

ALASKA LEGISLATURE COMMITTEE FILES 1987-88 8672

4487 HCRA HB 487 - HB 493

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HB

487

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

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May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House C+RA

2-29-88

3:00p.m.



Alaska State Legislature

⑧ HB 487

House of Representatives

Committee on
Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4833

MEMORANDUM

To: Representative Ben Grussendorf
Speaker of the House

From: Representative Henry Springer, *H. Springer* Chairman
Community and Regional Affairs Committee

Date: February 29, 1988

Subject: HB 487 - Hazardous Waste Placards and Reporting

By unanimous consent of the Committee today, consideration of HB 487, "An Act relating to warning placards and municipal reporting programs for hazardous materials and hazardous wastes" was waived.

File Contents

HB 487 - Hazardous Waste Placards & Reporting

<u>No.</u>	<u>Description</u>
1.	Bill Copy
1.1	Fiscal Note - Public Safety
2.	NFPA Standards, 1985
3.	PL 99-499
4.	Bill Review - HCRA Staff-Harrison
5.	Governor's Office Bill Analysis
6.	Position Paper - Public Safety
7.	

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: HB 487
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Public Safety
Title: An act relating to warning placards BRU: Fire Prevention
and municipal reporting...
Sponsor: Rep. Gruenberg Components: _____
Requestor: House C&RA

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		0	0	0	0	0

CAPITAL		0	0	0	0	0
---------	--	---	---	---	---	---

REVENUE		0	0	0	0	0
---------	--	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact

Prepared by: Gordon E. Brunton *GEB* Phone: 465-4331
Division: Fire Prevention Date: 2/19/88
Approved by Commissioner: D. A. ... Date: 2-29-88
Agency: Public Safety

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

CORRECTION

**THIS DOCUMENT
HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY**

1.1 HB 487

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: HB 487
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

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MISCELLANEOUS						
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REVENUE		0	0	0	0	0
---------	--	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL		0	0	0	0	0

POSITIONS:

FULL-TIME		0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact

Prepared by: Gordon E. Brunton *SEB* Phone: 465-4331
Division: Fire Prevention Date: 2/19/88

Approved by Commissioner: D. Hoots *Dep. Comm.* Date: 2-29-88
Agency: Public Safety

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

(2) HB 487

NOTE: The 1985 Edition of NFPA 704 is basically the same as the 1986 Edition of NFPA 704M, according to George LaMore of the Anchorage Fire Department. The placarding requirements or standards stayed the same during the 1986 update process.

ARCO does not have the 1986 Editions on file. They are on order and expected to arrive soon.

For purposes of reference, the 1985 documents should suffice.

Please call me if this is unacceptable and I will try and track down copies of 1986 from external sources.

Wanda Holzer
263-4005



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NFPA 704

Standard System for the Identification of the Fire Hazards of Materials 1985 Edition

This edition of NFPA 704, *Standard System for the Identification of the Fire Hazards of Materials*, was prepared by the Technical Committee on Fire Hazards of Materials, and acted on by the National Fire Protection Association, Inc. at its Fall Meeting held November 12-15, 1984 in San Diego, California. It was issued by the Standards Council on December 7, 1984, with an effective date of December 27, 1984, and supersedes all previous editions.

The 1985 edition of this standard has been approved by the American National Standards Institute.

Changes other than editorial are indicated by a vertical rule in the margin of the pages on which they appear. These lines are included as an aid to the user in identifying changes from the previous edition.

Origin and Development of NFPA 704

Work on this standard originated in 1957 with a great deal of the development work having been done by the NFPA Sectional Committee on Classification, Labeling and Properties of Flammable Liquids starting in 1952. Background data was published by the Association in its *Quarterly* magazine in July 1954, 1956, and 1958. The material in its present form was first Tentatively Adopted in 1960. Official Adoption was secured in 1961 and revisions adopted in 1964, 1966, 1969, 1975 and 1980. This 1985 edition supersedes all previous editions.

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Committee on Fire Hazards of Materials

Donald P. Yuellig, Chairman
Fire Prevention Bureau
(Rep. FMANA)

Martin F. Henry, Secretary
National Fire Protection Association
(Nonvoting)

William H. Barlen, Compressed Gas Assn., Inc.
Richard G. Gann, Center for Fire Research NBS
Mark Ian Grossman, American Insurance Services Group, Inc.
Richard J. Lewis Sr., US Natl. Inst. for Occupational Safety & Health

James E. Long, 3M Co.
Rep. American Industrial Hygiene Assn.
Harry H. McIntyre, Harry McIntyre Associates
John M. Poulson, Union Carbide Corporation
Robert W. VanDolah, Pittsburgh, PA
J. E. Wallis, Underwriters Laboratories Inc.

Alternates

Michael S. Hildebrand, American Petroleum Inst.
(Alternate to American Petroleum Inst.)

This list represents the membership at the time the Committee was balloted on the text of this edition. Since that time, changes in the membership may have occurred.

NOTE: Membership on a Committee shall not in and of itself constitute an endorsement of the Association or any document developed by the Committee on which the member serves.

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NFPA 704
Standard System for the
Identification of the Fire Hazards of
Materials

1985 Edition

Information on referenced publications can be found in Appendix D.

Foreword

The Committee on Fire Hazards of Materials has been working on the material in this standard since early 1957. A great deal of preliminary work was developed as a manual by the Sectional Committee on Classification, Labeling and Properties of Flammable Liquids of the NFPA Committee on Flammable Liquids starting in 1952. Progress reports were given on this activity at NFPA Annual Meetings and reported in the *NFPA Quarterly* in July issues of 1954, 1956 and 1958. The material was tentatively adopted as a guide in 1960, adopted in 1961, and further amended in 1964, 1966, 1969, 1975 and 1980.

As originally conceived, the purpose of the standard is to safeguard the lives of those individuals who may be concerned with fires occurring in an industrial plant or storage location where the fire hazards of materials may not be readily apparent.

Chapter 1 Scope and Application

1-1 This standard applies to facilities for the manufacturing, storage or use of hazardous materials. It is concerned with the health, fire, reactivity and other related hazards created by short term exposure as might be encountered under fire or related emergency conditions. This standard applies to industrial and institutional facilities. It does not apply to transportation or to use by the general public.

1-2 This standard provides a simple system of readily recognizable and easily understood markings, which will give at a glance a general idea of the inherent hazards of any material and the order of severity of these hazards as they relate to fire prevention, exposure and control. Its objectives are to provide an appropriate signal or alert and on-the-spot information to safeguard the lives of both public and private fire fighting personnel during fire emergencies. It will also assist in planning for effective fire fighting operations. This system should also find useful application by design engineers, and plant protection and safety personnel. It is recognized that local conditions will have a bearing in evaluating hazards; therefore, the discussions are kept in general terms.

1-3 This system identifies the hazards of a material in terms of three principal categories, namely, "health,"

"flammability," and "reactivity (instability)"; and indicates the order of severity numerically by five divisions ranging from "four (4)," indicating a severe hazard, to "zero (0)," indicating no special hazard. This information is presented by a spatial system of diagrams with "health" always being on the left; "flammability" at the top; and "reactivity (instability)" on the right. Examples of spatial arrangement are shown on page . For the sake of uniformity and understanding, the spatial arrangements shown in the examples shall be followed. Supplementing the spatial arrangement, color backgrounds or numbers are used for the three categories — blue for "health" hazard, red for "flammability," and yellow for "reactivity (instability)."

1-4 The fourth space in the diagram (see Figure 1) shall be used to indicate unusual reactivity with water. The recommended signal to indicate this unusual reactivity with water and to alert the fire fighting personnel to the possible hazard of using water is the letter W with a line through the center (W). This space also may be used to indicate other additional information such as radioactivity (see Figure 1), proper fire extinguishing agent, or protective equipment required in case of fire or other emergency.

1-5 This system is intended to give basic information to fire fighting and emergency personnel enabling them to decide better whether to evacuate the area or to fight the fire and will guide them in the solution of fire fighting techniques and protective measures.

1-6 While this system is basically simple in application, the hazard evaluation which is required for the precise use of the signals in a specific location shall be performed by experienced, technically competent persons. Their judgment shall be based on factors encompassing a knowledge of the inherent hazards of different materials, including the extent of change in behavior to be anticipated under conditions of exposure to fire or to fire control procedures. For additional information see NFPA 49, *Hazardous Chemicals Data*; and NFPA 925M, *Fire Hazard Properties of Flammable Liquids, Gases and Volatile Solids*.

1-7 The system for ranking degrees of hazard is based on relative rather than absolute values. Therefore it is anticipated that conditions of storage and use may result in different degrees being assigned to the same material by different people of equal competence. Furthermore, the suggestions for criteria in the following chapters are limited. For example, flash point has been selected as the major guide in ranking degrees of flammability for flammable liquids, but there are many other guides that can be used when the degree to be assigned to a specific material is not immediately self-evident. These guides include, but are not limited to: ignition temperature, flammable range, and susceptibility of a container to rupture by an internal combustion explosion or to metal failure while under pressure, because of heat from external fire. In the case of ranking for reactivity, emphasis has been placed on the ease of initiation of energy producing reactions and the amount of energy released. Thus, true explosives capable of ready initiation of detonation would be in degree 4; substances requiring high temperatures or

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confinement or extremely large stimuli would be in degree 3; etc. Finally, under health hazard, there is consideration not only of the degree of hazard but also of the protective measures which may be taken to minimize the hazards of short term exposure.

1-8 In some situations, such as in a building, room or other localized area, a wide variety of materials may be stored having varying degrees of hazards. In such cases, the identifying symbol shall indicate the most severe degree of hazard in each category except when a high hazard rating would be misleading because of the presence of an insignificant quantity of the material requiring the rating.

1-9 Definitions.

Approved. Acceptable to the "authority having jurisdiction."

NOTE: The National Fire Protection Association does not approve, inspect or certify any installations, procedures, equipment, or materials nor does it approve or evaluate testing laboratories. In determining the acceptability of installations or procedures, equipment or materials, the authority having jurisdiction may base acceptance on compliance with NFPA or other appropriate standards. In the absence of such standards, said authority may require evidence of proper installation, procedure or use. The authority having jurisdiction may also refer to the listings or labeling practices of an organization concerned with product evaluations which is in a position to determine compliance with appropriate standards for the current production of listed items.

Authority Having Jurisdiction. The "authority having jurisdiction" is the organization, office or individual responsible for "approving" equipment, an installation or a procedure.

NOTE: The phrase "authority having jurisdiction" is used in NFPA documents in a broad manner since jurisdictions and "approval" agencies vary as do their responsibilities. Where public safety is primary, the "authority having jurisdiction" may be a federal, state, local or other regional department or individual such as a fire chief, fire marshal, chief of a fire prevention bureau, labor department, health department, building official, electrical inspector, or others having statutory authority. For insurance purposes, an insurance inspection department, rating bureau, or other insurance company representative may be the "authority having jurisdiction." In many circumstances the property owner or his designated agent assumes the role of the "authority having jurisdiction"; at government installations, the commanding officer or departmental official may be the "authority having jurisdiction."

Labeled. Equipment or materials to which has been attached a label, symbol or other identifying mark of an organization acceptable to the "authority having jurisdiction" and concerned with product evaluation, that maintains periodic inspection of production of labeled equipment or materials and by whose labeling the manufacturer indicates compliance with appropriate standards or performance in a specified manner.

Listed. Equipment or materials included in a list published by an organization acceptable to the "authority having jurisdiction" and concerned with product evaluation, that maintains periodic inspection of production of listed equipment or materials and whose listing states either that the equipment or material meets appropriate standards or has been tested and found suitable for use in a specified manner.

NOTE: The means for identifying listed equipment may vary for each organization concerned with product evaluation, some of which do not recognize equipment as listed unless it is also labeled. The "authority having jurisdiction" should utilize the system employed by the listing organization to identify a listed product.

Shall. Indicates a mandatory requirement.

Should. Indicates a recommendation or that which is advised but not required.

Chapter 2 Health Hazards

2-1 General.

2-1.1 This chapter deals with the capacity of a material to cause personal injury from contact with or absorption into the body. Only hazards arising out of an inherent property of the material, or a property of the products of combustion of that material, will be considered. Injury resulting from the heat of a fire or force of an explosion is not included.

2-1.2 In general, health hazard in fire fighting or other emergency conditions is that of a single exposure which may vary from a few seconds up to an hour. The physical exertion demanded in fire fighting or other emergency conditions may be expected to intensify the effects of any exposure.

2-1.3 There are two sources of health hazards. One arises out of the inherent properties of the material. The other arises out of the toxic products of combustion or decomposition of the material. The hazard degree shall be assigned on the basis of the greater hazard that could exist under fire or other emergency conditions. The common hazards from the burning of ordinary combustible materials are not included.

2-1.4 The degree of hazard shall indicate to fire fighting personnel one of the following: that they can work safely only with specialized protective equipment; that they can work safely with suitable respiratory protective equipment; or that they can work safely in the area with ordinary clothing.

2-2 Definition.

2-2.1 A health hazard is any property of a material which either directly or indirectly can cause injury or incapacitation, either temporary or permanent, from exposure by contact, inhalation or ingestion.

2-3 Degrees of Hazard.

