 pd Ck#5838 \$50.00 on 8/31/09

Beverly Lucas paid \$200.00 to GVEA on 10/06/09

William and Kimberly Stock

6679 Johnson Rd.

Salcha, AK. 99714 488-6763 pd ck# 3956 for \$40.00

William D. Murphy

7332 Old Site Rd.

Salcha AK. 99714 paid 40.00 on 9/24/09 ck#1736

Jay Sones

P.O.Box140067

Salcha, AK. 99714

John and Donna Sones 377-3054

3745 Helensdale Ave. pd. Ck#1034

North Pole, AK. 99705 \$50.00 10/20/09

Ernest and Robin Smith

7516 Johnson Rd. 488-0273

Salcha, AK. 99714 pd Ck # 3973 for \$40.00 on 10-15-09

Dose DEC have a definition of a public water system in state statute?

They may respond that the definition is in the CFR they adopted.

(40CFR 141.2, Public water system means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances , if such system has at least fifteen services connections or regularly serves at least twenty five individuals daily at least 60 days out of the year)

How does DEC count those 25 people?

They may respond that they count every member of the house hold.

(So if 6 families have 4 members that's 24 people a day) So if people are hauling a week's worth of water at a time, the actual number of people served by the well could be as high as 168 people per week.

Did DEC advise the community of Salcha that the water system MAY qualify for a Variance?

Letter from Salcha Fair Association, received today, says they were not offered help, just more regulations

Was the community informed that there may be loans, financial assistance or technical assistance available to help upgrade the well?

CRF 40 clearly addresses the need to help communities with water problems so there isn't an unfunded mandate imposed on the people.

Dose the state have a definition of a "Disadvantaged Community" in state statute, with regards to safe drinking water?

CFR 40 Section 1452 has a definition under (D) Assistance for Disadvantaged Communities;

CS FOR HOUSE BILL NO. 318()

Sec. 46.03.082. Unregulated public water systems. (a) If the Department of Environmental Conservation determines that it is in the best interest of the public to limit or prohibit the consumption or use of water from a public water system used by 25 or more people per day before prohibiting the consumption or use of water from the system, the department shall first provide the community that uses the public water system with.

(b) In this section, "public water system" means a system for the provision of water to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly services an average of at least twenty five individuals daily at least 60 days out of the year.

(c) in this section "municipalities" means a community or urban political unit.

Section 1. AS 46.15.032 is amended by adding a new section to read:

Sec. 46.15.032. Unregulated public water systems. (a) If the Department of Environmental Conservation finds that more than 25 people are consuming water from an unregulated public water system or a system which has been found out of compliance with regulations adopted by the department, before closing the public water system or limiting its use the department shall provide the following.

- (1) A supply of clean potable water for each person who can no longer receive water from the public water system or assistance locating a clean, accessible water supply.
- (2) Technical assistance, system variances, guidance and advice to determine the best course of action to bring the offending water system into compliance.
- (3) Loans, grants and other financial assistance to ensure public water system compliance and safety is obtained and maintained as mandated by 40 CFR 141.1

(b) In this section,

(1) "public water system" means a system for the provision of water to the public for human use or consumption; and

(2) "watering point" means a common tap from which a community may obtain water.

26-LS1357E
Bullard
3/15/10

CS FOR HOUSE BILL NO. 318()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES HARRIS, Tammie Wilson, Johnson, Muñoz, Peggy Wilson, Seaton

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to public use of unregulated water systems."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 46.15 is amended by adding a new section to read:

*per day averaged
over 6 mos.*

4 **Sec. 46.03.082. Unregulated public water systems.** (a) If the department
5 determines that it is in the best interest of the public to limit or prohibit the
6 consumption or use of water from a public water system used by 25 or more people,
7 before prohibiting the consumption or use of water from the system, the department
8 shall first provide the community that uses the public water system with

9 (1) technical assistance to aid in making the water system meet
10 minimum drinking water standards established by the department under
11 AS 46.03.020(10)(C) when the department has reason to believe that the community
12 using the water system lacks the resources or expertise to get technical assistance from
13 other sources;

14 (2) financial assistance under AS 46.03.030(b) or 46.03.036(b) to
15 rehabilitate or replace the water system; and

1 (3) assistance in locating a reasonable source of drinking water or, if
2 no source of drinking water is reasonably available, a supply of drinking water for
3 persons using the water system.

4 (b) In this section, "public water system" means a system for the provision of
5 water to the public for human use or consumption.

26-LS1357\S
Bullard
3/29/10

CS FOR HOUSE BILL NO. 318()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES HARRIS, Tammie Wilson, Johnson, Muñoz, Peggy Wilson, Seaton, Keller

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to public use of unregulated public water systems."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 46.15 is amended by adding a new section to read:

4 **Sec. 46.03.082. Unregulated public water systems.** (a) The department may
5 determine that it is in the best interest of the public to limit or prohibit the
6 consumption or use of water from a public water system. If the public water system is
7 located in a community, before prohibiting the consumption or use of water from the
8 system, the department shall first provide the community with

9 (1) technical assistance to aid in making the water system meet
10 minimum drinking water standards established by the department under
11 AS 46.03.020(10)(C) when the department has reason to believe that the community
12 lacks the resources or expertise to get technical assistance from other sources;

13 (2) financial assistance to rehabilitate or replace the water system; and

14 (3) assistance in locating a reasonable source of drinking water, or, if
15 no source of drinking water is reasonably available, a supply of drinking water, for

1 persons using the water system.

