

DEC AO360: Baseline

January 5, 2026

Division / Total	Category 1: Statutory / Legal Required	Category 2: Mission-Supportive Discretionary	Category 3: Burden-Reducing Discretionary	Total discretionary (sum Category 2 + 3)	Key Notes / Narrative
DEC Total	11,500	12,000	1,000	13,000	Baseline discretionary requirements across DEC include roughly 13,000 rules (Categories 2 + 3). Totals are preliminary and intended to support AO 360 regulatory review.
Administrative Services (DAS)	-	150	150	300	Internal and procedural regulations support operational efficiency and accountability across all divisions. Includes appeals process providing clear, consistent resolution mechanisms and burden relief.
Air Quality	1,500	300	100	400	Regulations primarily derived from the Clean Air Act. Discretionary rules support primacy and ensure Alaska-specific safeguards, including open burning protections.
Environmental Health (EH)	8,000	1,600	40	1,640	Public health-focused regulations from federal and state statutes (Safe Drinking Water Act, Food Code, sanitation, solid waste). Discretionary rules provide clarity, flexibility, and practical compliance options while maintaining essential protections.
Spill Prevention and Response (SPAR)	400	9,000	200	9,200	State-driven preparedness and response regulations. Mission-critical discretionary requirements ensure swift, coordinated, effective response to protect public health, wildlife, and natural resources.
Division of Water	1,300	1,000	500	1,500	Clean Water Act-based programs; discretionary regulations address Alaska-specific conditions, clarify permitting processes, and provide flexibility for remote and small community systems.
				10,400	Est. discretionary requirement count proposed by this reform plan for end of 2026 (20% reduction)
See Section 5 for additional information regarding Mission-Supportive & Burden-Reducing Discretionary Regulation Review and Guidance Document Codification.					

DEC AO360: Stakeholder Outreach

January 5, 2026

Div.	Type	Meeting date	Topic: Subject	Comment open	Comment close	Outreach notes	OPN Publish
Air	Oral hearing	24-Sep	18 AAC 50 Air quality control regulations	26-Aug	26-Sep	Outreach includes listservs with 700+ individuals in the following groups: Industry and Stationary Source Issues, wildfire Smoke, Transportation and Motor Vehicle Issues, Air Monitoring Plans and Exceptional Events Waivers, Non-Permitting Regulations, Permitting Regulations, Proposed Permit Actions, State Implementation Plan (SIP) Community, State Implementation Plan (SIP) Non-Community, Workshops, Air Monitoring, Dust, Fuels, and Hot Topics. Additional meetings held with Alaska General Contractors, cruise lines, and oil and gas industry representatives.	26-Aug
Air	Written comment period	NA	18 AAC 50 Air quality control regulations	26-Aug	26-Sep	(same as above)	26-Aug
EH	Oral hearing	15-Oct	18 AAC 23 (Hair and Body Art Schools and Shops), 30 (Environmental Sanitation), 31 (Alaska Food Code), 32 (Milk and Milk Products), 34 (Seafood Processing and Inspection), 36 (Animal Health), 60 (Solid Waste Management), 62 (Hazardous Waste), 63 (Siting of Hazardous Waste Management Facilities), 80 (Drinking Water), 85 (Radiation Protection), 87 (Nuclear Facility Siting), and 90 (Pesticide Control), 64 (Litter Receptacles), 65 (Litter Reduction and Resource Recovery Grants), 66 (Waste Reduction and Recycling Awards For Schools)	17-Sep	5-Dec	Outreach includes program listservs which collectively reach more than 2,000 stakeholders including industry representatives, permittees, and interested tribal and community partners. Comment period was extended into December upon stakeholder request.	17-Sep
EH	Written comment period	NA	18 AAC 23 (Hair and Body Art Schools and Shops), 30 (Environmental Sanitation), 31 (Alaska Food Code), 32 (Milk and Milk Products), 34 (Seafood Processing and Inspection), 36 (Animal Health), 60 (Solid Waste Management), 62 (Hazardous Waste), 63 (Siting of Hazardous Waste Management Facilities), 80 (Drinking Water), 85 (Radiation Protection), 87 (Nuclear Facility Siting), and 90 (Pesticide Control), 64 (Litter Receptacles), 65 (Litter Reduction and Resource Recovery Grants), 66 (Waste Reduction and Recycling Awards For Schools)	17-Sep	5-Dec	(same as above)	17-Sep

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Div.	Type	Meeting date	Topic: Subject	Comment open	Comment close	Outreach notes	OPN Publish
SPAR	Oral hearing	30-Sep	18 AAC 75 Oil and Other Hazardous Substances Pollution Control	8-Sep	8-Oct	Outreach includes listservs and interested persons lists, which include private individuals, small and large businesses, tribal entities, and members of local, state, and federal governments. The listservs cover the following subject areas: contaminated sites, underground storage tanks, brownfields, oil spill contingency plans, and financial responsibility. Targeted outreach was conducted to interested industry, environmental professionals, and the regulated public, including State-Federal Statement of Cooperation (SOC) working group, Alaska Regional Response Team Tri-Chairs, Area Contingency Plan leads, and tribal contacts.	8-Sep
SPAR	Oral hearing	1-Oct	18 AAC 78 Underground Storage Tanks	8-Sep	8-Oct	(same as above)	8-Sep
SPAR	Oral hearing	2-Oct	18 AAC 79 Illegal Drug Manufacturing Sites	8-Sep	8-Oct	(same as above)	8-Sep
SPAR	Written comment period	NA	18 AAC 75 Oil and Other Hazardous Substances Pollution Control	8-Sep	8-Oct	(same as above)	8-Sep
SPAR	Written comment period	NA	18 AAC 78 Underground Storage Tanks	8-Sep	8-Oct	(same as above)	8-Sep
SPAR	Written comment period	NA	18 AAC 79 Illegal Drug Manufacturing Sites	8-Sep	8-Oct	(same as above)	8-Sep
Water	Oral hearing	1-Oct	18 AAC 69 (Commercial Passenger Vessel Environmental Compliance), 70 (Water Quality Standards), 72 (Wastewater Disposal), 73 (Construction Grants), 74 (Water and Wastewater Operator Certification and Training), 76 (Alaska Clean Water Fund), 77 (State-Funded Clean Water Account), 83 (Alaska Pollutant Discharge Elimination System Program)	10-Sep	10-Oct	Outreach includes stakeholder listservs to inform entities receiving federal or state permits, tribes, and other interested stakeholders (250+).	10-Sep
Water	Written comment period	NA	18 AAC 69 (Commercial Passenger Vessel Environmental Compliance), 70 (Water Quality Standards), 72 (Wastewater Disposal), 73 (Construction Grants), 74 (Water and Wastewater Operator Certification and Training), 76 (Alaska Clean Water Fund), 77 (State-Funded Clean Water Account), 83 (Alaska Pollutant Discharge Elimination System Program)	10-Sep	10-Oct	(same as above)	10-Sep
DAS	Oral hearing	15-Oct	15 (Administrative Procedures), 95 (Administrative Enforcement)	17-Sep	17-Oct	Outreach includes contacts from all other divisions to capture agencywide stakeholders: EH, SPAR, Water, Air, Tribal listservs	17-Sep
DAS	Written comment period	NA	15 (Administrative Procedures), 95 (Administrative Enforcement)	17-Sep	17-Oct	(same as above)	17-Sep