2-3.1 Degrees of hazard are ranked according to the probable severity of hazard to personnel as follows.

4 Materials which on very short exposure could cause death or major residual injury even though prompt medical treatment were given, including those which are too dangerous to be approached without specialized protective equipment. This degree should include:

Materials which can penetrate ordinary rubber protective clothing;

Materials which under normal conditions or under fire conditions give off gases which are extremely hazardous (i.e., toxic or corrosive) through inhalation or through contact with or absorption through the skin.

3 Materials which on short exposure could cause serious temporary or residual injury even though prompt medical treatment were given, including those requiring protection from all bodily contact. This degree should include:

Materials giving off highly toxic combustion products;

Materials corrosive to living tissue or toxic by skin absorption.

2 Materials which on intense or continued exposure could cause temporary incapacitation or possible residual injury unless prompt medical treatment is given, including those requiring use of respiratory protective equipment with independent air supply. This degree should include:

Materials giving off toxic combustion products;

Materials giving off highly irritating combustion products;

Materials which either under normal conditions or under fire conditions give off toxic vapors lacking warning properties.

1 Materials which on exposure would cause irritation but only minor residual injury even if no treatment is given, including those which require use of an approved canister type gas mask. This degree should include:

Materials which under fire conditions would give off irritating combustion products;

Materials which on the skin could cause irritation without destruction of tissue.

0 Materials which on exposure under fire conditions would offer no hazard beyond that of ordinary combustible material.

Chapter 3 Flammability Hazards

3-1 General.

3-1.1 This chapter deals with the degree of susceptibility of materials to burning. Many materials which will burn under one set of conditions will not burn under others. The form or condition of the material, as well as its inherent properties, affects the hazard.

3-2 Degrees of Hazard.

3-2.1 The degrees of hazard are ranked according to the susceptibility of materials to burning as follows:

4 Materials which will rapidly or completely vaporize at atmospheric pressure and normal ambient temperature or which are readily dispersed in air, and which will burn readily. This degree should include:

Gases;

Cryogenic materials;

Any liquid or gaseous material which is a liquid while under pressure and having a flash point below 73°F (22.8°C) and having a boiling point below 100°F (37.8°C). (Class IA flammable liquids.)

Materials which on account of their physical form or environmental conditions can form explosive mixtures with air and which are readily dispersed in air, such as dusts of combustible solids and mists of flammable or combustible liquid droplets.

3 Liquids and solids that can be ignited under almost all ambient temperature conditions. Materials in this degree produce hazardous atmospheres with air under almost all ambient temperatures or, though unaffected by ambient temperatures, are readily ignited under almost all conditions. This degree should include:

Liquids having a flash point below 73°F (22.8°C) and having a boiling point at or above 100°F (37.8°C) and those liquids having a flash point at or above 73°F (22.8°C) and below 100°F (37.8°C). (Class IB and Class IC flammable liquids);

Solid materials in the form of coarse dusts which may burn rapidly but which generally do not form explosive atmospheres with air;

Solid materials in a fibrous or shredded form which may burn rapidly and create flash fire hazards, such as cotton, sisal and hemp;

Materials which burn with extreme rapidity, usually by reason of self-contained oxygen (e.g., dry nitrocellulose and many organic peroxides);

Materials which ignite spontaneously when exposed to air.

2 Materials that must be moderately heated or exposed to relatively high ambient temperatures before ignition can occur. Materials in this degree would not under normal conditions form hazardous atmospheres with air, but under high ambient temperatures or under moderate heating may release vapor in sufficient quantities to produce hazardous atmospheres with air. This degree should include:

Liquids having a flash point above 100°F (37.8°C), but not exceeding 200°F (93.4°C);

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REACTIVITY (INSTABILITY) HAZARDS

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Solids and semisolids which readily give off flammable vapors.

- ① Materials that must be preheated before ignition can occur. Materials in this degree require considerable preheating, under all ambient temperature conditions, before ignition and combustion can occur. This degree should include:

Materials which will burn in air when exposed to a temperature of 1500°F (815.5°C) for a period of 5 minutes or less;

Liquids, solids and semisolids having a flash point above 200°F (93.4°C);

This degree includes most ordinary combustible materials.

- ② Materials that will not burn. This degree should include any material which will not burn in air when exposed to a temperature of 1500°F (815.5°C) for a period of 5 minutes.

Chapter 4 Reactivity (Instability) Hazards

4-1 General.

4-1.1 This chapter deals with the degree of susceptibility of materials to release energy. Some materials are capable of rapid release of energy by themselves, as by self-reaction or polymerization, or can undergo violent eruptive or explosive reaction if contacted with water or other extinguishing agents or with certain other materials.

4-1.2 The violence of reaction or decomposition of materials may be increased by heat or pressure, by mixture with certain other materials to form fuel-oxidizer combinations, or by contact with incompatible substances, sensitizing contaminants or catalysts.

4-1.3 Because of the wide variations of accidental combinations possible in fire or other emergencies, these extraneous hazard factors (except for the effect of water) cannot be applied in a general numerical scaling of hazards. Such extraneous factors must be considered individually in order to establish appropriate safety factors such as separation or segregation. Such individual consideration is particularly important where significant amounts of materials are to be stored or handled. Guidance for this consideration is provided in NFPA 49, *Hazardous Chemicals Data*.

4-1.4 The degree of hazard shall indicate to fire fighting and emergency personnel that the area should be evacuated, that the fire may be fought from a protected location, that caution must be used in approaching the fire and applying extinguishing agents, or that the fire may be fought using normal procedures.

4-2 Definitions.

4-2.1 Reactive materials are those which can enter into a chemical reaction with other stable or unstable materials. For purposes of this standard, the other material to be considered is water and only if its reaction releases energy. Reactions with common materials, other than water, may release energy violently. Such reactions shall be considered in individual cases, but are beyond the scope of this identification system.

4-2.2 Unstable materials are those which in the pure state or as commercially produced will vigorously polymerize, decompose or condense or become self-reactive and undergo other violent chemical changes.

4-2.3 Stable materials are those that normally have the capacity to resist changes in their chemical composition, despite exposure to air, water and heat as encountered in fire emergencies.

4-3 Degrees of Hazard.

4-3.1 The degrees of hazard are ranked according to ease, rate and quantity of energy release as follows:

- ④ Materials which in themselves are readily capable of detonation or of explosive decomposition or explosive reaction at normal temperatures and pressures. This degree should include materials which are sensitive to mechanical or localized thermal shock at normal temperatures and pressures.

- ③ Materials which in themselves are capable of detonation or of explosive decomposition or explosive reaction but which require a strong initiating source or which must be heated under confinement before initiation. This degree should include materials which are sensitive to thermal or mechanical shock at elevated temperatures and pressures or which react explosively with water without requiring heat or confinement.

- ② Materials which in themselves are normally unstable and readily undergo violent chemical change but do not detonate. This degree should include materials which can undergo chemical change with rapid release of energy at normal temperatures and pressures or which can undergo violent chemical change at elevated temperatures and pressures. It should also include those materials which may react violently with water or which may form potentially explosive mixtures with water.

- ① Materials which in themselves are normally stable, but which can become unstable at elevated temperatures and pressures or which may react with water with some release of energy but not violently.

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① Materials which in themselves are normally stable, even under fire exposure conditions, and which are not reactive with water.

Chapter 5 Special Hazards

5-1 General.

5-1.1 This chapter deals with other properties of the material which may cause special problems or require special fire fighting techniques.

5-1.2 Special hazards or similar problems shall be identified in the fourth space in the diagram.

5-2 Symbols.

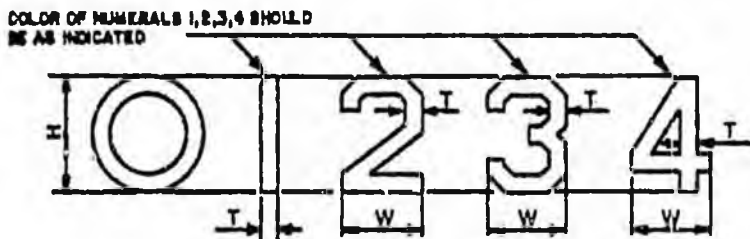
5-2.1 Materials which demonstrate unusual reactivity with water shall be identified with the letter W with a horizontal line through the center (W).

5-2.2 Materials which possess oxidizing properties shall be identified by the letters OX.

5-2.3 Materials possessing radioactivity hazards shall be identified by the standard radioactivity symbol.

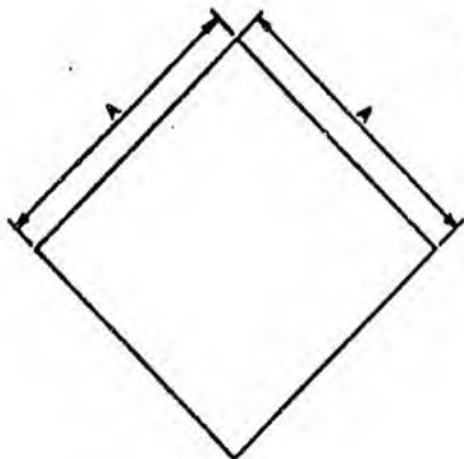
Chapter 6 Identification of Materials by Hazard Signal System

6-1 One of the systems delineated in the following illustrations shall be used for the implementation of this standard.

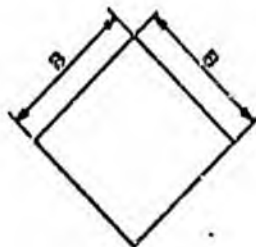


COLOR OF NUMERALS 1, 2, 3, 4 SHOULD BE AS INDICATED

NOTE:
STYLE OF NUMERALS SHOWN IS OPTIONAL



When Painted
(Use same dimensions for sign or placard)



When Made From Adhesive-Backed Plastic
(One for each numeral, three necessary for each complete signal)

Minimum Dimensions of White Background for Signals
(White Background is Optional)

Size of Signals	H	W	T	A	B
1	1	0.7	1/8	2 1/2	1 1/2
2	2	1.4	1/8	5	2 1/2
3	3	2.1	1/8	7 1/2	3 1/2
4	4	2.8	1/8	10	5
6	6	4.2	1/8	15	7 1/2

All Dimensions Given in Inches

Exception: For containers with a capacity of one gallon or less, symbols may be reduced in size, provided:

1. This reduction is proportionate.
2. The color coding is retained.
3. The vertical and horizontal dimensions of the diamond are not less than 1 in. (2.5 cm).
4. The individual numbers are no smaller than 1/4 in. tall.

IDENTIFICATION OF MATERIALS BY HAZARD SIGNAL DIMENSIONS

APPENDIX A

ADHESIVE-BACKED PLASTIC BACKGROUND PIECES - ONE NEEDED FOR EACH NUMERAL, THREE NEEDED FOR EACH COMPLETE SIGNAL.



Fig. 1. For Use Where Specified Color Background is Used with Numerals of Contrasting Colors.

FLAMMABILITY SIGNAL - RED

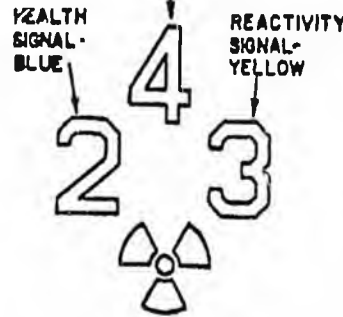


Fig. 2. For Use Where White Background is Necessary.

WHITE PAINTED BACKGROUND, OR, WHITE PAPER OR CARD STOCK



Fig. 3. For Use Where White Background is Used With Painted Numerals, or, For Use When Signal is in the Form of Sign or Placard

ARRANGEMENT AND ORDER OF SIGNALS - OPTIONAL FORM OF APPLICATION

Distance at Which Signals Must be Legible	Minimum Size of Signals Required
50 feet	1"
75 feet	2"
100 feet	3"
200 feet	4"
300 feet	6"

NOTE: This shows the correct spatial arrangement and order of signals used for identification of materials by hazard

IDENTIFICATION OF MATERIALS BY HAZARD SIGNAL ARRANGEMENT

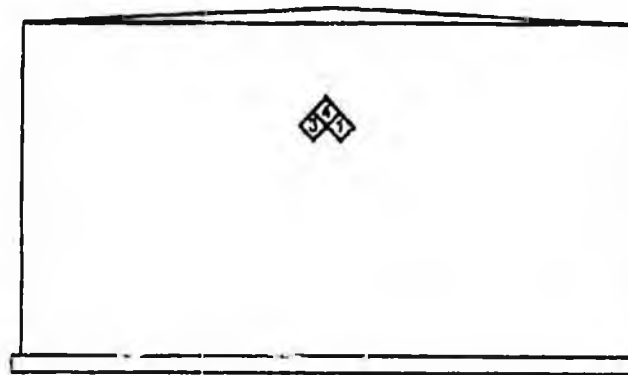


Figure 4 Storage Tank

Appendix A

This Appendix is not a part of the requirements of this NFPA document, but is included for information purposes only.

This is a system for the identification of hazards to life and health of people in the prevention and control of fires and explosions in the manufacture and storage of materials.

The bases for identification are the physical properties and characteristics of materials that are known or can be determined by standard methods. Technical terms, expressions, trade names, etc., are purposely avoided as this system is concerned only with the identification of the involved hazard from a standpoint of safety.