2 (b) In this section,

3 (1) "community" means a municipality or a place in the unorganized
4 borough in which 25 or more people reside as a social unit;

5 (2) "public water system" means a system for the provision of water to
6 the public for human use or consumption through pipes or other constructed
7 conveyances, if the system has 15 or more service connections or otherwise serves 25
8 or more individuals each day for 60 or more days in a calendar year.

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 318
 () Publish Date: _____

Identifier (file name): HB318-DEC-CO-02-19-2010 Dept. Affected: Environmental Conservation
 Title: Unregulated Potable Water Systems RDU: Environmental Health & Water Quality
 Component: Drinking Water
 Sponsor: Representative Harris & Facility Construction
 Requester: Community and Regional Affairs, Resources Component Number: 2066 & 637

Expenditures/Revenues (Thousands of Dollars)

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

	Appropriation Required	Information						
		FY 2011	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES								
Personal Services		(5,909.7)						
Travel		(310.7)						
Contractual		(1,374.2)						
Supplies		(223.4)						
Equipment		(20.0)						
Land & Structures								
Grants & Claims								
Miscellaneous								
TOTAL OPERATING		0.0	(7,838.0)	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES								
CHANGE IN REVENUES ()								

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts		(5,644.7)						
1003 GF Match		(1,986.6)						
1004 GF								
1005 GF/Program Receipts		(206.7)						
1037 GF/Mental Health								
Other Interagency Receipts								
TOTAL		0.0	(7,838.0)	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2010) cost: _____

POSITIONS

Full-time		(66.0)						
Part-time								
Temporary								

ANALYSIS: (Attach a separate page if necessary)

If HB 318 becomes law, the Environmental Protection Agency (EPA) has indicated that they will withdraw approval of the Department's drinking water regulatory program. Loss of primacy for the Drinking Water Program would mean loss of \$5.6 million annually in federal grant funds for the program. In addition, EPA would implement the program with much less flexibility and concern for local issues than the State.

(continued on page 2)

Prepared by: Kristin Ryan, Director
 Division: Environmental Health
 Approved by: Larry Hartig
Commissioner

Phone: (907) 269-7645
 Date/Time: 2/23/2010 @ 11am
 Date: 2/23/2010

FISCAL NOTE

STATE OF ALASKA
2010 LEGISLATIVE SESSION

BILL NO. HB 318

ANALYSIS CONTINUATION

In addition to the decrements shown above, Alaska would also become ineligible for the annual federal grants for the low-interest Drinking Water Loan Program. EPA provides approximately \$13 million each year that the State deposits into a loan fund from which loans are made to municipalities for drinking water infrastructure projects. These annual capitalization grants would be lost to the state and our municipalities.

This bill would also reduce EPA funding received by the Environmental Health Laboratory used to certify private laboratories so they can provide testing services to public drinking water systems.

<<GAVEL>>

Let's call the meeting to order.

Let the record reflect that it is 8:00 a.m. on Tuesday, March 16, 2010.

Present are:

Representative Keller

Representative Harris

Representative Millett

Representative Cissna

Representative Gardner

Co-Chair Munoz

And myself, Chair Herron

[At this time I would like to remind everyone to turn off their cell phones.]

This morning we have **HB 318 Unregulated Potable Water Systems** back before us.

Members should have their bill packets from last Thursday's hearing we had on this bill. Harris staff Pete Fellman presenting.

[Have not heard from DEC who will be there, but these two testified last time]:
Online: Kristine Ryan, DEC Environmental Health Director, to testify on HB 318
Lori Verbrugge, Epidemiologist

Ask ADEC questions (provided by Fellman).

Rep. Harris: Mr Chairman, I have this CS I'd like the committee to consider.

2

Peter Fellman

From: chris burns [burnsmarketing@alaska.net]
Sent: Monday, February 22, 2010 8:18 AM
To: Peter Fellman
Subject: FW: Salcha Fairground Well

Hey Pete,

Here is one of the original emails concerning the well and she said 25 or more people a day which we did not have that kind of use and then Ms. Grantham said 25 or more a month. Big difference when it depends on whether or not it can be used as it was? FYI

Peggy

From: Christian, Cindy L (DEC) [mailto:cindy.christian@alaska.gov]
Sent: Tuesday, April 14, 2009 11:42 AM
To: salchafair@alaska.net
Cc: Ryan, Kristin J (DEC); Weise, James R (DEC)
Subject: Salcha Fairground Well

Good Morning Peggy,

It was good to talk to you yesterday regarding the well at the Salcha Fairgrounds. You said that the well is still operating and has not be locked or shut down at any point. The well is currently classified as a Class C state regulated water system. This means that the well is approved to serve less than 25 people per day. Originally the well was classified as Class C because it was only in operation during the fair. If the well serves more than 25 people per day, then it would be reclassified as a Class A Community Water System. The Fair Association has several options for keeping the Class C status for the well. As we discussed yesterday, you could restrict the usage of the well by locking the well house and only providing keys to a certain number of people to keep the population below 25/day. You also indicated that you would like to charge people for using the well so that it would help to pay the electric bill for the pump.

Another option would be to provide a sign-in sheet at the well house so that we could try to get an idea of how many people are currently using the well. You said yesterday that you didn't think that 25 people per day are using the well. We just need to get some kind of verification of that number. Another thing you could do would be to hire an engineer to verify the number of people currently using the well. This is something that the community of Ester did to verify the number of people using their well. They were able to remain a Class C because they verified that less than 25 people per day were getting water. I'm not sure if you have any engineers living in Salcha that would be able to do this for you, but it is something to look at.

Please let me know if you have any questions or if I can be of further help.

Thanks,

Cindy

Cindy Christian

Compliance and Monitoring Manager