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Div.	Topic(s)	Summary	DEC Decision	Response
DAS	Appeals Process Clarity and Accessibility (18 AAC 15)	Stakeholders requested greater clarity around appeals authority, timelines, standing, and coordination with the Office of Administrative Hearings. Several commenters emphasized the importance of preserving public oversight, avoiding procedural delays, and ensuring appeals processes remain accessible and predictable.	Accepted in principle; clarification-focused revisions under consideration.	DAS determined that targeted revisions to 18 AAC 15 may improve clarity and consistency without altering substantive appeal rights. Any amendments would focus on process transparency, timeline clarification, and streamlined administration, and would be developed in coordination with impacted agencies, consistent with statutory requirements.
DAS	Regulatory Reform Process and Public Engagement	Multiple commenters urged DEC to ensure that regulatory reform does not erode environmental protections, requested extended public comment periods, and encouraged enhanced transparency through side-by-side revision tables and public posting of comments.	Partially accepted.	DEC affirmed that AO 360 reforms are intended to streamline and clarify, not weaken, environmental or public health protections. Existing public notice and comment requirements will continue to apply. While DEC strives for transparency through plain-language summaries and publication of proposed regulatory language, additional documentation tools (e.g., comprehensive side-by-side tables or real-time comment posting) will be used where practicable, balancing resource constraints and administrative efficiency.
DAS	Automatic Approval Provisions	Several stakeholders, including Tribal governments and public interest organizations, expressed concern that automatic permit approvals could conflict with statutory obligations and undermine substantive review.	Addressed through permit reform planning; no blanket automatic approvals adopted.	DEC acknowledged these concerns and determined that any discussion of timelines or default actions will be addressed within division-specific permitting reform plans, consistent with statutory authority and due process requirements. No automatic approval mechanisms are proposed where prohibited by law.
DAS	Tribal Engagement and Consultation	Tribal commenters requested codified government-to-government consultation procedures, recognition of Tribal standing in appeals, protection of Tribal funding eligibility, and safeguards for subsistence and rural community impacts.	Engagement affirmed; regulatory codification not adopted.	While state agencies are not subject to federal trust consultation requirements, DEC reaffirmed its commitment to meaningful, respectful engagement with Tribal governments. DEC maintains dedicated points of contact, including the DEC Tribal Liaison and division leadership, and encourages Tribes to request meetings on matters affecting their communities. No regulatory changes are proposed that would limit Tribal funding eligibility or oversight.
DAS	Internal Operational Feedback (DEC Staff)	Staff provided operational recommendations related to cross-training, staffing levels, compliance coordination, legal training, and administrative capacity.	Acknowledged; addressed through internal management actions.	These recommendations inform internal operational planning and workforce management but do not require regulatory amendment. DEC recognizes the importance of staff capacity in achieving efficient and effective compliance outcomes.
AQ	Administrative Burden – MG3/MG9 Permits	Industry stakeholders requested reduced reporting and recordkeeping burdens for mobile crushers and asphalt plants.	Under review via stakeholder workgroup.	DEC established an MG3/9 industry workgroup with the Associated General Contractors of Alaska (AGC) to evaluate simplification options. Stakeholders are encouraged to provide input, and potential revisions will be developed based on operational history.
AQ	Marine Vessel Emissions – Opacity and BMPs	Industry requested updated monitoring methods, including onboard monitoring, self-reporting, and Best Management Practices, as well as recognition incentives like Green Fjords for low-emission vessels.	Under evaluation.	DEC will review BMP frameworks as an alternative to strict opacity limits, consider streamlined reporting, and plans recognition for superior environmental performance. Method 9 opacity testing remains in use pending review.

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AQ	Public Health and Regulatory Integrity (AO 360)	Environmental stakeholders emphasized that AO 360 efficiency goals must not weaken public health protections or air quality safeguards.	Accepted; protections maintained.	DEC confirmed that automatic approvals apply only to minor/general permits, and all other permits continue to follow public notice and review procedures.
AQ	PM2.5 and Nonattainment Areas	Stakeholders highlighted wintertime PM2.5 exceedances in Fairbanks/North Pole and recommended updating ambient standards and recalibrating fast-track thresholds.	Under review for adoption package.	DEC continues robust permitting, monitoring, and public engagement. Draft updates to ambient standards and adoption-by-reference sections are under review; fast-track screening criteria are being evaluated while nonattainment safeguards remain intact.
AQ	Title V / Minor Permit Interface & Fast-Track Processes	Stakeholders raised concerns that 15-day fast-track comment windows may limit meaningful engagement.	Procedures maintained; transparency ensured.	Administrative incorporation follows federal procedures; fast-track applies only to minor permits. Broader engagement continues through standard public notice procedures.
AQ	Transparency, Technical Files, and Appeals	NGOs requested e-docketing of modeling files and clear appeals guidance.	Existing procedures maintained; additional transparency supported.	Key permit documents are posted online; additional technical files available on request. Appeals and informal review procedures are documented with timelines and instructions.
AQ	Regulatory Alignment and Modernization	Industry stakeholders requested updates to ambient standards, PAEL clarity, electronic submission expansion, and NSR/PSD guidance.	Acknowledged; regulatory changes proposed.	Ambient standards and federal references will be updated; stationary source definitions, PAELs, reporting, and electronic submissions are under review. EPA Reactivation Policy continues to guide PSD/NSR permitting.
AQ	Minor Permit Fast-Track, Thresholds, and Oversight	Industry suggested expanding fast-track procedures and allowing concurrent construction with application submission.	Under review.	Certain permits (PAIs, nonattainment, rescissions) require full review due to complexity. Minor permit thresholds remain necessary; construction flexibility is under careful evaluation.
AQ	Appeals and Administrative Process	Industry suggested Director-level final decisions for minor permit appeals to reduce delays.	Acknowledged; no regulatory change required.	Remand decisions remain final, and substantive changes still require public notice to ensure transparency.
AQ	Valdez Marine Terminal – Permit Oversight and Compliance	Requested clarification of expired Title V permits, unresolved notices of violation, and incinerator project oversight.	Acknowledged; no regulatory change required.	Permit AQ0082TVP02 renewal is delayed due to litigation; AMEL will be incorporated once approved. Other terms remain enforceable. The incinerator project does not require a separate permit; new ZEECO combustors meet hydrocarbon destruction efficiency requirements.
AQ	Costs, Monitoring, and Health Protections	Stakeholders emphasized considering human health, environmental, and economic impacts and maintaining monitoring.	Acknowledged; no regulatory change required.	DEC confirmed continued monitoring and maintenance of current standards.
AQ	Opposition to Automatic Permit Approvals and Staffing Considerations	Opposed AO 360-style automatic approval deadlines and recommended adequate staffing.	Accepted; staffing maintained.	DEC maintains trained staff for permit processing. Unique circumstances (litigation, complex permits) may affect timelines; standardized procedures are applied where feasible.
AQ	Public Comment Period and Transparency	Stakeholders requested a minimum 90-day comment period and posting of comments online.	Timelines constrained; targeted outreach underway.	DEC conducted targeted outreach based on initial scoping comments to maximize meaningful engagement while complying with AO 360 schedules.