The explanatory material in this Appendix is to assist users of this standard, particularly the person who assigns the degree of hazard in each category.

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IDENTIFICATION OF THE FIRE HAZARDS OF MATERIALS

Identification of Health Hazard Color Code: BLUE		Identification of Flammability Color Code: RED		Identification of Reactivity (Stability) Color Code: YELLOW	
Signal	Type of Possible Injury	Signal	Susceptibility of Materials to Burning	Signal	Susceptibility to Release of Energy
4	Materials which on very short exposure could cause death or major residual injury even though prompt medical treatment were given.	4	Materials which will rapidly or completely vaporise at atmospheric pressure and normal ambient temperature, or which are readily dispersed in air and which will burn readily.	4	Materials which in themselves are readily capable of detonation or of explosive decomposition or reaction at normal temperatures and pressures.
3	Materials which on short exposure could cause serious temporary or residual injury even though prompt medical treatment were given.	3	Liquids and solids that can be ignited under almost all ambient temperature conditions.	3	Materials which in themselves are capable of detonation or explosive reaction but require a strong initiating source or which must be heated under confinement before initiation or which react explosively with water.
2	Materials which on intense or continued exposure could cause temporary incapacitation or possible residual injury unless prompt medical treatment is given.	2	Materials that must be moderately heated or exposed to relatively high ambient temperatures before ignition can occur.	2	Materials which in themselves are normally unstable and readily undergo violent chemical change but do not detonate. Also materials which may react violently with water or which may form potentially explosive mixtures with water.
1	Materials which on exposure would cause irritation but only minor residual injury even if no treatment is given.	1	Materials that must be pre-heated before ignition can occur.	1	Materials which in themselves are normally stable, but which can become unstable at elevated temperatures and pressures or which may react with water with some release of energy but not violently.
0	Materials which on exposure under fire conditions would offer no hazard beyond that of ordinary combustible material.	0	Materials that will not burn.	0	Materials which in themselves are normally stable, even under fire exposure conditions, and which are not reactive with water.

Appendix B

This Appendix is not a part of the requirements of this NFPA document, but is included for information purposes only.

The information contained within Appendix B is derived from introductory explanatory material on the 704 system contained within NFPA 49, *Hazardous Chemicals Data*; and NFPA 325M, *Fire Hazard Properties of Flammable Liquids, Gases and Volatile Solids*. The following paragraphs summarize the meanings of the numbers in each hazard category and explain what a number should tell fire fighting personnel about protecting themselves and how to fight fires where the hazard exists.

Health.

In general, health hazard in fire fighting is that of a single exposure which may vary from a few seconds up to an hour. The physical exertion demanded in fire fighting or other emergency conditions may be expected to intensify the effects of any exposure. Only hazards arising out of an inherent property of the material are considered. The following explanation is based upon protective equipment normally used by fire fighters.

4 Materials too dangerous to health to expose fire fighters. A few whiffs of the vapor could cause death or the vapor or liquid could be fatal on penetrating the fire fighter's normal full protective clothing. The normal full protective

clothing and breathing apparatus available to the average fire department will not provide adequate protection against inhalation or skin contact with these materials.

3 Materials extremely hazardous to health but areas may be entered with extreme care. Full protective clothing, including self-contained breathing apparatus, coat, pants, gloves, boots, and bands around legs, arms and waist should be provided. No skin surface should be exposed.

2 Materials hazardous to health, but areas may be entered freely with full-faced mask self-contained breathing apparatus which provides eye protection.

1 Materials only slightly hazardous to health. It may be desirable to wear self-contained breathing apparatus.

0 Materials which on exposure under fire conditions would offer no hazard beyond that of ordinary combustible material.

Flammability.

Susceptibility to burning is the basis for assigning degrees within this category. The method of attacking the fire is influenced by this susceptibility factor.

- 4 Very flammable gases or very volatile flammable liquids. Shut off flow and keep cooling water streams on exposed tanks or containers.
- 3 Materials which can be ignited under almost all normal temperature conditions. Water may be ineffective because of the low flash point.
- 2 Materials which must be moderately heated before ignition will occur. Water spray may be used to extinguish the fire because the material can be cooled below its flash point.
- 1 Materials that must be preheated before ignition can occur. Water may cause frothing if it gets below the surface of the liquid and turns to steam. However, water fog gently applied to the surface will cause a frothing which will extinguish the fire.
- 0 Materials that will not burn.

Reactivity (Stability).

The assignment of degrees in the reactivity category is based upon the susceptibility of materials to release energy either by themselves or in combination with water. Fire exposure was one of the factors considered along with conditions of shock and pressure.

- 4 Materials which (in themselves) are readily capable of detonation or of explosive decomposition or explosive reaction at normal temperatures and pressures. Includes materials which are sensitive to mechanical or localized thermal shock. If a chemical with this hazard rating is in an advanced or massive fire, the area should be evacuated.
- 3 Materials which (in themselves) are capable of detonation or of explosive decomposition or of explosive reaction but which require a strong initiating source or which must be heated under confinement before initiation. Includes materials which are sensitive to thermal or mechanical shock at elevated temperatures and pressures or which react explosively with water without requiring heat or confinement. Fire fighting should be done from an explosive resistant location.
- 2 Materials which (in themselves) are normally unstable and readily undergo violent chemical change but do not detonate. Includes materials which can undergo chemical change with rapid release of energy at normal temperatures and pressures or which can undergo violent chemical change at elevated temperatures and pressures. Also includes those materials which may react violently with water or which may form potentially explosive mixtures with water. In advanced or massive fires, fire fighting should be done from a safe distance or from a protected location.

- 1 Materials which (in themselves) are normally stable but which may become unstable at elevated temperatures and pressures or which may react with water with some release of energy but not violently. Caution must be used in approaching the fire and applying water.
- 0 Materials which (in themselves) are normally stable even under fire exposure conditions and which are not reactive with water. Normal fire fighting procedures may be used.

Appendix C Flammability

This Appendix is not a part of the requirements of this NFPA document, but is included for information purposes only.

The selection of the flash point breaks for the assigning of degrees within the Flammability category has been based upon the recommendations of the Technical Committee on Classification and Properties of Flammable Liquids of the NFPA Committee on Flammable Liquids. This Technical Committee initiated the study which led to the development of this standard. Close cooperation between the Technical Committee and the Committee on Fire Hazards of Materials has continued.

Flash point tells several things. One, if the liquid has no flash point, it is not a flammable liquid. Two, if it has a flash point, it must be considered flammable or combustible. Three, the flash point is normally an indication of susceptibility to ignition.

The flash point test may give results which would indicate that the liquid is nonflammable or that it comes under degree 1 or 2 when it is a mixture containing, for example, carbon tetrachloride. As a specific example, sufficient carbon tetrachloride can be added to gasoline so that the mixture has no flash point. However, on standing in an open container, the carbon tetrachloride will evaporate more rapidly than the gasoline. Over a period of time, therefore, the residual liquid will first show a high flash point, then a progressively lower one until the flash point of the final 10 percent of the original sample will approximate that of the heavier fractions of the gasoline. In order to evaluate the fire hazard of such liquid mixtures, fractional evaporation tests can be conducted at room temperature in open vessels. After evaporation of appropriate fractions such as 10, 20, 40, 60 and 90 percent of the original sample, flash point tests can be conducted on the residue. The results of such tests indicate the grouping into which the liquid should be placed if the conditions of use are such as to make it likely that appreciable evaporation will take place. For open system conditions, such as in open dip tanks, the open-cup test method may give a more reliable indication of the flammability hazard.

In the interest of reproducibility of results, it is recommended that:

The flash point of liquids having a viscosity less than 45 SUS (Saybolt Universal Seconds) at 100°F (37.8°C) and a flash point below 200°F (93.4°C) may be determined in

(12)

accordance with ASTM D-56-79, *Standard Method of Test for Flash Point by the Tag Closed Tester*. (In those countries which use the Abel or Abel-Pensky closed cup tests as an official standard, they will be equally acceptable to the Tag Closed Cup Method.)

The flash point of aviation turbine fuels may be determined in accordance with ASTM D3828-81, *Test Method for Flash Point by Setaflash Closed Tester*.

For liquids having flash points in the range of 32°F (0°C) to 230°F (110°C) the determination may be made in accordance with ASTM D3278-82, *Flash Point of Liquids by Setaflash Closed Tester*.

For viscous and solid chemicals the determination may be made in accordance with ASTM E502-74, *Flash Point of Chemicals by Closed Cup Methods*.

The flash point of liquids having a viscosity of 45 SUS (Saybolt Universal Seconds) or more at 100°F (37.8°C) or a flash point of 200°F (93.4°C) or higher may be determined in accordance with ASTM D-93-79, *Standard Method of Test for Flash Point by the Pensky-Martens Closed Tester*.

Appendix D Referenced Publications

D-1 The following documents or portions thereof are referenced within this standard for informational purposes only and thus should not be considered part of the requirements of this document. The edition indicated for each reference is current as of the date of the NFPA issuance of this document. These references are listed separately to facilitate updating to the latest edition by the user.

D-1.1 NFPA Publications. National Fire Protection Association, Batterymarch Park, Quincy, MA 02269.

NFPA 49-1975, *Hazardous Chemicals Data*

NFPA 325M-1984, *Fire Hazard Properties of Flammable Liquids, Gases, Volatile Solids*.

D-1.2 ASTM Publications. American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

ASTM D-56-79, *Standard Method for Test for Flash Point by the Tag Closed Tester*

ASTM D-3828-81, *Test Method for Flash Point by Setaflash Closed Tester*

ASTM D-3278-82, *Flash Point of Liquids by Setaflash Closed Tester*

ASTM D-93-79, *Test Methods for Flash Point by the Pensky-Martens Closed Tester*

ASTM E-502-74, *Flash Point of Chemicals by Closed Cup Methods*.

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INDEX

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Index

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<p style="text-align: center;">-F-</p> <p>Flammability hazards Chap. 3, App. C</p> <p>Degrees of 3-2</p> <p>Meaning of numbers App. B</p> <p>Flash points App. C</p>	<p style="text-align: center;">-I-</p> <p>Identification of materials Chap. 6</p> <p>Instability hazards see Reactivity hazards</p>
<p style="text-align: center;">-H-</p> <p>Hazard signal system, identification of materials by Chap. 6</p> <p>Hazards see also specific type such as Health hazards</p> <p>Categories 1-3 thru 1-4</p> <p>Identification chart App. A</p> <p>Ranking degrees of 1-7</p> <p>Health hazards Chap. 2</p> <p>Definition 2-2</p>	<p style="text-align: center;">-R-</p> <p>Reactivity hazards</p> <p>Definitions 4-2</p> <p>Degrees of 4-3</p> <p>Meaning of numbers App. B</p>
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Alaska State Legislature

(4) HB 487

House of Representatives

Committee on Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4833

TO: Rep. Henry Springer, Chairman HCRA

FROM: David C. Harrison, P. A., HCRA

Date: February 29, 1988

Subject: BILL REVIEW - HB 487
"An Act relating to warning placards and municipal reporting programs for hazardous materials and hazardous wastes."
[Gruenberg, Barnes, Pearce]

*Section 1. AS 18.70.310(b) is amended to read:

(b) The department of Public Safety, division of fire prevention shall the specifications set out in the National Fire Protection Association 704 M system of [UNITED STATES DEPARTMENT OF TRANSPORTATION] warning placards for hazardous materials and hazardous wastes.

COMMENT: Intent of this section is to replace the U.S. Dept. of Transportation warning placards by adopting NFPA 704 M system. File Item #2 enclosed provides for the 1985 Edition of NFPA 704 which is basically the same as the 1986 Edition of NFPA 704 M which is considered a standard system for the identification and placarding of fire hazardous material. Scope and application herein provides a basic system of readily recognizable and simple markings which should give some idea of inherent hazards of any material and the order of the severity of these hazards as they relate to fire prevention.

Deleted in this section was the permissive cooperation between the municipality and the Dept. of Public Safety, Division of Fire Prevention, to adopt and use an alternative design for warning placards.

*Sec. 2. AS 29.35.500 is amended by adding a new subsection to read:

(h) Notwithstanding other provisions of this section, a home rule municipality that establishes or amends a program for the reporting of hazardous materials and hazardous wastes may adopt, in place of the requirements of this section, requirements that are consistent with 42 U.S.C. 11001 - 11050 (Title III, Superfund Amendments and Reauthorization Act of 1986,). L. 99-499).

COMMENTS: Deletes adopted warning placards of the U. S. Transportation Department and permits adoption by a home rule municipality, which includes home rule unified municipalities. The attempt here is to develop a consistency of programs relating to hazardous material placarding and reporting standards by the State of Alaska and the

federal government.

The Department of Public Safety has been contacted and they will be available to tesify. A representative from ARCO will be available to testify. Rep. Gruenberg will be present at this meeting. Public Safety has indicated a zero fiscal note and will provide material prior to the February 29, 1988, HCRA 3:00 P.M. Meeting. P. L. 99-499 is File Item #3.



