

ADDITIONAL REGULATIONS NOTICE INFORMATION

(AS 44.62.190(d))

1. Adopting agency: Alaska Department of Environmental Conservation
2. General subject of regulation: Contaminated Sites
3. Citation of regulation (may be grouped): 18 AAC 75
4. Department of Law file number, if any: JU2017200705
5. Reason for the proposed action:
 - ☐ Compliance with federal law or action (identify):
 - ☐ Compliance with new or changed state statute
 - ☐ Compliance with Federal or state court decision (identify)
 - ☐ Development of program standards
 - ☒ Other (identify): Updated science, laboratory practices, and improve regulations
6. Appropriation/Allocation: Spill Prevention and Response Division/Contaminated Sites Program.
7. Estimated annual costs in the aggregate to comply with the proposed action:

Private Persons: There are no increased costs to private persons or businesses who are not involved in contaminated sites. Updated scientific information necessitates corresponding amendments to Table C. Groundwater Cleanup Levels and Table B1. Method Two Soil Cleanup Levels. There may be potential compliance costs for owners and operators of facilities with contaminated sites (responsible parties), but the *net* cost impact of changes is expected to be negligible. There is potential for slight cost savings as a result of less stringent cleanup levels for the more commonly detected compounds, such as polycyclic aromatic hydrocarbons, relative to a few increased cleanup levels for rarely detected compounds, but this effect would be site-specific. Increased flexibility is provided in the amendment to 18 AAC 75.325(i) which allows for owners or operators of closed sites that meet method two soil and Table C groundwater cleanup levels to move soil or groundwater without department approval, this revision has the potential to result in a direct time savings.

Should there be concern about compliance costs due to these proposed changes the department encourages the submission of public comments which reference costs and provide specific cost information.

Other State Agencies: No additional costs. Where a state agency is considered a responsible party, owner, and/or operator of an active contaminated site with amended compound cleanup levels revised review the "Private Persons" section above.

Municipalities: No additional costs. Where a municipality is considered a responsible party, owner, and/or operator of an active contaminated site with amended compound cleanup levels revised review the "Private Persons" section above.

8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY 2019	Subsequent Years
Operating Cost	\$ <u>0</u>	\$ <u>0</u>
Capital Cost	\$ <u>0</u>	\$ <u>0</u>
1002 Federal receipts	\$ <u>0</u>	\$ <u>0</u>
1003 General fund match	\$ <u>0</u>	\$ <u>0</u>
1004 General fund	\$ <u>0</u>	\$ <u>0</u>
1005 General fund/ program	\$ <u>0</u>	\$ <u>0</u>
1037 General fund/mental health	\$ <u>0</u>	\$ <u>0</u>
Other (Response Fund)	\$ <u>0</u>	\$ <u>0</u>

9. The name of the contact person for the regulations:

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10. The origin of the proposed action:

X Staff of state agency

_____ Federal government

X General public

_____ Petition for regulation change

_____ Other (identify)

11. Date: March 16, 2018

Prepared by: _____

Name (printed): Sally Schlichting

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