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AQ	Support for DEC Mission	Expressed continued support for DEC's mission to safeguard communities, economies, and environment.	Acknowledged.	DEC appreciates ongoing stakeholder support.
AQ	MG3/MG9 General Permit Practical Improvements	Entities requested improvements in reporting frequency, record retention, source testing, and permit clarity.	Workgroup established; stakeholder input encouraged.	MG3/9 industry workgroup formed; initial meeting held November 18, 2025. Timeline for proposed changes will be developed, with continued collaboration encouraged.
EH	School Lighting Levels (18 AAC 30.340)	Stakeholders noted that current regulations require classroom lighting far above industry standards, resulting in unnecessary energy use and costs, and suggested aligning with IES recommendations.	Under Review.	DEC will review 18 AAC 30.340 in the context of contemporary national lighting practices and existing state requirements, including potential coordination with DEED. No changes will be made that reduce public health or safety protections.
EH	Small Temporary Camps (18 AAC 31, 18 AAC 80)	Stakeholders recommended revising camp size/duration thresholds, updating water and wastewater requirements, clarifying "remote" criteria, and allowing alternative protective measures.	Under Review.	DEC will assess these recommendations to improve clarity, alignment with public health objectives, and operational efficiency. Proposed changes will maintain environmental and health protections.
EH	Tribal and Rural Operations (18 AAC 31, 60, 80)	Tribal governments requested enhanced engagement, plain-language summaries, rural compliance pathways, data-sharing, and technical assistance.	Partially Adopted.	DEC values meaningful engagement and will continue to support Tribal participation and provide guidance, variance pathways, and rural-appropriate compliance tools. Regulatory safeguards remain unchanged.
EH	Raw Milk (18 AAC 32)	Stakeholders requested removal of restrictions on raw milk sales.	Acknowledged; no regulatory changes proposed.	DEC addressed these concerns through regulatory updates adopted in 2023, which established a clear pathway for approved raw-milk producers to sell directly to consumers and at registered markets, subject to defined health and safety safeguards.
EH	Livestock testing (18 AAC 36.115)	Review testing requirements; allow local vet inspections.	Under Review.	DEC is working with F&G to consider updates to improve efficiency while maintaining animal-health safeguards.
EH	M.ovi Testing (18 AAC 36.125, 36.135)	Stakeholders requested repeal of M.ovi testing requirements to reduce animal importation costs.	Under Review.	DEC is working with F&G to consider updates to improve efficiency while maintaining animal-health safeguards.
EH	Rural and Tribal Water Systems (18 AAC 60, 80)	Stakeholders requested simplified permitting, tiered compliance, and recognition of tribal monitoring data.	Under Review.	DEC will evaluate opportunities to streamline administrative processes while ensuring systems continue to meet Safe Drinking Water Act standards.
EH	Drinking Water Regulations (18 AAC 80)	Stakeholders raised concerns about separation distances, wellhead protections, testing schedules, sanitary survey requirements, and other technical clarifications.	Partially Adopted/Under Review.	DEC will clarify and correct technical and formatting issues where possible. Some operational flexibility is exercised for rural and remote systems within federal requirements.
EH	Pesticides (18 AAC 90)	Stakeholders requested clearer certification guidance, alignment of permits, modernized public notice requirements, and administrative improvements for invasive species management.	Under Review.	DEC will evaluate structural refinements and permit clarifications to reduce burden while maintaining environmental and public health protections.
EH	General Environmental Health Regulations	Stakeholders opposed broad reductions of regulations, emphasizing the risks of deregulation to public health and environmental quality.	Acknowledged.	DEC remains committed to protecting human health and the environment. Regulatory updates under AO 360 will focus on clarity, efficiency, and usability without weakening protections.
EH	Private Water Systems / 18 AAC 72 & 18 AAC 80 Inconsistencies	Stakeholders expressed concern that regulating private water systems (e.g., wells serving single homes) in 18 AAC 72 increases costs, limits development, and may be unnecessarily restrictive compared to other states.	Acknowledged; under review.	While required separation distances and construction standards align with federal and state protections, DEC will review to determine if modifications can be made.

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EH	Residential Assisted Living Testing Schedules	Stakeholders suggested reducing water testing frequency from quarterly to annual for small residential assisted living homes to lower costs.	Acknowledged; no regulatory changes proposed.	Assisted living homes are no longer regulated by DEC. Quarterly monitoring referenced was advisory guidance only; no regulatory change is required.
EH	Sanitary Survey Requirements – Rural Systems	Stakeholders requested help completing five-year sanitary surveys, citing difficulty accessing engineers in rural areas.	Acknowledged; under review.	DEC will provide guidance and support for rural systems to meet survey requirements.
EH	Waivers, Addressing, and Formatting in 18 AAC 80	Stakeholders requested: formal waiver request forms, alternatives to physical addresses for remote communities, spelling/formatting corrections, and clarification of referenced ANSI/AWWA standards.	Acknowledged; under review.	DEC will update regulations for clarity, consistency, and usability, including fixing formatting errors and confirming correct ANSI/AWWA standards. Waiver process guidance will be formalized.
EH	Drain Connection and Well House Configurations	Stakeholders asked whether drains with adequate air gaps can connect to sewer systems and how to handle separate well houses.	Acknowledged; under review.	DEC will provide guidance to ensure these configurations meet sanitary and public health requirements.
EH	Coliform Bacteria and Start-Up Sampling (18 AAC 80.405 & 80.410)	Stakeholders requested regulatory flexibility to count start-up samples as routine samples, quarterly monitoring for compliant systems, and adjustments to population metrics for utilities with seasonal fluctuations.	Acknowledged; under review.	DEC will review opportunities to align sampling interpretation with CFRs and allow flexibility where it does not compromise public health. Population metrics will consider seasonal variability where appropriate.
EH	Regulatory Subsection Errors (18 AAC 80.605 – 80.620)	Stakeholders noted missing subsections, incorrect “owner shall” vs. “department shall” language, and limitations on who can conduct annual inspections.	Acknowledged; under review.	DEC will correct formatting, subsection numbering, and language errors. Inspections may be expanded to qualified third parties where consistent with federal and state requirements.
EH	Victory Ministries / Camp Li-Wa	Stakeholders echoed previous comments regarding waivers, address issues, and regulatory clarity.	Acknowledged; under review.	DEC will apply updates and clarifications as above to ensure consistency across systems and utilities.
SPAR	Economic and Cost Analysis	Stakeholders emphasized robust economic impact analyses, including human health, environmental, and operational costs of oil spills.	Acknowledged; under review.	DEC incorporates economic impacts to ensure regulations are cost-effective while maintaining protection goals; feedback guides future regulatory revisions.
SPAR	Public Process, Transparency, and Fairness	Stakeholders requested assurance that regulatory changes would not weaken prevention/response measures and recommended public posting of comments and a minimum 90-day comment period.	Acknowledged.	Revisions follow the public review processes in the 2025 Drafting Manual for Administrative Regulations, ensuring transparency and participation. DEC maintains open, structured engagement; future packages will consider public access to interim responses where appropriate.
SPAR	Phase-in and Alignment with Federal Requirements	Stakeholders recommended phased implementation with reasonable timelines and harmonization with federal standards.	Acknowledged; under review.	SPAR phases in requirements and considers federal compliance; feedback informs future packages.
SPAR	Technical Standards, Templates, and Streamlining	Requests for clarification/simplification of aboveground storage tanks, piping, cathodic protection, secondary containment, performance-based alternatives, updated standards (ASME/NACE/API/STI), clear definitions, and user-friendly ODPCP templates.	Acknowledged; under review.	Standards and referenced codes will be reviewed in 2026 packages; waivers and performance-based alternatives recognized; guidance/templates will be considered.
SPAR	Financial Responsibility and Liability	Stakeholders highlighted outdated liability amounts, limited financial instruments, and burdensome renewal processes.	Acknowledged; regulatory changes proposed.	Proof of financial responsibility reviewed every three years; future packages will consider streamlined renewals for unchanged applications.
SPAR	Spill Reporting and Hazardous Substance Identification	Clarification requested on hazardous substances and reporting methods (phone, email, online).	Acknowledged.	Spill Reporter online portal available; telephonic reporting maintained.
SPAR	Plan Holder and Operational Control Definitions	Clarification requested when plan holder does not have primary operational control, e.g., vessels at TAPS terminal.	Acknowledged; regulatory changes proposed.	Revised definition to be proposed in 2026 package; consistent with AS 46.04.030 and AS 46.04.040.