STATE OF ALASKA
OFFICE OF THE GOVERNOR

⑤ HB 487

BILL ANALYSIS

DEPARTMENT DEC	DIVISION Environmental Quality	BILL NUMBER HB 487	SPONSOR G.uenberg
SHORT TITLE OF BILL Relating to warning placards and municipal reporting for hazardous wastes			
DEPARTMENT POSITION DEC supports this bill			
PREPARED BY Amy D. Kyle <i>adkyle</i>	DATE 2/23/88	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 2/23/88

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Department of Public Safety	CONSTITUENT GROUPS AFFECTED BY BILL
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT
The bill would allow use of National Fire Protection Association markings in lieu of U.S. DOT markings for identification of buildings where hazardous materials are stored and would allow emergency response plans consistent with Title III of the federal Superfund program to satisfy the requirements for local hazardous materials plans.

ANALYSIS OF BILL/PROGRAM EFFECTS
The bill would resolve the problem with the existing statute's requirement that municipalities use U.S. DOT markings in that the federal DOT does not allow use of their placards on buildings. The second section would eliminate the conflict between state and federal laws related to local emergency response planning. (It should be noted that the existing requirements are stronger in some cases than those of Title III.)

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

⑥ HB 487

BILL NO: House Bill 487

DATE: February 19, 1988

TITLE: An act relating to warning placards and municipal reporting programs for hazardous materials and hazardous wastes.

CONTACT: Gordon Brunton 465-4331

OFFICE OF THE SENATE PUBLIC SAFETY

This bill amends AS 18.70.310 (b) to change the placarding system for facilities handling hazardous materials and hazardous wastes from the U. S. Department of Transportation to the National Fire Protection Association (NFPA) 704 M.

Since passage of Ch. 108 SLA 1986, most municipalities have expressed an intent to use the National Fire Protection Association (NFPA) 704 M system. The NFPA placard system is most familiar to the fire service and provides more information to emergency first responders than the US DOT system, such as toxicity (health), reactivity, and flammability information.


Current law requires the Department of Public Safety, Division of Fire Prevention to adopt the U.S. Department of Transportation's placarding system, but allows the division to authorize a different placarding system in municipalities.

HB 487 will standardize the placarding system in both municipalities and areas outside municipalities. The industry will not be faced with the responsibility of differing placarding systems.

Section 2 amends AS 29.35.500 by adding a new section to allow municipalities to establish or amend hazardous materials or hazardous wastes reporting programs that differ from that required in State law, provided they are consistent with federal law.

A similar bill, HB 516, has been filed which is more comprehensive, consistent, and is preferred by the Department of Public Safety.

The Department of Public Safety urges the amendment of HB 487 to include those sections included in HB 516.



Arthur English
Commissioner

HB

493

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House C+RA

3-25-88 3:00 p.m.

2/17
D

R

F

P

N

BILL PREPARATION/ACTION*

Bill # HB 493

Date Referred: 2/15/88 Out:

Title: Marine Garbage Collection

Sponsor: Herrmann Sund Referrals: CRA Fin

CONTACTS:*****

Name _____

Herrmann. 3/15 [3/25]

Herrmann. 3/21 FN [3/25]; 3/24 FN;

REMARKS: _____

MEETINGS:*****

Date _____ Action _____

*3/25/8 1st time passed out CS HB 493 (CRA) 300

*See other side for additional information.

3-25-88/3:00pm

TESTIMONY BEFORE THE HOUSE COMMUNITY AND REGIONAL AFFAIRS

BY

REPRESENTATIVE HERRMANN

GOOD AFTERNOON. FOR THE RECORD MY NAME IS ADELHEID HERRMANN, AND I REPRESENT DISTRICT 26 WHICH INCLUDES BRISTOL BAY, THE ALEUTIANS, SHUMAGINS, AND THE PRIBILOFS. (OVERVIEW OF GARB.BILLS)

INTRODUCTION:

...PLEASE BEAR WITH ME WHILE I PRESENT NUMBERS TO YOU, TO GIVE YOU AN IDEA OF THE VOLUME WE'RE TALKING HERE-

TOGIAK HERRING:

IN 1983, ON THE TOGIAK HERRING GROUNDS, (WHICH BY THE WAY IS AN ISOLATED AREA, BY THIS I MEAN THERE ARE NO PLACES PROVIDED TO DUMP GARBAGE). IT'S NOT DIFFICULT TO FIGURE OUT WHERE THE NON-COMBUSTIBLE GARBAGE WAS GOING!!

A CONSERVATIVE ESTIMATE, FOR HERRING FISHERMEN IN 1983 IS FIVE THOUSAND-SIX HUNDRED. ADD TO THAT 288 PROCESSORS IN TOGIAK.

MARCH 25, 1988

BRISTOL BAY SALMON SEASON:-

IN 1983 THERE WERE 36 MILLION RED SALMON PROCESSED. HERE ARE THE APPROXIMATE NUMBERS FOR PARTICIPANTS IN THE SALMON FISHERY.

-29 LAND PROCESSORS

-38 FLOATING PROCESSORS

-400 TO 500 SUPPORT VESSELS; BY THIS I MEAN TENDERS CARRYING FISH FROM THE BOATS TO THE PROCESSORS

-1,800 GILLNET VESSELS

-900 SUPPORT VESSELS FOR SET NET OPERATIONS

NEXT, I WANT TO EMPHASIZE THIS IS AN EXTRAORDINARY INFLUX OF PEOPLE AND OF COURSE AN ENORMOUS AMOUNT OF GARBAGE AND WASTE TO DEAL WITH.

WITH THE RECENT PASSAGE OF A FEDERAL BILL REQUIRING MARINE GARBAGE TO BE BROUGHT ON-SHORE. I CANNOT STRESS ENOUGH THE CONCERNS I HAVE FOR WHERE THE GARBAGE IS SUPPOSE TO GO.

IN THE BRISTOL BAY REGION, IT'S IMPORTANT TO REMEMBER THERE ARE FIVE FISHING DISTRICTS. THESE ARE TOGIAK, NUSHAGAK, NAKNEK-KVICHAK, EGEKIK, AND UGASHIK. THREE OF THESE COMMUNITIES ARE EXTREMELY SMALL IN POPULATION BASE. THEY STRUGGLE TO ACCOMODATE THE INFLUX OF POPULATION DURING THE

MARCH 25, 1988

SUMMER, BUT I MUST STRESS THEY DO NOT HAVE ^{adequate} THE FACILITIES TO TAKE ON THE ENORMOUS VOLUMES OF GARBAGE!

PICTURE AN ISOLATED COMMUNITY LIKE PILOT POINT; WITH A RESIDENT POPULATION BASE OF 63 PEOPLE. 600-700 FISHING BOATS REGISTERED TO FISH IN THIS DISTRICT LAST YEAR. CAN YOU IMAGINE A COMMUNITY OF THAT SIZE HANDLING THE VOLUME OF REFUSE ^{garbage} FROM THOSE BOATS AND THE MANY ACCOMPANYING TENDERS AND PROCESSORS? *Comments here. public service announcement.*

\$ 15,000 fine DEC -
IN 1982 THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION RECOGNIZED IN A MEMO, AND I QUOTE, "FOR A NUMBER OF YEARS COMPLAINTS HAVE BEEN MADE TO THE DEPARTMENT REGARDING SOLID WASTE IN BRISTOL BAY."

MANY OF THESE COMPLAINTS CAME FROM SUBSISTENCE AND COMMERCIAL FISHERMEN. THEY GRIPED BECAUSE WHOLE DECOMPOSING FISH AND LARGE PARTS OF FISH WERE WASHING ON-SHORE, GETTING TANGLED IN SETNETS, AS WELL AS IN THE DRIFT NETS OF FISHING BOATS. CAN YOU VISUALIZE CLEANING 150 FATHOMS OR 900 FEET OF GILLNET TANGLED WITH ODORFUL, DECOMPOSING, FISH HEADS AND INTESTINES? WELL, THAT WAS NOT UNCOMMON IN BRISTOL BAY - ESPECIALLY IF YOU SET OUT YOUR NET BEHIND A FLOATING PROCESSOR, WHICH BY THE WAY WAS OFTEN CONSIDERED A "GOOD SET" OR PRIME AREA. AS YOU MIGHT

*#1 issue in my district. ✓
setnet 50 ft.*

MARCH 25, 1988

IMAGINE, THIS CLEAN UP PROCESS COULD TAKE HOURS; RESULTING IN ECONOMIC LOSSES IN PRIME FISHING TIME, AND THE POSSIBILITY OF FISH POISONING FROM HANDLING DECOMPOSING FISH WASTE. THESE ARE VIEWS OF THE FISHERMEN.

THERE ARE MANY OTHER CONSIDERATIONS:

-CONSIDER THE AESTHETIC FACTORS; PICTURE A LARGE VOLUME OF TRASH BAGS AND OTHER GARBAGE WASHING ASHORE.

Omitted
-CONSIDER THE DAMAGE, FRUSTRATION, AND THE ECONOMIC COSTS TO REMOVE PLASTIC STRAPPING AND OLD DISCARDED FISHING GEAR FROM PROPELLORS OF BOTH FISHING BOATS AND TENDERS!

CHRONOLOGY OF EVENTS:

1982- IN 1982 DEC RECEIVED NUMEROUS COMPLAINTS FROM FISHERMEN, CONCERNED CITIZENS, AND FISHING ASSOCIATION REPRESENTATIVES. THEY COMPLAINED OF THE FISH PROCESSING WASTE DISPOSAL PROBLEM AND THE SOLID WASTE DISPOSAL PROBLEM.

A REPORTED QUESTION AROSE. WHERE DOES THE SOLID WASTE GO? IF COMBUSTIBLES ARE BEING BURNT ON THE FLOATERS' STERNS; WHERE IS THE NON-COMBUSTIBLE GARBAGE GOING?

1983- IN 1983 THE SITUATION WAS RECOGNIZED BY CONCERNED CITIZENS AS "GETTING OUT-OF-HAND!"

MARCH 25, 1988

WHAT DEC DID TO BATTLE THE PROBLEM:

IN 1983, DEC DID ATTEMPT TO ADDRESS AND ALLEVIATE THE PROBLEMS. IN REGARDS TO THE TOGIAK HERRING FISHERY, DEC;

-SENT INFORMATIONAL LETTERS TO PROCESSORS

-SPENT 10 DAYS IN JUNE INSPECTING LAND BASED PLANTS

-10 DAYS IN JULY BOARDING AND INSPECTING FLOATING PROCESSORS.

-THE BRISTOL BAY BOROUGH PROVIDED THEIR FIRE BOAT TO ALLOW DEC TO INSPECT 78 VESSEL STERNS FOR INCINERATORS.

-DEC HELD INFORMATIVE MEETINGS WITH MAGISTRATES IN DILLINGHAM AND NAKNEK TO DISCUSS REGULATIONS

RESULTS OF DEC'S EFFORTS:

I BELIEVE 9 OF 21 FLOATERS INSTALLED INCINERATORS TO REDUCE COMBUSTIBLE WASTE. IT WAS BELIEVED A REFUSE COLLECTOR CONTRACTOR FOR THE BRISTOL BAY BOROUGH STARTED REFUSE COLLECTION SERVICES BY BOAT FOR SALMON PROCESSORS, BUT ACTUALLY ONLY ONE TRIP FROM ONE PROCESSOR WAS TRANSPORTED.

1984- IN 1984 MY OFFICE RECEIVED MORE CORRESPONDENCE ON THIS ISSUE FROM DEC, FISH AND WILDLIFE, PUBLIC SAFETY, CITIES AND BOROUGHES, FISHING ASSOCIATIONS, AND CONCERNED CITIZENS. AFTER RECEIVING THIS CORRESPONDENCE, WE HELD MEETINGS AND THE FOLLOWING RESULTED.

MARCH 25, 1988

DEC WAS GIVEN SOME RECOMMENDATIONS FOR THE FISH AND SOLID WASTE DISPOSAL PROBLEM. THESE WERE TO;

- comment?*
1. STATION A PERMANENT DEC REPRESENTATIVE IN BRISTOL BAY.
 2. INCREASE THE DAYS FOR A DEC REPRESENTATIVE TO BE ON-SITE FOR REGULATION ENFORCEMENT
 3. SEND INFORMATION TO THE FISHERY PARTICIPANTS REGARDING REGULATIONS ON SEWAGE, FISH WASTE, REFUSE, AND BILGE DISPOSAL, TO BE ENFORCED DURING THE 1984 SEASON.

I BELIEVE MUCH WAS DONE IN 1984 BY THE STATE TO ATTEMPT TO HELP WITH THIS PROBLEM. BUT, IT WAS ONLY A BEGINNING. I KNOW THERE WAS SOME DISAGREEMENT BETWEEN DEC AND THE PUBLIC AS TO HOW MUCH OF THE PROBLEM WAS HELPED.

1985- IN 1985 THE BRISTOL BAY SOLID WASTE TASK FORCE WAS FORMED. FROM THIS RESOLVED THE IDEA THAT EVERY PROCESSOR SHOULD HAVE GRINDING MACHINERY AND INCINERATORS.