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SPAR	Application, Approval, and Amendment Timelines	Streamline ODPCP application, approval, and amendment timelines; flexibility for rapid development and large-scale operations.	Acknowledged; under review	Consideration will be given to reducing timelines in future packages.
SPAR	Scenarios and Response Planning Standards	Scenario-based planning should guide planning, not be treated as mandatory performance standards.	Acknowledged; under review.	Future packages will clarify scenarios are guidance tools.
SPAR	ODPCP Content, Security, and Standardization	Concerns about security of sensitive diagrams, confidentiality of contracts, standardization of contact info, and IMT lists.	Acknowledged; under review.	Future packages will clarify security protections, limit personal data to key titles, and maintain confidentiality.
SPAR	Avoiding Expanded Scope of Information	Limit data requested during ODPCP review to what is required by regulation; avoid overreach.	Acknowledged; under review.	Future packages will clarify required information and reference ADEC inspection authority.
SPAR	Best Available Technology (BAT) Requirements	BAT analyses under 18 AAC 75.452 are outdated and burdensome.	Acknowledged; under review.	BAT analyses remain required; future adjustments may reduce duplication.
SPAR	Oil Spill Response Exercises (18 AAC 75.485)	Exercises seen as overly burdensome, duplicative, inflexible, and complex; concerns about reporting and staff participation.	Acknowledged; under review.	Exercises required once per 5-year cycle; DEC Exercise Manual provides flexible framework; integration with federal PREP and HSEEP supported; regulations and guidance will be clarified in 2026 package.
SPAR	Articles 5–8 (Primary Response Action Contractors, Civil Penalties, Surface Oiling, Scientific Programs)	No public comments received.	No changes proposed.	Existing regulations remain effective; no stakeholder concerns identified.
DOW	Permit Application and Review Burden (18 AAC 83)	Industry stakeholders requested revisions to permit application completeness determinations, use of contractor-prepared materials, conflict-of-interest provisions, and evidentiary standards, asserting that certain provisions increase burden or uncertainty.	Not adopted where constrained by federal requirements; administrative clarification underway.	DEC determined that many requested changes are governed by federal Clean Water Act implementing regulations and cannot be modified at the state level. Clarifications and administrative adjustments are being addressed internally or through separate permitting guidance where feasible, without conflicting with federally mandated language.
DOW	Transparency, Timelines, and Predictability	Commenters requested clearer timelines, improved public access to permit status, longer comment periods for rural communities, and better coordination with EPA to reduce delays.	Accepted in principle; implementation constrained by federal oversight.	DEC acknowledged the importance of predictability and transparency and continues to pursue efficiencies via coordination with EPA and internal process improvements. Certain federal review and litigation constraints limit flexibility for APDES permits and water quality standards.
DOW	Water Quality Standards and Stringency (18 AAC 70)	Public interest groups urged DEC not to weaken existing protections, while utilities requested flexible, site-specific tools such as variances, site-specific criteria, metal translators, and performance-based approaches.	Balanced approach maintained.	DEC determined existing regulations are not inherently flawed; reforms focus on implementation efficiency. DEC continues working with EPA to provide site-specific and performance-based tools where authorized, maintaining compliance with federal requirements.
DOW	Small Temporary Camps and Remote Operations (18 AAC 72)	Mining and industry stakeholders requested relief for small, temporary, and remote camps, including definitional clarity and improved application structure.	Under consideration in separate rulemaking.	Potential amendments to 18 AAC 72 are under active consideration.
DOW	Enforcement Authority and Public Confidence	Some commenters raised concerns about needing more enforcement consistency, transparency, and capacity.	No current regulatory changes proposed.	Existing statutory and regulatory authorities are sufficient to protect public health and the environment; enforcement actions are rare.