SUMMARY:

IN THE PAST, I HEARD MANY RECOMMENDATIONS THAT THE STATE SHOULD HAVE A REFUSE SCOW TO TRANSPORT GARBAGE TO SHORE. IN

REP. HERRMANN

PAGE SEVLN

MARCH 25, 1988

1985, THE ADMINISTRATION VETOED A BILL THAT I INTRODUCED WHICH WOULD HAVE ALLOWED A PILOT PROJECT FOR MARINE REFUSE COLLECTION.

note {
I AM WELL AWARE THIS PIECE OF LEGISLATION IS ONLY THE VERY BEGINNING ATTEMPT AT SOLVING A MAJOR PROBLEM IN MY DISTRICT, AND THE STATE AS A WHOLE. I URGE YOU TO CONSIDER OUR STATE'S FIRST LARGEST RENEWABLE RESOURCE, THE COMMUNITIES AFFECTED, AND THE FUTURE GENERATIONS OF OUR STATE. ALASKA IS FAMOUS FOR ITS BEAUTIFUL VAST COASTLINE AND COUNTRY. I BELIEVE WE NEED TO TAKE IMMEDIATE ACTION TO PROTECT OUR STATE.

A:3-25-SP.TXT

Original sponsors: Herrmann and Sund

IN THE HOUSE

BY THE COMMUNITY AND REGIONAL
AFFAIRS COMMITTEE

CS FOR HOUSE BILL NO. 493 (C&RA)
IN THE LEGISLATURE OF THE STATE OF ALASKA
FIFTEENTH LEGISLATURE - SECOND SESSION

A BILL

For an Act entitled: "An Act relating to marine garbage collection; and providing for an effective date."

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

* Section 1. AS 44.47 is amended by adding a new section to read:

ARTICLE 12A. MARINE GARBAGE COLLECTION GRANTS.

Sec. 44.47.750. MARINE GARBAGE COLLECTION FUND. (a) There is established in the department the marine garbage collection fund as an account in the general fund. The fund consists of money appropriated to it. Money in the fund may be used to make grants to municipalities and unincorporated communities as provided for in AS 29.60.140, for the collection of marine garbage in state water.

(b) The department shall adopt regulations for the determination of entitlement to marine garbage collection grants, application and approval of grants, and administration of grants.

(c) In making grants under this section, the department shall consider

(1) the number of vessels engaged in commercial fishing or related activities, including processing, in water adjacent to or within the applicant's jurisdiction;

(2) the volume of garbage that is dumped by vessels in the area or that drifts into the area after being dumped by vessels operating outside state water;

(3) the effect of marine garbage on the environment in the area;

(4) other resources available to the applicant; and

(5) other factors that the department establishes by regulation that are relevant to a determination of the applicant's need for financial assistance to alleviate the locality's marine garbage problem.

* Sec. 2. This Act takes effect immediately under AS 01.10.070(c).

HOUSE COMMITTEE REPORT

(5)

Date referred: 2/15/88

FURTHER REFERRALS: Finance

DATE: MAR 25 1988

The Community and Regional Affairs Committee has considered HB 493

"An Act relating to marine garbage collection; and providing for an effective date."

RECOMMENDS:

- replace with CS HB 493 (CRA) the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

Heinrich Springer Springer _____

Adelheid Herrmann Herrmann _____

Cyrus Collins Collins _____

SIGNING OTHER RECOMMENDATIONS:

Springer Heinrich Springer
Chairman's signature

File Contents

HB 493 - Marine Garbage Collection

<u>No.</u>	<u>Description</u>
1.	Bill - HB 493
1.1	Fiscal Note - DCRA (coming)
2.	Bill Analysis - Governor's Office
3.	Bill Review - Harrison
4.	<i>Sponsor Pkt</i>

STATE OF ALASKA
1988 LEGISLATIVE SESSION

1.1 HB 493

BILL VERSION: HB 493
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to marine garbage collection..effective date."
Sponsor: Herrmann & Sund
Requestor: _____

Agency Affected: Community & Regional Affairs
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		23.1	23.9	24.7	25.5	26.3
TRAVEL		2.0	2.0	2.0	2.0	2.0
CONTRACTUAL		3.0	3.0	3.0	3.0	3.0
SUPPLIES						
EQUIPMENT		1.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		29.1	28.9	29.7	30.5	31.3
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND		29.1	28.9	29.7	30.5	31.3
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Jim Plasman, Deputy Director
Division: Municipal & Regional Assistance

Phone: 465-4750
Date: 3/25/88

Approved by Commissioner: [Signature]
Agency: Community & Regional Affairs

Date: 3/25/88

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Position Title Grants Administrator		No. of Positions 1	Range/Step 17 A	Barg. Unit GGU
Time Status Part Time	Staff Months 6 months		Location Juneau	Election District
Type of Expenditure			Justification	
Amount			<p>This position will administer the grants program. The amount of work associated with the program does not justify a full time position.</p>	
1	2	3		
Salary	17.4			
Benefits	5.7			
Premium Pay				
Other				
Total Personal Services		23.1		
Travel				
Contractual				
Commodities				
Equipment				
Other				
Total Cost				
Funding Source for Total Cost				
Federal Receipts	1002			
G. F. Match	1003			
General Fund	1004			
GF Program Receipts	1005			
Other				

**Request For
New Position**

Agency Community & Regional Affairs
 BRU Local Government Assistance
 Component Local Government Support

Page 1 of 1
 Revised Date

FY 89

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: CS
HB 493
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An Act relating to marine garbage collection..effective date."
Sponsor: Herrmann & Sund
Requestor: _____

Agency Affected: Community & Regional Affairs
BRU: _____
Components: _____

Done CS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES		23.1	23.9	24.7	25.5	26.3
TRAVEL		2.0	2.0	2.0	2.0	2.0
CONTRACTUAL		3.0	3.0	3.0	3.0	3.0
SUPPLIES						
EQUIPMENT		1.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		29.1	28.9	29.7	30.5	31.3

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		29.1	28.9	29.7	30.5	31.3
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Jim Plasman, Deputy Director
Division: Municipal & Regional Assistance

Phone: 465-4750
Date: 3/25/88

Approved by Commissioner: [Signature]
Agency: Community & Regional Affairs

Date: 3/25/88

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management and Budget
 - Impacted Agency(ies)

*Dave
Dierdorff*

1 IN THE HOUSE

BY HERRMANN AND SUND

2

HOUSE BILL NO. 493

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to marine garbage collection; and
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 44.47 is amended by adding a new section to read:

10 ARTICLE 12A. MARINE GARBAGE COLLECTION GRANTS.

11 Sec. 44.47.750. MARINE GARBAGE COLLECTION FUND. (a) There is
12 established in the department the marine garbage collection fund as an
13 account in the general fund. The fund consists of money appropriated
14 to it. Money in the fund may be used to make grants to municipalities
15 and unincorporated communities ^{as provided for in AS 29.60.140} for the collection of marine garbage in
16 state water.

17 (b) The department shall adopt regulations for the determination
18 of entitlement to marine garbage collection grants, application and
19 approval of grants, and administration of grants.

20 (c) In making grants under this section, the department shall
21 consider

22 (1) the number of vessels engaged in commercial fishing or
23 related activities, including processing, in water adjacent to or
24 within the applicant's jurisdiction;

25 (2) the volume of garbage that is dumped by vessels in the
26 area or that drifts into the area after being dumped by vessels oper-
27 ating outside state water;

28 (3) the effect of marine garbage on the environment in the
29 area;

STATE OF ALASKA

DEPT. OF COMMUNITY & REGIONAL AFFAIRS

MUNICIPAL & REGIONAL ASSISTANCE DIVISION

①, 2 HB 493

STEVE COWPER, GOVERNOR

949 E. 36th AVENUE, SUITE 400
ANCHORAGE, ALASKA 99508-4302
PHONE: (907) 561-8586

P.O. BOX 348
BETHEL, ALASKA 99559-0348
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P.O. BOX 10041
DILLINGHAM, ALASKA 99576-1041
PHONE: (907) 842-5135

1514 CUSHMAN STREET, ROOM 210
FAIRBANKS, ALASKA 99701-6286
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KODIAK, ALASKA 99615-6340
PHONE: (907) 486-5736

P.O. BOX 350
KOTZEBUE, ALASKA 99752-0350
PHONE: (907) 442-3696

P.O. BOX 41
NOME, ALASKA 99762-0041
PHONE: (907) 443-5457

March 25, 1988

Position Paper

RE: House Bill 493

SPONSOR: Representative Herrmann

Program Effects:

This bill would establish in this department a grants program for municipalities and unincorporated communities to be used for the collection of marine garbage in state water.

Comments:

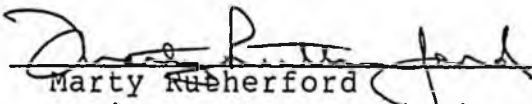
The problems this bill is designed to address are serious ones, particularly in the Bristol Bay region. The intent is apparently to provide easier access for fishing boats and processors to waste disposal systems in coastal communities to encourage lawful disposal of marine garbage, rather than unlawful dumping. The method adopted by this bill is to give grants to municipalities which may be expected to provide directly, or contract for, floating collection barges, which may then transport the garbage to an appropriate waste disposal site.

This department has less expertise in the areas of waste disposal and environmental quality that are essential to the solution of this problem than, for instance, the Department of Environmental Conservation. However, that department does not currently administer operating grants programs of this nature and is not prepared to go into the grants area. The nature of the proposed program will require a close coordination of effort with DEC, as this department does not have the resources to independently evaluate some of the criteria listed in the bill for consideration in making the grants.

HB 493
March 25, 1988
Page Two

The department has one technical concern that should be addressed. While the bill would make unincorporated communities eligible to receive grants, an unincorporated community by its nature is unable to receive a grant. The department would recommend specifying eligible entities within such a community to receive funds under the program and would propose the approach taken in the State Revenue Sharing Program at AS 29 ~~40.160~~ as a model.

^{60.140}
The impacts of marine garbage collection on communities will become even greater with the recent adoption of federal law dealing with the disposal of marine garbage. This bill provides a means to assist municipalities deal with those impacts. However, while the department is sympathetic to these goals, because of the current revenue situation, it is unable to support the bill.


Marty Rutherford
Acting Deputy Commissioner



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

② HB 493

MAR 22 1988

DEPARTMENT DEC	DIVISION	BILL NUMBER HB 493	SPONSOR Herrmann & Sund
SHORT TITLE OF BILL Relating to marine garbage collection			
DEPARTMENT POSITION The Department supports the objective of the bill.			
PREPARED BY Amy D. Kyle <i>akyle</i>	DATE 2/29/88	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 3/1/88

SUMMARY

OTHER AGENCIES AFFECTED BY BILL DCRA	CONSTITUENT GROUP(S) AFFECTED BY BILL
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT
The bill is intended to address long-standing problems with accumulation of garbage from fishing boats in Bristol Bay. At present, garbage collection facilities are not easily accessible to fishing boats.

ANALYSIS OF BILL/PROGRAM EFFECTS
The bill would create a program in the Department of Community and Regional Affairs to make grants to communities for garbage collection.

The criteria appear to be sound. The need for garbage collection services is real. The bill would address the absence of a private enterprise.

No fiscal impact on DEC.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

Bristol Bay Solid Waste Task Force

April 10, 1985 - Attendance

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Marion Adams	Pouch A, Dillingham	Alaska Department of Environmental Conservation
John M. Pearson	Box 169, Dillingham	City of Dillingham
Roland D. Moody	Aleknagik	Moody's
Jeff Srakde	Box 199, Dillingham, AK	Alaska Department of Fish and Game
Daniel Nanalook	P.O.Box 109, Togiak, AK	Togiak Natilus, Ltd.
Henry Pavian	P.O.Box 56, Togiak, AK	Togiak Community Council
Jim Barr	4019 21st Ave., W., Seattle, WA	Icicle Seafoods
Henry Shade	P.O. Box 2, Dillingham, AK	Bristol Bay Area Health Corporation
Arla Tracy	P.O.Box 433, Pilot Pt., AK	Pilot Point Village Council
Don Penner	Box 189, Naknek, AK	Bristol Bay Borough
Earl J. Gattodor	Box 179, Naknek, AK	Patterson's
John M. Schibel	P.O.Box 504, Dutch Harbor, AK	Dutch Harbor Seafoods
Doug Donegan	P.O. Box 0, Juneau, Alaska, 99811-1800	Department of Environmental Conservation
Mark Lisac	Box 10201, DLG	United States Fish & Wildlife Service
Jeff Smith	DLG	Public Health Service
J.C. Hiles		Fisherman
Harvey Samuelson		

③ HB 493



Alaska State Legislature

House of Representatives

Committee on Community & Regional Affairs

Pouch V
State Capitol
Juneau, Alaska 99811
(907) 465-4833

March 22, 1988

TO: Rep. Henry Springer, Chairman HCRA

FROM: David C. Harrison, P. A., HCRA *DCH*

Subject: BILL REVIEW - HB 493 "An Act relating to marine
garbage collection; and providing for an effective
date."

*****_

Section 1. AS 44.47 is amended to add a new section .750 establishing a program within the DCRA to make grants to local communities for marine garbage collection.

DCRA is required to adopt regulations for determining marine garbage collection grants, applications, approvals of grants as well as administering grants for garbage collection to local communities so affected.

Criteria as related in this bill are most appropriate.

There is a need to provide marine garbage collections and to have marine garbage facilities in those commercial fishing areas that have short but intensive commercial activities.

Although some land based canneries have their own landfill and take care of their own garbage, many floater processors that do not have land based operations have a problem with disposing garbage and/or what to do with it.

Local garbage is not the only problem. high seas garbage also is noted, such things as floating nets foreign/local that are lost on the high seas, plastics of all kinds that remain afloat so that birds and seamamals are caught and die as a result of entanglement in this type of gear.

④ HB 493

HOUSE COMMUNITY AND REGIONAL AFFAIRS COMMITTEE
MARCH 25, 1988

INDEX FOR HB 493-4 (GARBAGE) PACKETS

1. MEMO TO COMMUNITY AND REGIONAL AFFAIRS FROM REP. HERRMANN
2. FISCAL NOTE FOR HB 493 FROM DEC
3. PACKET OF BACKGROUND; FISH AND SOLID WASTE DISPOSAL IN BRISTOL BAY
4. REP. HERRMANN'S LETTER TO WESTERN LEGISLATIVE CONFERENCE, EXPLAINING MARINE GARBAGE PROBLEM IN HER DISTRICT AND WHITE PAPER ON MARINE DEBRIS/OCEAN DUMPING
5. WHITE PAPER ON MARINE DEBRIS/OCEAN DUMPING, PREPARED BY HOUSE RESEARCH IN MARCH OF 1987
6. LETTER OF COMMENTS AND SUGGESTIONS FROM MARK SMITH, BARGE OPERATOR FROM BRISTOL BAY
7. LETTERS OF SUPPORT
8. FEDERAL BILL - S. 2596: STUDY OF ADVERSE EFFECTS OF POLLUTION CAUSED BY DISCARDING/DUMPING PLASTICS
9. ARTICLE EXPLAINING FEDERAL BILL
10. SENATOR STEVENS FLOOR SPEECH; COMMENTS ON MARINE GARBAGE
11. ARTICLE FROM SMITHSONIAN MAGAZINE; "PLASTIC REAPS A GRIM HARVEST IN THE OCEANS OF THE WORLD." (MARCH 1988, PAGES 59-67)

A:PKTHB493.TXT

Alaska State Legislature

REPRESENTATIVE
ADELHEID HERRMANN

P O BOX 83
NAKNEK ALASKA 99833
(907) 246-4495

CO CHAIRMAN
RESOURCES COMMITTEE

MEMBER
COMMUNITY & REGIONAL
AFFAIRS COMMITTEE

While in Juneau
BOX V
JUNEAU ALASKA 99811
(907) 465 4942 465 4943

House of Representatives

MEMORANDUM

DISTRICT 28

ADAK
AKUTAN
ALEKNAGIK
ATKA
BELKOFSKI
CLARK S POINT
COLD BAY
DILLINGHAM
DUTCH HARBOR
EGEGIK
EKUK
EKVOK
FALSE PASS
IGIUGIG
ILIAMNA
KING COVE
KING SALMON
KOKHANOK
KOLIGANEK
LEVELOCK
MANOKOTAK
NAKNEK
NELSON LAGOON
NEWHALEN
NEW STUYAHOK
NIKOLSKI
NONDALTON
PEDRO BAY
PILOT POINT
PORT ALSWORTH
PORT HEIDEN
PORT MOLLER
PORTAGE CREEK
SAND POINT
SOUTH NAKNEK
SQUAW HARBOR
ST GEORGE
ST PAUL
TOGIK
TWIN HILLS
UGASHIK
UNALASKA

TO: Jim Plasman, Deputy Director
Division of Municipal and Regional Assistance
Community and Regional Affairs

FROM: Representative Adelheid Herrmann

DATE: March 22, 1988

SUBJECT: HB 493 and HB 494; establishing marine
garbage collection fund and an appropriation.

HISTORY:

Marine garbage collection and fish processing waste became a big issue in my district in 1981. Concerned citizens recognized a very dramatic increase in the dumping volume of unground viscera, heads, whole fish, and other processing waste. The problem grew to a wider magnitude when combustible and non-combustible solid waste surfaced in drift and setnets, and on beaches. In addition, a common complaint brought to my attention from many vessel operators, was the entangling problem of plastic strapping on vessel propellers. This segment of the overall garbage issue brought forth an organized effort to involve the State's regulatory agencies, primarily DEC.

The problem was first brought to the attention of the Department of Environmental Conservation back in 1982. Through the efforts of the Bristol Bay Borough, DEC, and other local communities, the Bristol Bay Solid Waste Task Force was formed. This task force organized fish and solid waste disposal recommendations. This information is included with the back-up material.

One proposed solution to the on-going problem for Bristol Bay was to permanently station a representative of the DEC office in Dillingham. The representative was later moved to Naknek because most of the processors were located in the Naknek area. I believe this was done in 1983.

Many suggestions to address this marine garbage issue were voiced through local and involved organizations, which is also provided in the packet. In 1984 two of the suggestions included; a fish waste disposal plan for Bristol Bay, and a garbage scow contracted or responsible to the State to haul garbage to shore for disposal at municipal dump sites. This brings forth the question of landfill capacity within the municipalities.

A garbage collection pilot project was one avenue we did pursue in 1985, but this proposal was vetoed by the Governor. Here we are again, trying to address this extreme and monumental problem both in my district as well as in other coastal areas of our state. I am aware these \$200,000 funds will only be a beginning in alleviating this issue. However, there is an extreme necessity to begin developing a garbage collection scheme now, as it is affecting our natural resources both on the state and national level. Recently Congress passed a bill which I monitored closely. "33 U.S.C. 1901-1911, as amended, requires that ports and terminals in the United States provide reception facilities for certain pollutants and garbage from ships"; and with the passage of this bill on the federal level requiring marine garbage to be brought on shore, I can see rural coastal communities needing assistance real soon with this issue.

I hope this information and the attached material will be of help in your positive position paper on the bill.

a:hb493.txt



STATE OF ALASKA
OFFICE OF THE GOVERNOR
BILL ANALYSIS

DEPARTMENT DEC	DIVISION	BILL NUMBER HB 493	SPONSOR Hermann & Sund
SHORT TITLE OF BILL Relating to marine garbage collection			
DEPARTMENT POSITION The Department supports the objective of the bill.			
PREPARED BY Amy D. Kyle <i>adkyle</i>	DATE 2/29/88	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 3/1/88

SUMMARY

OTHER AGENCIES AFFECTED BY BILL DCRA	CONSTITUENT GROUP(S) AFFECTED BY BILL
ORGANIZATIONAL SUPPORT FOR BILL	ORGANIZATIONAL OPPOSITION TO BILL

FISCAL IMPACT: NONE FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT
The bill is intended to address long-standing problems with accumulation of garbage from fishing boats in Bristol Bay. At present, garbage collection facilities are not easily accessible to fishing boats.

ANALYSIS OF BILL/PROGRAM EFFECTS
The bill would create a program in the Department of Community and Regional Affairs to make grants to communities for garbage collection.

The criteria appear to be sound. The need for garbage collection services is real. The bill would address the absence of a private enterprise.

No fiscal impact on DEC.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

Bristol Bay Solid Waste Task Force

April 10, 1985 - Attendance

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Marion Adams	Pouch A, Dillingham	Alaska Department of Environmental Conservation
John M. Pearson	Box 169, Dillingham	City of Dillingham
Roland D. Moody	Aleknagik	Moody's
Jeff Srakde	Box 199, Dillingham, AK	Alaska Department of Fish and Game
Daniel Nanalook	P.O.Box 109, Togiak, AK	Togiak Natilus, Ltd.
Henry Pavian	P.O.Box 56, Togiak, AK	Togiak Community Council
Jim Barr	4019 21st Ave., W., Seattle, WA	Icicle Seafoods
Henry Shade	P.O. Box 2, Dillingham, AK	Bristol Bay Area Health Corporation
Arla Tracy	P.O.Box 433, Pilot Pt., AK	Pilot Point Village Council
Don Penner	Box 189, Naknek, AK	Bristol Bay Borough
Earl J. Gattodor	Box 179, Naknek, AK	Patterson's
John M. Schibel	P.O.Box 504, Dutch Harbor, AK	Dutch Harbor Seafoods
Doug Donegan	P.O. Box 0, Juneau, Alaska, 99811-1800	Department of Environmental Conservation
Mark Lisac	Box 10201, DLG	United States Fish & Wildlife Service
Jeff Smith	DLG	Public Health Service
J.C. Hiles		Fisherman
Harvey Samuelson		

BACKGROUND ON FISH AND SOLID WASTE DISPOSAL IN BRISTOL BAY

Fish and Solid Waste Disposal in Bristol Bay during fishing seasons is a problem. 1983 was no exception. The amount of pollution caused by dumping untreated fish and solid waste into Bristol Bay is almost impossible to determine. 1983 found 29 land processors and 38 floating processors operating in Bristol Bay. Also included are the estimated 400 to 500 support vessels. Add to that approximately 1800 gill net vessels and support vessels for approximately 900 set net operations. 39.1 million salmon were harvested in Bristol Bay.

This information is presented to give you an idea of how much disposable waste can be generated by the fishing industry. Fish heads, viscera, solid waste dumped into the rivers of Bristol Bay can be a monumental problem if the State fails to prevent pollution.

FISH AND SOLID WASTE DISPOSAL RECOMMENDATIONS

1. A Fish and Solid Waste Disposal Program for the 1984 Fishing Season to be funded to accomplish the following goals:
 - a) Plan and implement a Bristol Bay Fish and Solid Waste Disposal Plan for the 1984 fishing season which would allow the Department of Environmental Conservation to station a permanent representative in Bristol Bay.
 - b) Send all processors, support vessels and fishermen information about bilge oil, sewage and fish waste regulations that will be in effect in 1984.
 - c) Increase the man days of actual on-site inspection and patrols of shore-based and floating processors. (ADEC presence is a must during the height of the season.)
 - d) Re-establish contact with enforcement and judicial officers regarding ADEC mission in Bristol Bay as it relates to fish and solid waste disposal.
 - e) Have ADEC establish a Fish and Solid Waste Disposal Task Force of concerned parties to address fish and solid waste disposal problems in Bristol Bay and make policy recommendations for legislative and administrative consideration.

MEMORANDUM

State of Alaska

TO: Bob Martin
Deputy Director, EQO

DATE: September 14, 1983

FILE NO:

TELEPHONE NO: 274-2533

CLM
FROM: Jim Allen
Anchorage/Western
District Supervisor

SUBJECT: Bristol Bay

Norman Stadem visited this office on September 12, 1983 regarding the pollution of Bristol Bay during the 1983 Salmon Season. Mr. Stadem is a economist by profession, a professor at APU and a member of the board of the Alaska Independent Fisherman's Marketing Association Cooperative (AIFMAC) and a fisherman. Mr. Stadem is representing AIFMAC during his visit. The AIFMAC has a membership of 500 plus fishermen.

We reviewed my report to Keith Kelton dated August 18, 1983 on the same subject.

Mr. Stadem is still concerned with the type and volume of pollution to the bay and cited several examples where fishing boats had become disabled and were required to be towed to shore to untangle plastic binding material from the propellers. This material is used to bind fibers used for packing processed fish.

We both agreed that in-addition to reducing pollution that a greater distance between boats would tend to reduce incidental pollution from the ships and boats.

It is my recommendation that we expand beyond our regulatory role and into one where we can obtain cooperation from all departments, organizations, and individuals involved in Bristol Bay.

DEC should form a committee to form a task force on the problem and make recommendations for implementation of a program to further reduce pollution. Formation of the committee and members of the task force should include but not limited to the following:

1. The Departments of Fish and Game and Public Safety, Fish and Wildlife Protection
2. DEC, Seafood and Animal health
3. Alaska Independent Fisherman's Marketing Association Cooperative

Bob Martin
Page 2
September 14, 1983

5. Local Native Associations
6. City of Dillingham
7. Western Alaska Commercial Fisherman's Association
8. North Pacific Processors Association
9. Alaska Fisherman's Journal

Grants are needed to establish local landfills and collection points located where waste oil and refuse can be stored. The committee should start work on plans for a task force in January or February 1984.

JCA/BSM

cc: Keith Kelton
Norman Stauen
Jeff Skrade
Joe Campbell

BIO
ECONOMIC
RESEARCH AND ANALYSIS

NORMAN STADEN
ECONOMIST

1828 EAST 26TH AVENUE
ANCHORAGE, ALASKA 99504
(907) 272-0908

September 13, 1983

Mr. James C. Allen
Anchorage/Western District Supervisor
Alaska Department of Environmental Conservation
437 E Street, Suite 200
Anchorage, AK. 99501

RECEIVED

SEP 15 1983

ENVIRONMENTAL CONSERVATION
REGION II

Dear Mr. Allen:

This is to affirm my impression of the positive results of our meeting yesterday in your office regarding the solid fish waste disposal problem in the Naknek/Kvichak Rivers during the Sockeye salmon fishing season. There has been a dramatic increase in the volume of unground viscera, heads, and whole fish and other processing waste during the past two years. In my capacity as a representative of the Alaska Independent Fishermen's Marketing Association, Coop I heard from a large number of the fishermen in respect to this problem. The concern was unanimous--the problem has gotten out of hand, and A.I.F.M.A.Coop must bring the problem to the attention of regulatory agencies for resolution. Obviously, of primary concern is the economic cost transferred to the fishermen by those processors who dump without grinding these fish wastes. Fishing productivity is adversely impacted since productive time is wasted in disentangling this material, especially viscera, from the nets. There is a concern also for the possible health hazard of infection, such as blood poisoning or fish poisoning, from constantly handling the decomposing fish wastes. Of no small significance is the detrimental impact on morale.