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DOW	Protection of Water Quality Standards and Designated Uses	Stakeholders urged DEC not to weaken water quality standards or designated uses, particularly for impaired waters or those supporting fisheries and subsistence.	Not adopted.	DEC does not propose changes that weaken standards. Modifications to WOTUS must comply with 40 CFR 131, including antidegradation and EPA approval. DEC retains limited flexibility for WOTS while complying with AO 360 and the Alaska Administrative Procedure Act.
DOW	Regulatory Costs and Environmental Impact Consideration	Commenters requested that regulatory burden evaluations include public health, environmental, and economic costs.	Not adopted as a separate requirement.	DEC must follow statutory and regulatory requirements, including cost considerations.
DOW	Automatic Permit Approvals and Timelines	Numerous commenters opposed automatic approvals triggered by agency inaction and emphasized staffing needs over reduced review rigor.	Not adopted.	Permit decisions remain based on affirmative findings and public process. Public notice periods will continue to balance engagement with predictable timelines.
DOW	Transparency, Public Access, and Public Process	Stakeholders requested enhanced transparency, real-time posting of comments, clearer public notices, plain-language summaries, and improved hearing access.	Partially adopted; ongoing practice.	DEC posts AO 360 comments online and continues to strive for accessible, transparent processes. State-supported platforms are used for hearings, and accessibility concerns are addressed when practicable.
DOW	Site-Specific Criteria, Variances, and Implementation Flexibility	Regulated entities requested more predictable and streamlined processes for site-specific criteria, variances, metal translators, and emerging contaminants (e.g., PFAS, mercury).	Not adopted as regulatory changes; implementation ongoing.	DEC's authority is constrained by federal approvals and litigation ("Alaska Rule"). Coordination with EPA and stakeholders continues to improve implementation tools where allowed.
DOW	Permitting Burden and Administrative Efficiency	Industry and operators identified burdens related to reporting, inspections, permit consistency, and duplicative submittals, especially for remote facilities.	Under evaluation.	DEC will evaluate permit conditions and administrative practices for efficiency where consistent with statutory authority.
DOW	Tribal and Community Concerns	Tribal governments and community organizations emphasized protection of fisheries, subsistence, and rural health, opposing arbitrary deregulation targets.	Acknowledged; no regulatory changes proposed.	DEC continues to protect human health and the environment in Tribal and rural communities; AO 360 does not authorize weakening protections.
DOW	Separation Distances and Chapter Placement	Stakeholders questioned moving private water system regulations under Chapter 72 instead of maintaining a separate chapter.	Acknowledged; under review.	Minimum separation distances have been in place since at least 1983. Chapter 72 was deemed the appropriate location for organizational clarity. DEC has reviewed Chapter 72 and 80 for consistency but additional discussions will be had with LAW.
DOW	Wood/Log Cribs	Stakeholders raised concerns about replacing compliant wood cribs in wastewater systems.	Existing wood cribs may continue in operation.	Proposed repairs are reviewed under Engineering Plan Review to assess risk and feasibility.
DOW	Nitrate Analysis Requirements	Stakeholders requested accounting for seasonal operation, facility type, and treatment level in nitrate analyses.	Mass balance approach maintained; site-specific flexibility allowed.	DEC provides Engineering Plan Review adjustments for atypical cases where contamination risk is negligible.
DOW	Slope Restrictions	Stakeholders requested relief from 20% slope limits for sewer lines and drainfields.	Restrictions maintained; exceptions possible.	Slope limits prevent high-velocity flow from disturbing settled solids. Engineering Plan Review may allow exceptions.

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DOW	Design Flow Requirements	Stakeholders suggested 150 gpd/bedroom design flows are outdated.	Revisions under review; Flexibility allowed via Engineering Plan Review.	Uniform rules remain necessary for statewide consistency and homes without water-saving appliances.
DOW	Drain Rock Depth and Soil Application Rates	Stakeholders requested flexibility for deeper trenches and higher soil application rates for AWWTS effluent.	Maximum drain rock depth maintained; exceptions reviewed case-by-case.	DEC agrees soil application rates should be addressed in regulation; updates to the Onsite Wastewater Installer Manual are ongoing.
DOW	Reviewer Requirements	Stakeholders raised concerns about open-ended reviewer requirements imposing arbitrary costs.	Considered in guidance updates.	DEC aims to balance resource protection with avoiding overregulation.
DOW	Soil Application Rates and Dual-Classified Soils	Stakeholders requested recognition of dual-classified soils in Table 4 to reduce construction costs.	Revisions under review.	Added to proposed regulatory revision plan.
DOW	Separation Distance Requirements (Private Wells / Advanced Systems)	Stakeholders raised concerns about new horizontal distances, particularly for AWWTS	Acknowledged; no regulatory changes proposed.	Statewide minimum distances maintained; flexibility through Engineering Plan Review.
DOW	Pipe Types and Materials	Stakeholders highlighted inconsistency regarding ASTM 3034 PVC pipes.	Revisions under review.	Re-evaluation proposed to Technical Review Committee for inclusion in guidance.
DOW	Mound-Type Drainfields and Pressure Distribution	Stakeholders requested certified installer flexibility and questioned mandatory pressure distribution.	Acknowledged; no regulatory changes proposed.	Engineering Plan Review allows case-by-case deviations; guidance updated April 1, 2024.
DOW	Filter Fabric Requirement	Stakeholders questioned mandatory filter fabric over infiltration chambers.	Acknowledged; no regulatory changes proposed.	Prior manufacturer specifications maintained; deviations considered case-by-case.
DOW	Use of OWSIM and Regulatory Process	Stakeholders expressed concern that OWSIM changes added requirements without public process.	Acknowledged; regulatory changes proposed.	OWSIM removed by reference in 2023; now guidance. DEC and DOL review proposes readoption of regulations; ongoing stakeholder feedback encouraged.
DOW	Septic Installation and Reporting Requirements	Stakeholders requested elimination of 24-hour notice and photo submittals.	Under review.	Reviewing for transparency and documentation; efforts to reduce data entry burden.
DOW	Plan Review Timelines and Electronic Systems (EDMS)	Stakeholders highlighted delays and inefficiencies in EDMS.	Under review.	Standard timelines maintained; ongoing review for improvements.
DOW	Liability Concerns and Drainfield Modifications	Stakeholders requested guidance for systems installed under prior regulations and flexibility for expansions.	Acknowledged; no regulatory changes proposed.	Addressed in August 2025 Chapter 72 amendment; Engineering Plan Review provides flexibility.
DOW	Differentiation of Wastewater Requirements	Stakeholders requested clarification between domestic and non-domestic systems.	Under review.	Clarifications under consideration while maintaining consistent protection.
DOW	Well Decommissioning	Stakeholders recommended contractors complete DEC decommissioning forms for drinking water wells.	Forwarded to EH/DNR for consideration.	EH is reviewing for possible revisions.
DOW	Local Staff Requests	Stakeholders requested a local Mat-Su wastewater engineer.	Acknowledged.	Statewide positions maintained; EDMS and phone/email communications support consultation.

DEC AO360: Commentor List

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Industry / Regulated Entities	Individuals (Unaffiliated / Self-Identified)	Utilities / Infrastructure / Engineering
Alaska Oil and Gas Association (AOGA)	Jeremy Maxie	Alaska Water and Wastewater Utility
Alyeska Pipeline Service Company	Channing Lilo	Alaska DOT
Alaska Miners Association	Patrick Collins	AELS Board
AKMIN / Horst Expediting / Taiga Ventures	Frank Silberer	Regional Planning Group / Prince William Sound Tanker Plan Administrator
Nutrien	Noah Zanto	
Marathon Petroleum Company	Tyler Tremont	Tribes / Tribal Organizations
Delta Western	Samuel Berdahl	Chilkat Indian Village
Crowley	Dana Nunn	Native Village of Dot Lake
Alaska Tanker Company, LLC	David Popiel	Native Village of Eyak
Doyon Utilities	Matthew Jenkins	Tanana Chiefs Conference
SLP Alaska	David Harr	
Pioneer Engineering	Nicolas Villa-Fuerte	Environmental & Conservation NGOs
Great Northwest, Inc.	Paul M.	The Nature Conservancy – Alaska
Lynden (Troy Gray)	Anneleise Tremont	Southeast Alaska Conservation Council (SEACC)
Alaska Fuel Storage & Handlers Alliance, Inc.	Lilly Horning	Salmon State
CLIA (Cruise Lines International Association)	Mary Knopf	Wild Salmon Center
Alaska Farm Bureau	Michael Smith	Kachemak Bay Watershed Council
	Charles Preston	Norton Bay Watershed Council
	Walter Hickam	Tundra Peace Project
	Amanda Adams	
	John S.	Regional Citizens' Advisory Councils & Fisheries Organizations
	Tim Stallard	Prince William Sound Regional Citizens' Advisory Council (PWSRCAC)
	Abby Dekoekkoek	Cook Inlet Regional Citizens' Advisory Council (CIRCAC)
	Thomas Farrugia	Northern Southeast Regional Aquaculture Association (NSRAA)
	Jeremy Raychel	
	Michael Michael	Community, Nonprofit, and Faith-Based Organizations
	Brian Walden	Victory Ministries of Alaska (DBA Camp Li-Wa)
	Clayton Spitler	Windy Ridge Assisted Living Home (via DOH)
	Mike Erdman	
	Jeff Garness	

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Div.	Chapter	Working Title	Narrative Summary	Scope of change (repeal / revise)	LRLR assist w/ drafting?	Timeline (2026 Q1-Q4 est draft)	Notes on burden reduction
DAS	18 AAC 15.234, 15.196	Clarify and streamline agency appeal processes	Placeholder for multiple minor modifications to streamline requirements and clarify process. Includes clarifying that the Commissioner retains full authority under AS 44.64.060 and restoring access to AS 44.62.500(a) for permit cases. Requirements will be easier to understand.	Revise	No	Q3	Simplifies understanding and application of appeal requirements; reduces confusion and administrative errors.
DAS	18 AAC 15.050	Remove newspaper publication requirement	Eliminates outdated newspaper notice requirement for solid waste disposal permits, short-term water quality variances, and wastewater disposal permits.	Revise	No	Q4	Removes 8–10 requirements (~10%), reducing paperwork, time, and publication costs for permittees and staff.
DAS	18 AAC	Hiring standards for special investigators	Establishes consistent hiring and qualification standards for DEC Special Investigators. Requires APSC-recognized training, background checks, and psychological evaluation for Special Investigator appointments.	New	No	Q4	Minimal additional burden (~10 new requirements) but ensures personnel meet law enforcement standards, enhancing health and safety protections.
AQ	18 AAC 50.081	Real Estate Transaction Requirements; Weatherization and Energy Efficiency	Repeal 18 AAC 50.081, which required energy efficiency and weatherization measures during real estate transactions in the Fairbanks North Star Borough. The regulation was adopted solely to address a partial EPA SIP disapproval. In September 2025, EPA reversed its position and confirmed the measure is no longer required for SIP approval under the Clean Air Act.	Repeal	No	Completed - Q4 2025	Eliminates costly, time-intensive energy ratings (~\$1,000 per transaction).
AQ	18 AAC 50 (Multiple Sections)	Current Routine Updates	Routine updates to align state air quality regulations with current federal requirements, including updating adoptions by reference, revising definitions, adopting revised standard permit and operating conditions, updating public notice requirements, revising the Port of Alaska name, and repealing obsolete provisions. Includes updates to the SIP for Anchorage and Fairbanks CO maintenance plans, removing contingency measures that are no longer required under CAA §175A and allowing discontinuation of an obsolete ambient air monitor.	Revise	No	Q1	Drafted and ready for referral to DOL. Improves consistency, reduces costs, and removes obsolete requirements.
AQ	18 AAC 50.400 - 420	Air Quality Fee Updates	Update permit fees based on a completed fee study to ensure Title V program costs are fully recovered, as required by the Clean Air Act. Moderate, incremental increases are proposed to avoid larger future adjustments caused by delays.	Revise	No	Q2	Fees recalculated to reflect the actual regulatory costs associated with administering the program per federal Clean Air Act. Proposed fee increases are moderate and are expected to be supported in lieu of large increases caused by delays.

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Div.	Chapter	Working Title	Narrative Summary	Scope of change (repeal / revise)	LRLR assist w/ drafting?	Timeline (2026 Q1-Q4 est draft)	Notes on burden reduction
AQ	18 AAC 50.015; 18 AAC 50.030	Fairbanks Area Split	Split the existing Fairbanks/North Pole nonattainment area into two separate areas. This limits stricter nonattainment requirements to North Pole, which is likely to fail the standard, while allowing Fairbanks to benefit from anticipated attainment.	Revise	No	Q2	Anyone with strong interests in Fairbanks, including the broader business community, etc. is likely to be in support of this change. While the change would leave North Pole alone in Nonattainment, which may be cause for concern to North Pole residents, this change would mean that North Pole would gain much more availability of Federal funds per capita, which should enable them to more effectively address the problem.
AQ	18 AAC 50.030	FAI SIP GVEA Emissions	Revise PM emission limits in the Fairbanks SIP to reflect technologically and economically feasible limits for GVEA based on updated testing data.	Revise	No	Q4-2027	Reduces litigation risk and allows focus on broader nonattainment strategies.
AQ	18 AAC 50.077; 18 AAC 50.030	FAI SIP Woodstove Emissions	Proposed regulation would revise the wood stove emission limits in the SIP to incorporate new data and allow newer cleaner stoves to be sold, installed, and operated in the nonattainment area. DEC has invested considerable effort to ensure residents in the Fairbanks nonattainment area can continue using wood stoves by advancing national initiatives to identify the cleanest wood stoves. This proposal will incorporate the work to identify clean wood stoves with updated emission standards.	Revise	No	Q3-Q4	This proposal will allow Fairbanks/North Pole residents in the nonattainment area to continue use of woodstoves for home heating. Other fuel sources are prohibitively expensive for many residents.
AQ	18 AAC 50.070	Marine Vessel Visible Emission Standards	Modernize visible emissions (opacity) standards for marine vessels, reflecting advances in monitoring technology and allowing electronic reporting. Current regulations have not been updated since the 1990s and include opacity limits from the 1970s. Clarifies monitoring responsibilities and public information roles.	Revise	No	Q3	Modernizing standards and allowing for electronic monitoring will simplify the regulatory structure for industry.
AQ	18 AAC 50.502; 18 AAC 50.565	Permit Reform - Flexible Construction	Allow certain non-emissions-unit construction activities to begin earlier, consistent with federal definitions of "commence construction."	Revise	No	Q2	Supported through AO360 stakeholder input. Improves project timing in short construction seasons.
EH	18 AAC 90	Pesticide Regulations Updates	This project will repeal regulations regarding Integrated Pest Management Plans (IPM); repeal overly complex and burdensome requirements for forestry pesticide applications; add a buffer zone for misters and foggers to help prevent drift onto nearby properties; and reduce the notification and recordkeeping requirements for schools.	Revise & Repeal	No	Q3	Checking restriction levels compared to federal regs. Streamlining, reducing burdens on schools and other state agencies, and reducing complaints to the program regarding pesticides drifting onto other properties (accounts for ~50% of complaints to the program.)