We realize that waste disposal is a fundamental problem in a primary processing industry such as salmon fishery. However, ADEC has essentially solved this problem in the case of shore-based processors by requiring that all fish wastes be ground before dumping it into the water-ways. The problem, with respect to the fishermen, is more acute in the case of floating processors because they dump directly in the prime fishing areas. Thus, there is no chance of some of the material washing ashore, where it decomposes or is eaten by birds and animals, rather than being caught in gill nets.

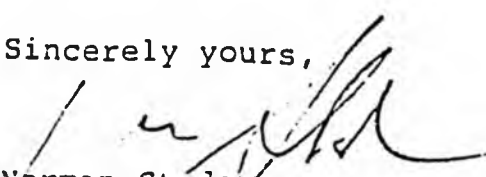
Your suggestion that ADEC take the initiative in organizing a meeting of concerned parties to discuss the general problem of waste disposal into the Bay, is taken as a positive step in seeking a solution to this increasing problem. We look forward to hearing more on this in the near future.

Mr. James C. Allen

-2-

September 13, 1983

Sincerely yours,



Norman Stadem
Assemblyman, AIFMA Coop

cc: State Rep. Adelheid Herrmann
Mr. Mitch Kink, Gen. Mgr., AIFMA Coop

MEMORANDUM

437 E. Street, Suite 200

State of Alaska

Anchorage, Alaska 99501

TO: Keith Kelton
Director, EQO

DATE: August 18, 1983

FILE NO:

TELEPHONE NO: 274-2533

FROM: James C. Allen
Anchorage/Western
District Supervisor

SUBJECT: Disposal of Salmon and
Solid Waste in Bristol
Bay 1983

Based on my 1982 observations, the following plan was initiated for the 1983 season:

1. Five-thousand, six-hundred fisherman and two-hundred and eighty-eight processors applied to fish and process herring in Bristol Bay for the 1983 season. Our main concern and that of Fish and Game was oil pollution from the fishing and processing vessels. Herring roe is very susceptible to the effects of petroleum products. Letters were sent to all processors and made available to processors when they reregistered locally with the Department of Fish and Game. Ten man days was spent on the Fish and Wildlife vessel Vigilant for enforcement purposes. No oil pollution was observed. I feel this was due to the fact that we sent out the letters, we were there and excellent weather conditions. Last year ten fishing boats were sunk or driven on shore by bad weather.

2. Bristol Bay Salmon Processors are located at:

<u>Location</u>	<u>Land</u>	<u>Floating</u>	<u>Tenders</u>	<u>Freighters</u>
Dillingham	6	-	-	-
Queen Slough	1	-	-	-
Clarks Point	-	8	-	-
Eruk	1	1	-	-
Naknek	5	21	48	17
South Naknek	3	-	-	-
Egegik	1	2	-	-
Pederson Point	1	-	-	-
Togiak	1	-	-	-
TOTAL	19	32	48	17

This represents the majority of the plants and processors in the immediate area. Tenders and freighters were only counted in the area off of the Naknek River. It is difficult to estimate the amount of fish waste produced from the 36 million red salmon that were processed. Kings, silvers and other salmon are not included in this figure. It is also difficult to estimate the amount of solid waste generated from the processing and the crew.

5227

Again, letters were sent to all processors and copies were provided to Fish and Game offices in Dillingham and King Salmon for distribution.

Ten man days were spent during the last two weeks in June to primarily inspect land based plants for water, sewage and fish waste discharge systems. Ten man days were spent the first two weeks in July to board floating processors for sanitary, solid and fish waste discharge.

On two occasions, The Bristol Bay Borough made available their fire boat. Within three hours we were able to check the sterns of seventy-eight vessels. Fish and Wildlife Protection provided a boat ride to Queen Fisheries which eliminated an air charter cost.

Meetings were held with the Magistrates in Naknek and Dillingham and letters were sent to reconfirm our conversation and included regulations, waste discharge requirements for land and floating processors and types of misdemeanors. This information was also provided to Fish and Wildlife personnel in Dillingham and Naknek.

Observations:

1. Everyone contacted regarding our 1983 activities to reduce pollution in Bristol Bay were very favorable. Other than the improved esthetic effects to the water and beaches, there were other positive benefits, i.e, fish-heads no longer effected set nets; fish intestines no longer effected drift nets; plastic bands on fiber etc., no longer fouled propellers. *Question -*
2. Everyone contacted that had been in the Bay had noted a decrease in the amounts and types of solid and fish waste which was also our own observations.
3. Sixteen HOVs were issued in the four week period and essentially dealt with improper fish waste discharge.
4. Nine of the twenty-one floating salmon processors in the Naknek area had installed incinerators to reduce the volume of combustible waste.
5. As the results of our letter and activities, the refuse collector contractor for the Bristol Bay Borough instituted a refuse collection service by boat for salmon processors off of the Naknek River. *?
Sum 1/3
2/3*

Recommendation:

To continue the present program for the 1984 season however, this is in conflict with the Regional and District work plan and the approximately 40% decrease in travel budget for the Anchorage/Western District.

274-2533

SCR0
437 E Street
Suite 200
Anchorage, AK
99501

June 6, 1983

Dear Seafood Processors:

This is further to our April 18, 1983 letter of information regarding oil, sewage and solid waste pollution of Bristol Bay.

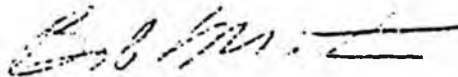
All processing plants have Seafood Processing Wastewater Permits. These permits require grinding Seafood wastes to a size that is capable of passing through a 0.5 inch mesh screen. The affluent seafood wastewater is to be discharged at a depth equal or greater than mean lower low water for shore based plants. Floating Seafood processors wastewater effluent shall be discharged at a depth equal to or greater than 42 feet below mean lower low water.

Acceptable methods of solid waste disposal are to incinerate combustibles and compact and store non-combustibles for transportation to an approved landfill site in Alaska or outside. The Department will have personnel in the Bristol Bay area for the Salmon processing season to assist operators in meeting these requirements and to enforce state regulations. Violations of provisions of the oil, wastewater and solid waste regulations will be subject to appropriate enforcement action.

Your cooperation will assist us to protect the environment of Bristol Bay.

If you have any questions regarding this letter please contact this office at 274-2533.

Sincerely,



Bob Martin
Regional Supervisor

BH/JCA/msm

STATE OF ALASKA
DEPT. OF ENVIRONMENTAL CONSERVATION

SOUTHCENTRAL REGIONAL OFFICE

BILL SHEFFIELD, GOVERNOR

- 437 E. STREET
SECOND FLOOR
ANCHORAGE, ALASKA 99501
(907) 274-2533
- P.O. BOX 615
KODIAK, ALASKA 99615
(907) 486-3350
- P.O. BOX 1207
SOLDOTNA, ALASKA 99669
(907) 252-5210
- P.O. BOX 1709
VALDEZ, ALASKA 99686
(907) 835-4698
- P.O. BOX 1054
WASILLA, ALASKA 99687
(907) 376-5038

April 18, 1983

Dear Fishermen and Seafood Processors:

Marine intertidal and nearshore areas require special attention as they are very productive and supply habitat essential to the life cycles of many important species. Herring and salmon are among the many species where the intertidal and nearshore regions play an important role in their productivity. This habitat is extremely sensitive and easily damaged by oil spills and improper waste disposal, particularly in areas where spawning takes place. The State of Alaska has implemented regulations to protect these resources from various forms of pollution.

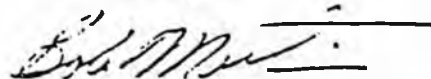
The most common pollution incidents in the fishing grounds have been the discharging of bilge oils and fuel spills, the dumping of solid waste overboard and on beaches, and the discharging of untreated sewage and processing wastes. These incidents can significantly impact the future fisheries of the area.

This fishing season, the Alaska Department of Environmental Conservation will be in the field working with other agencies in an effort to reduce the pollution incidents associated with the harvest of fishery resources. This work will entail routine patrols amongst the fishing fleet, boarding vessels to alert the vessel master to pollution prevention, and responding to pollution incidents as they are reported.

State law requires prompt reporting of oil spills and other serious pollution incidents. This reporting helps to facilitate quick cleanups thereby reducing environmental impacts and damage to fishing equipment. During the upcoming fishing seasons you should be able to contact this Department in the field through the Alaska Fish and Wildlife Protection Service or the Alaska State Troopers or in Anchorage dial 274-2533. If you cannot contact this Department, contact the U.S. Coast Guard, the Alaska Department of Fish and Game, or the local police.

We enlist your support in our efforts to prevent pollution which may affect fishing resources.

Sincerely,



Bob Martin
Regional Supervisor

BM/SZ/nsm

MEMORANDUM

State of Alaska

TO: Peter Ashman, Charley Shawback
Magistrates

DATE: June 7, 1983

FILE NO:

TELEPHONE NO: 274-2533

FROM: *James C. Allen*
James C. Allen
Anchorage/Western
District Supervisor

SUBJECT: The Pollution of
Bristol Bay

This is to confirm our recent conversations regarding seafood and solid wastes that are discharged from land based and floating processors.

Attachments #1 and #2 are letters sent to all Bristol Bay Processors by mail and were forwarded to Fish and Game Offices in Dillingham, and King Salmon for distribution to processors who must also re-apply locally for processing.

Attachment #3 is my memo of January 24, 1983 to Joe Campbell regarding fish and solid waste regulations and policies.

The wastewater and solid waste regulations are attached as are formats #21 and #23 which are the examples of the permits for land and floating processors and are marked attachments #4, #5, #6 and #7 respectively.

Foreign processors must also comply with the Department's regulations.

There are three types of misdemeanors that could result from improper discharge of seafood or other solid waste. (AS 46.03.790):

(1) A violation of a statute or regulation which has been committed wilfully may be considered a Class A misdemeanor. Class A misdemeanors under AS 12.55.035(b)(3) carry a maximum fine of \$5,000. Under AS 12.55.135(a) such persons can also be sentenced for up to one year in jail.

(2) A violation which has been unintentionally committed may be considered a Class B misdemeanor, and under AS 12.55.035(b)(5) carries a maximum fine of \$300.

(3) Failure to provide or falsely state information with respect to unlawful discharge is a misdemeanor punishable by a fine of not more than \$25,000 as set out in AS 46.03.790(d).

Peter Ashman, Charley Shawback
Magistrates
Page 2
June 7, 1983

Furthermore, each day on which the violation occurs is considered a separate violation (AS 46.03.790(c)).

The penalties assessed depend on the severity of the violation. A description of the type and severity of the violation will be provided to the proper authority by a representative of this Department.

Please contact this office at 274-2533 if you have any questions regarding the above information.

JCA/JFH/msm
Attachments

MEMORANDUM

State of Alaska

TO: Joseph W. Campbell
Division of Fish & Wildlife
Protection
Department of Public Safety

DATE: January 24, 1983

FILE NO:

TELEPHONE NO: 274-2533

JCR
FROM: James C. Allen
Anchorage/Western
District Supervisor

SUBJECT: Nondomestic Wastewater
and Solid Waste Regulations

Joe, I waited until the attached revised regulations became law, December 30, 1982, to forward them to you with the following comments.

AS 46.03.020.(10)(A) allows for the Department to develop AAC to "control, prevent and abatement of air, water or land or subsurface land pollution." And (D) the "collection and disposal of sewage and industrial waste."

Title 18, Chapter 72, Articles 1 and 2 pertain to domestic and nondomestic wastewater. The definition for nondomestic wastewater, 18 AAC 72.990(29) includes food processing.

Section .210 requires a permit issued by the Department before a person can discharge nondomestic wastewater into or onto the water or land in Alaska.

The Department and EPA both issue nondomestic wastewater permits. EPA at one time issued all discharge permits which were co-signed by DEC so the Department could also enforce the provisions. Since Reaganomics, the EPA staff has been reduced so they placed priority on only the large discharges whereas we do all the rest.

Enclosed are examples of our permit requirements used in the Bristol Bay area. These types of permits would not be issued in Kodiak or Dutch Harbor. Format 21 would be used for a land based operation and 23 for a floating processor and the letter form is only for those floating processors which process less than five tons of raw product per day.

The permit requirements are more alike than different. Wastewater is separated from domestic sewage. Some methods (grinders) is required to reduce solids to a size small enough to pass through a 0.5 inch mesh screen. The requirements A,1,d says what can't be included in the wastewater or allowed to accumulate on the beach. A,1,c for land processors says that the waste discharge line has to be at least below mean low water.

Domestic wastewater (sewage) for floaters is more specific than land based processors as noted in 2, a, I, II, III and IV.

Mr. Joseph W. Campbell

Page 2

January 24, 1983

The rest of the requirements should not be of interest for enforcement purposes.

We may summarize as:

1. Wastewater is to be separated from sewage and oil.
2. All must grind fish waste.
3. Land based processors must discharge below low tide.
4. Depending on the location of the float various domestic wastewater discharge requirements apply.