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Div.	Chapter	Working Title	Narrative Summary	Scope of change (repeal / revise)	LRLR assist w/ drafting?	Timeline (2026 Q1-Q4 est draft)	Notes on burden reduction
EH	18 AAC 64	Litter Receptacles	Repeal the prescriptive regulatory chapter (18 AAC 64) in full and defer to statutory requirements in AS 46.06.050. DEC would no longer maintain detailed placement formulas, capacity requirements, or other highly specific operational standards for litter receptacles.	Repeal	No	Q2	This package would remove 40 discretionary regulations, aligning with AO360.
EH	18 AAC 36	Streamlining and Clarifying Animal Health Regulations	This project updates several sections of 18 AAC 36 to align the immediate slaughter exemption with federal timelines, repeal the costly and ineffective <i>M. ovi</i> testing requirement, remove a confusing camelid identification option, eliminate unclear reporting provisions, and repeal outdated zoonotic testing fees.	Revise & Repeal	No	Q3	10 discretionary regulations are removed in this package. It repeals <i>M. ovi</i> testing requirements, and repeals a fees section.
EH	18 AAC 32	Streamlining and Clarifying Milk and Milk Product Regulations	The proposed updates to 18 AAC 32 modernize federal references, remove outdated raw-milk denaturant requirements and a cheesemaking fee, and eliminate dead links.	Revise & Repeal	No	Q3	This package is intended to improve clarity and make technical edits, but also reduces regulatory burden.
EH	18 AAC 85	Repeal Laser Protection Standards	This package will repeal Article 7 Laser Protection Standards. DEC does not have any regulatory program related to lasers. The inclusion of laser standards in this chapter seems to be due to the light being radiation. However, this is not ionizing radiation (as opposed to radioactive substances that seem to be the focus of this chapter).	Repeal	No	Q3	Repealing these regulations would relieve potential confusion the public may have regarding DEC's role in regulation of lasers.
EH	18 AAC 62 & 63	Consolidate Chapter 63 into Chapter 62 Siting of Hazardous Waste Management Facilities	Chapter 63 contains an overly complex permitting process for the siting of HW management facilities. This package will identify core permitting steps and reduce unnecessary requirements. Initial thoughts are to incorporate this chapter into Chapter 62.	Revise & Consolidate	Unknown	2027	This repeal and simplification will result in significant burden reduction on future applicants as well as DEC staff. Moving the regulations into Chapter 62 will provide a single location of information on hazardous waste management and facility siting.
EH	18 AAC 65	Litter Grant Program / Grants for Litter Abatement	18 AAC 65 establishes eligibility, evaluation criteria, and grant conditions for a litter abatement grant program authorized by AS 46.06.120–130. DEC does not operate this grants program, and no grants have been issued under this authority for decades. The regulatory chapter remains in place despite not being implemented or funded.	Revise (with potential for partial repeal)	No	Q3	Revising the chapter would reduce inactive regulatory obligations and clarify that DEC does not operate a statewide litter grant program absent legislative funding. A full repeal is likely not viable because AS 46.06.130 explicitly requires DEC to adopt regulations establishing eligibility and conditions. However, the chapter can be significantly reduced, modernized, or reframed to eliminate obsolete criteria and reflect that grants would only occur if funded.

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Div.	Chapter	Working Title	Narrative Summary	Scope of change (repeal / revise)	LRLR assist w/ drafting?	Timeline (2026 Q1-Q4 est draft)	Notes on burden reduction
EH	18 AAC 66	School Waste Reduction & Recycling Awards Program	18 AAC 66 implements AS 46.11.070 by establishing criteria and procedures for DEC to award small grants (up to \$2,000) to public schools for waste reduction and recycling achievements. No awards have been made and the program has not been active since at least 2001. Although the program is dormant, the statute requires DEC to adopt regulations to implement it.	Revise (repeal not viable due to explicit statutory requirement to "adopt regulations")	No	Q4	Revising the chapter could reduce complexity and clarify that the program is contingent upon specific appropriations and available funding. The regulations can be streamlined significantly to remove obsolete processes, outdated criteria, and administrative burdens. A minimal regulatory framework would satisfy statutory requirements while eliminating unused provisions.
EH	18 AAC 31	Alaska Food Code	18 AAC 31 establishes comprehensive food safety, sanitation, permitting, and enforcement requirements for food establishments statewide. Although a narrow set of federal requirements is incorporated by reference, most provisions are Alaska-specific policy choices. An AO360 review will focus on identifying opportunities to streamline and modernize the chapter.	Revise (analyze incremental Phase 1 revisions, with longer-term phases)	No	Q3	Longer-term options may include increased reliance on nationally recognized model standards (e.g., FDA Food Code) to reduce Alaska-specific regulatory volume and improve long-term sustainability.
EH	18 AAC 30	Public Pools, Spas, and Bathing Facilities	18 AAC 30 which is a decades old chapter, establishes design, operation, water quality, and inspection requirements for public pools and spas.	Revise	No	Q3	Revisions may meaningfully reduce regulatory burden without federal constraints.
SPAR	18 AAC 75, Article 1	Update Oil Pollution Prevention Technical Standards	Review and update all technical standards adopted by reference in Article 1, including verification that federal codes are current and applicable. Many standards have not been updated since 2003.	Revise	No	Q4	Reduce - Longstanding industry request. Updating standards reduces waiver requests and review time, improving efficiency for both operators and DEC staff. While modern standards may increase the number of discrete requirements, overall burden is reduced through clarity and alignment with current practice.
SPAR	18 AAC 75, Article 2	Proof of Financial Responsibility Updates	Update Financial Responsibility (FR) dollar amounts as required by AS 46.04.045 using updated CPI data. Revise FR amendment application timeframes for spot-charter vessel additions when proof is already on file with DEC.	Revise	No	Q2	Reduces approval timeframe for complete spot-charter amendments from 30 days to 10 working days (over 50% reduction). Aligns regulatory timelines with business needs while maintaining statutory compliance.