Solid wastes are covered in Title 18, 60.130.(15), Chapter 60. The definition for solid waste includes everything. 18 AAC 60.101 prevents solid waste from pollution of the air, water, land and subsurface land of the state.

Solid waste disposal sites must have a permit except as excluded in 18 AAC 60.020(1), (2) and (3) which are single family or duplex where the solid waste are disposed of on the premises, a farm or an incinerator rated at less than 200 pounds per hour.

JCA/msm
Enclosures

MEMORANDUM

437 "E" Street, Suite 200

1000 File
~~State of Alaska~~
State of Alaska

Anchorage, Alaska 99501

TO: Bill Lamoreaux
District Office
Supervisor

DATE: August 2, 1982

FILE NO:

TELEPHONE NO: 274-2533

9012
FROM: James C. Allen
Anchorage/Western
District Supervisor

SUBJECT: Bristol Bay Solid
Waste Disposal Problems

For a number of years complaints have been made to the Department regarding solid waste in Bristol Bay. This can be divided into two different problems. These are fish heads and intestines from shore and floating salmon processors and solid waste generated by the floating processors. The fish heads and intestines are more of a problem along the beaches where they foul the set nets and prevent netting of salmon. A considerable amount of time and frustration is spent in removing the waste. Intestines are more of a problem from the floating processors as the heads, having weight, generally sink to the bottom. Floating processors near the shore are a greater problem than those in the center of the bay.

Many of the processors burn combustible solid waste on the stern and they will tell you that the non-combustibles are taken to a shore dump, but this is highly questioned as being accurate, which was confirmed by informal conversation with crew members. Ships that don't burn refuse and those with non-combustibles dump them over the side causing accumulation of waste on the bottom and the beach.

Fish and Game requires all operators to file an intent to operate for the next year. The form can be used to determine who is going to process what seafood and where. I have requested a copy of this report be mailed to me in December 1982.

Contact was made on my Dillingham trip of July 26-29, 1982 with John Campbell and Ron Kiniecik, Fish & Wildlife Protection. Both express their concern for the solid waste problems of the region both on land and at sea. They have requested a memo from our Department stating sections of the statutes and AAC to cite in issuing a citation.

Observation of waste discharge pipes in Kodiak and Dillingham revealed a discrepancy on our part on not requiring design and construction requirements on the outfalls. Processors use plastic that is too fragile for either an anchor or wave action. We should require Class 50 ductile iron, with joints which will take a 5° deflection without leaking. To protect this pipe, it should be required to be buried to a depth of 5 feet until it can be exposed at a depth 10 feet below minimum low low tide. A diffuser would be ideal, but not necessary.

Bill Lamoreaux
Page 2
August 2, 1982

The discharge pipe should be required to be anchored with 2 foot spacing were exposed on the bottom.

Recommendations:

1. We notify all land processors that:
 - a. Grind to less than 0.5 inch square and discharge as described above.
 - b. To discontinua processing when grinder or discharge pipe is broken. This should motivate back-up grinder in parallel. This should also apply to floating processors however, no discharge line would be required.
2. Combustible solid waste on floating processors should be required to be burned or compacted with non-combustibles and transported to local dumps. Boats from the processor are running back and forth all day. Any processor or boat observed to discharge solid wastes into the waters of the State will be cited.
3. A specification for the discharge outfall should be a part of the permit.

In summary, we should inform all processors of our 1983 season requirements and plan to have DEC personnel in Bristol Bay in 1983 for at least the first three weeks of July.

JCA/ccs

Box 234
Dillingham, AK
99576
November 30, 1983

Officer Ron Kmiecik
Box 223
Dillingham, Alaska 99576

Dear Officer Kmiecik:

Representative Adelheid Herrmann would like to get your views on several fishery related issues that affect our fishermen in Bristol Bay. The first issue is fish waste dumping by fish processors in Bristol Bay, particularly the Nushagak River. The second issue is gill net mesh size. Finally, the issue of fish processors anchoring in desirable drift areas seems to be a problem to drift gill netters.

Does your office have any information that would give Rep. Herrmann any facts which would help define the magnitude of the problems mentioned? Also does your office have any suggestions for solutions to the issues previously mentioned?

Would a joint meeting with processors, fishermen, fishermen's organizations, the Coast Guard and your office be helpful before the 1984 fishing season starts?

Thank you for your consideration.

Very sincerely,



Nels A. Anderson, Jr.
Special Assistant
House Special Committee on
Fisheries

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF PUBLIC SAFETY

DIVISION OF FISH & WILDLIFE PROTECTION
P.O. Box 1005
Kodiak, Alaska 99615

P.O. BOX 6188 ANNEX
ANCHORAGE, ALASKA 99502
PHONE:

December 21, 1983

Nels A. Anderson, Jr., Special Assistant
House Special Committee on Fisheries
P.O. Box 234
Dillingham, Alaska 99576

Dear Mr. Anderson,

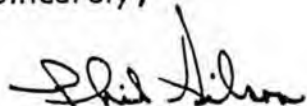
In response to your request to Trp. Kmiecik in Dillingham for his views on the three problems relating to the Nushagak Bay, I am enclosing his answers.

Additionally, a meeting was held in Naknek in November with the United States Coast Guard, processors and fishermen in attendance, to discuss the interruption of the drift gill net fleet by anchored vessels. There were a number of recommendations presented and I'm sure they could be applied to the Nushagak area as well. Lt. Matt Cronnin is stationed in Anchorage and is in the Marine Safety Office in the Federal Building. He would be able to provide a clear overview of that particular problem and the maritime laws that effect it.

The fish waste that is dumped before being properly ground is not restricted to the Nushagak area and from personal observations, I would say that is most likely to occur when there is a malfunction of equipment. Mr. Everett Stone, sanitarian for the Dept. of Environmental Conservation is usually present in Bristol Bay during peak periods. He would be more able to respond to the magnitude of the fish waste problem and measures taken to correct it.

Hopefully the information provided will be of assistance to your committee and if we can be of help further, please don't hesitate to ask.

Sincerely,



Lt. Phil Gilson
Commander, "E" Detachment
Fish & Wildlife Protection
Kodiak

Enclosure (1)

cc: Lt. Col. Tetzlaff
Sgt. Youngren

First Issue: Fish Dumping in the Nushagak River

During the 1982 season complaints were received from both subsistence and commercial fishermen about whole fish, heads and entrails not being ground up or ground enough. These complaints were received from subsistence fishermen fishing Kanakanak and City beaches, set netters from Clarks Slough, Combine Flats, Clarks Point and Coffee Point areas, and drifters who were fishing from Nushagak Point south. Complaints, when received, are usually from all users during the same time frame. The waste is coming from Dillingham docks, floating processors near Clarks Point and from the processor up Clarks Slough.

Complaints indicate that the problem caused by one or more of the processors occur approximately once per week.

I believe the solution to this on-going problem is to permanently station a representative of the Dept. of Environmental Conservation office in Dillingham. During the 1983 season we had D.E.C. personnel TDY here and it substantially reduced the complaints and visual observations compared to the 1982 season. I believe the D.E.C. representative presently in Dutch Harbor is being transferred to Dillingham in the near future.

Second Issue: Gill Net Mesh Size

Gill Net Mesh Size is a management issue. I agree with the Dillingham ADF&G managers that the current mesh size of 5-3/8 inches during the red salmon season is most advantageous. The current 5-3/8 inches mesh size is allowing favorable proportions of male and female (nearly 50%) in the spawning areas. A change in mesh size would affect this balance and would require a larger escapement to offset the imbalance. Further information can be obtained from the Dillingham office of the ADF&G.

Third Issue: Processors Anchoring in Desirable Drift Areas

On the final issue of processors anchoring in desirable drift areas, several complaints were received during the 1983 season. As our fishery continues to grow, it will have to handle the larger volume of processors/transport ships on the bay. The complaints received were reference to a few of the processor ships, not the majority. The problem was processor ships anchoring just off Ekuk. The majority of the processors anchor off Clarks Point and no complaints have been received reference their anchorage location.

I feel a meeting with all parties involved would be beneficial. I contacted Matt Cronnin from the U.S.C.G. Anchorage office today reference this meeting. Mr. Cronnin is in concurrence that a meeting with all interested parties would be helpful, since the meeting will be addressing problems discussed in Naknek this past October. Mr. Cronnin stated December or January in Dillingham would be possible and he would confirm and get back with Trooper Kmiecik.

MEMO

To: Representative Adelheid Herrmann

From: Co-Man Services, Special Assistant on Fisheries

Date: January 5, 1984

Subject: Tasks that need immediate attention on a Fish Waste Dumping Plan in Bristol Bay for 1984

1. Request a 1984 Fish Waste Disposal Plan for Bristol Bay which addresses budget commitment, man days on sites in Naknek and Dillingham, as soon as possible.
2. Request Representative Adams to allocate a specific amount of funds for a 1984 Fish Waste Disposal Program for Bristol Bay in the DEC Budget so that we are not short-changed or under budgeted. You will need to have Joyce R. find out how much was spent on the 1983 Fish Waste Disposal effort.

Box 234
Dillingham, AK
99576
November 30, 1983

Mr. Harvey Samuelsen
President
WACMA
Dillingham, AK 99576

Dear Harvey:

Representative Adelheid Herrmann has asked me to help resolve several issues that are of concern to fishermen throughout Bristol Bay. The issues are fish waste dumping in the Bay, salmon net mesh size, set net regulations and anchoring of processors in drift areas.

I would like to discuss these matters with you to give Rep. Herrmann direction on how the issues can be solved. Your assistance on these issues would be very helpful.

Please let me know when it would be convenient for us to get together. I plan on contacting fishermen on a one to one basis to get their views as well as yours in your capacity as president of WACMA.

Thank you for your consideration.

Very sincerely,

Nels A. Anderson Jr.

Nels A. Anderson, Jr.
Special Assistant
House Special Committee on
Fisheries

WESTERN ALASKA
COOPERATIVE MARKETING ASSOCIATION

1

BOX 213 . . . DILLINGHAM, ALASKA

January 12, 1984

Nels A. Anderson Jr.
Special Assistant
House Special Commission on Fisheries
Box 234
Dillingham, Alaska 99576

As pertaining to our conversation over the telephone.

No. 1 We definitely need the Coast Guard to come in and hold hearings here at Dillingham about the floating processors anchoring in our prime fishing areas. The way they anchor is a real hazard to all navigation, not only to the fisherman but to any boat or other craft. The Coast Guard will probably say they have no jurisdiction over this problem.

If we can't get cooperation from them, this matter should be turned over to the Congressional Delegation in Washington D.C.

From previous phone calls last summer with the Governor's Staff the state people told me they had no control over it, it was pointed out to me by them its all up to the Coast Guard.

No. 2 Fish Waste Dumping should not be allowed in any Fisheries in the State & Federal Waters off Alaska Coasts.

Every processor should have a grinding machine on board also at shore based plants.

A very strict law should be enacted during the session in Juneau this year.

Also no garbage should be thrown overboard, such as plastic strapping, ropes, palette boards, plastic bags, tires and other items.

The State of Alaska should have a garbage scow and charge for the service, or contract it out to someone to do it. I do believe its long overdue.

No. 3 I firmly believe that all salmon net mesh size and set net regulations should be left up to the Fish Board and not our legislative body.

Signed By: Harold H. Samuelson
Harold H. Samuelson

MEMO

To: Mike Nelson, Area Biologist Alaska Department of Fish and Game
From: Nels A. Anderson, Jr., Special Assistant, Special Committee on Fisheries
Date: *Nels A. Anderson, Jr.*
January 5, 1984
Subject: Location and Number of Land and Floating Processors Operating in
Bristol Bay in 1983.

Would your office please give us the location of and the total number of salmon processors operating on and offshore in the 1983 fishing season in Bristol Bay? One source placed the total of land processors at nineteen (19) and thirty-two (32) floating operations. We would appreciate your numbers on this matter.

Also, would your office be able to enumerate the number of tenders and freighters operating in Bristol Bay in 1983? This inquiry is not as important as the preceding one.

Thank you for your consideration.

cc: Representative Adelheid Herrmann

in all production modes or in just one, and in one or all districts:

FISHERY OPERATOR SUMMARY, 1983

District	(Total)	Number of Operators ^{1/}					Number of Canning Lines ^{2/}		
		Processing Method			Export		1-lb.	½-lb.	¼-lb.
		Canned	Frozen	Cured	Fresh	Brine			
Naknek-Kvichak	(43)	5	31	5	13	9	9	10	1
Egegik	(35)	1	24	3	8	2	1	2	
Ugashik	(24)	1	19	2	4	4			1
East Side	(52)	(7)	(38)	(5)	(17)	(13)	10	12	2
Nushagak	(28)	3	20	1	11	2	6	5	1
Togiak	(12)	1	10	1	2		1	1	
West Side	(31)	(4)	(22)	(1)	(12)	(2)	7	6	1
TOTAL BAY	62	11	46	5	23	13	17	18	3

1/ Indicates operators with either a physical plant or processing facility in a district or those operators from other areas buying fish and/or providing tender and support service for fishermen in districts away from the facility.

2/ Number of canning lines available for operation.

Hope this information fulfills your needs.

Sincerely yours,

Mike

Michael L. Nelson
Senior Area Mgmt. Biologist
(907) 842-5227

MLN/hes