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Div.	Chapter	Working Title	Narrative Summary	Scope of change (repeal / revise)	LRLR assist w/ drafting?	Timeline (2026 Q1-Q4 est draft)	Notes on burden reduction
SPAR	18 AAC 75, Article 3	Site Cleanup Rules Streamlining and Updates	Streamline and update site cleanup regulations implementing AS 46.04.020 and AS 46.09.020. Remove unnecessary or outdated adopted-by-reference documents, clarify cleanup requirements, repeal overly prescriptive guidance from regulation, and update soil and groundwater cleanup levels as required by AS 46.09.070.	Revise	No	Q2	Reduce - Significant burden reduction: approximately 1,350 discretionary requirements removed from regulation. Improves clarity, consistency, and implementation efficiency while maintaining protection of human health and the environment.
SPAR	18 AAC 75, Article 4	Oil Discharge Prevention and Contingency Plans: Discharge Exercises	Revise and restructure exercise requirements to clarify the number and scope of required exercises. Streamline the DEC Oil Spill Response Exercise Manual to remove duplication and clarify expectations for planning, execution, and evaluation.	Revise	No	Q2	Responds to industry confusion and public comment. Approximately 100 discretionary requirements removed. No further reduction in required exercises beyond changes adopted in 2023. Improves usability for plan holders and DEC staff.
SPAR	18 AAC 75, Article 4	2023 – 2025 Implementation Lessons Learned	Make targeted corrections and clarifications identified during implementation of the 2023 Article 4 revisions. Includes clarifying terms, correcting language, removing outdated transition provisions, revising definitions, and ensuring consistency across sections.	Revise	No	2027	Several requirements will sunset prior to rulemaking and be removed. Remaining changes focus on clarity and consistency.
SPAR	18 AAC 78	Underground Storage Tanks Streamlining and Updates	Update UST regulations to align with revised federal requirements as mandated by AS 46.03.365. Remove duplicative cleanup language and rely on 18 AAC 75 for cleanup requirements. Remove outdated or redundant requirements from the UST Procedures Manual.	Revise	No	Q3	Removes approximately 900 discretionary requirements. Aligns state and federal requirements and simplifies compliance and implementation.
SPAR	18 AAC 79	Illegal Drug Manufacturing Sites Streamlining	Update cleanup standards to reflect current science and practice. Remove adopted-by-reference guidance from regulation.	Revise	No	2027	Removes approximately 280 discretionary requirements. Maintains health protections while significantly reducing regulatory burden.
DOW	18 AAC 70 (Mixing Zones; Selenium; related criteria sections)	Mixing Zones & Criteria Applicability Clarification	<ul style="list-style-type: none"> Clarify that the prohibition on mixing zones in anadromous waters applies only to aquatic life criteria, consistent with original intent Clarify applicability of selenium criteria by waterbody type (state waters vs. WOTUS) Improve clarity on where and how criteria apply to reduce misinterpretation and unnecessary restrictions 	Revise	No	Q2-Q4	Responds directly to public comment; corrects overbroad interpretations without weakening environmental protections. Focuses on clarity of applicability rather than changing numeric standards or expanding mixing zone availability.

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Div.	Chapter	Working Title	Narrative Summary	Scope of change (repeal / revise)	LRLR assist w/ drafting?	Timeline (2026 Q1-Q4 est draft)	Notes on burden reduction
DOW	18 AAC 70 (general; bacteria; adopted-by- reference materials)	Water Quality Standards Modernization (Bacteria & Structure)	<ul style="list-style-type: none"> Reformat and reorganize Chapter 70 to improve usability and clarity, without changing numeric criteria Incorporate adopted-by-reference materials (including the Toxics Manual and Natural Conditions Guidance) directly into regulation where appropriate Revise bacteria provisions to allow interchangeable use of bacteria units, aligning regulation with current DOW policy and accepted science 	Revise	No	Q2-Q3	Addresses long-standing usability concerns, aligns regulation with existing policy and science, and reduces confusion caused by notes, cross-references, and adopted-by-reference documents. No substantive change to water quality standards.
DOW	18 AAC 72 (multiple sections)	Alternative & Conventional Onsite Wastewater Systems Modernization	<ul style="list-style-type: none"> Expand installer authority by creating an Advanced Certified Installer class allowed to install specified alternative systems without an engineer Codify alternative system standards currently in guidance, including: <ul style="list-style-type: none"> Increased application rates for secondary-treated effluent Prescriptive standards for mound systems Additional soil classifications (dual classifications) Additional acceptable building sewer pipe types Clarify holding tank installation requirements by relocating provisions from 72.615 to 72.630 Expand “approved inspectors” to allow after-the-fact approvals without requiring an engineer 	Revise	No	Q2-Q3	Consolidates all alternative onsite system issues into a single package that shifts reliance from guidance to regulation, increases flexibility for homeowners, and responds directly to public and stakeholder comments.
DOW	18 AAC 72	Graywater-Only Systems	<ul style="list-style-type: none"> Establish a distinct regulatory framework for graywater-only onsite systems, including reduced design flows, smaller treatment tanks, and alternative disposal methods Remove default classification of graywater systems as alternative systems requiring an engineer and plan review 	Revise	No	Q3	Reduce (significant for remote cabins) Longstanding Technical Review Committee recommendation; addresses a clear regulatory gap and offers meaningful burden reduction while maintaining public health protections.
DOW	18 AAC 72 (Private Water Systems; crossings)	Private Water & Sewer Infrastructure Clarifications	Revise private water line and sewer line crossing requirements to include objective criteria that eliminate unnecessary waiver requests.	Revise	No	Q2	Narrow, targeted package focused on eliminating repetitive waivers while retaining protective standards; strongly supported by public comment.
DOW	18 AAC 72 (general)	General & Technical Corrections (Cleanup Package)	<ul style="list-style-type: none"> Remove “domestic” from Article 2 title Correct general permit cross-reference to remove 18 AAC 72.500 Restore omitted vertical separation requirement for percolating stabilization ponds Relocate 72.050(d) to resolve unintended antidegradation implications for non-domestic discharges 	Revise	No	Q1-Q2	Housekeeping amendments correcting errors and unintended consequences from the Oct. 1, 2023 rulemaking; no policy shift, but necessary for regulatory clarity.

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DOW	18 AAC 72	Stormwater Plan Approval	Reorganize existing stormwater plan review provisions within 18 AAC 72 into a standalone section to improve clarity, transparency, and consistency in implementation to reflect existing statutory authority while not expanding when a stormwater plan approval is required or imposing new regulatory obligations.	New	No	Q3	Conceptually distinct from onsite wastewater reforms; requires additional policy development and evaluation.
DOW	18 AAC 73	Construction Grants	Repeal 18 AAC 73 in its entirety. The Construction Grants regulations are no longer implemented following the discontinuation of the Municipal Matching Grant Program.	Repeal	No	Q2	Removes obsolete regulations that no longer have an implementing program, improving regulatory clarity and eliminating unnecessary administrative complexity. (Removes 69 requirements)
DOW	18 AAC 76	State Revolving Funds	Modernize and streamline State Revolving Fund regulations to improve program agility and responsiveness to evolving borrower needs. To the maximum extent practicable, repeal prescriptive regulatory process requirements and rely on the federally required annual Intended Use Plans, which are publicly noticed for 30 days.	Revise	No		Maintains transparency and public participation while allowing the program to adapt more efficiently to changing federal requirements and customer needs. Aligns regulation with existing federal processes.
DOW	18 AAC 74	Operator Certification Program	Make targeted, non-substantive revisions to improve clarity, incorporate existing guidance into regulation, and enhance transparency and customer service for regulated operators.	Revise	No		Improves usability and consistency without changing certification standards or program requirements.

DEC AO360: Permitting
January 5, 2026

For DEC's recommendations on permit reform, please see the Section 5 narrative.

DEC AO360: Extension Requests
January 5, 2026

DEC has not requested any extensions at this time.