

18 AAC 72

Proposed Regulations

Public Meeting and Hearing
March 3, 2022

Audio will be by phone only:

1-800-315-6338

Conference ID **76351**

Stakeholder Working Group Sessions

- The Department assembled a working group to gain feedback from industry on recommended improvements to regulation and other practices
 - The March 3, 2017 report is now available on the public notice website
- The working group was mostly focused on onsite wastewater systems but also addressed other items to include
 - Overall organization of 18 AAC 72
 - Timeline and expiration of plan approvals
 - After the Fact approvals
 - Requirements for operational approvals
- The Department incorporated feedback from the working group as well as addressed other programmatic areas. The intent was to create more efficiencies and less burdensome requirements for “low risk” installations.

General Purpose of Amended Regulations

- Reorganization to better group regulatory requirements by system type or component
- Establish the same plan review process for both domestic and nondomestic systems
- Provide the Department with a regulatory path to not require separate plan approval for modifications or operational approvals for APDES permitted facilities
- Provide utilities with a regulatory path to exempt collection system expansions from prior plan approval
- Clarify and expand on systems or components that do not require plan approval

Purpose of Amended Regulations: Onsite Wastewater Systems

- Expansion of system types that can be installed without prior plan approval to include select alternative onsite wastewater systems
 - Alternative systems proposed at 18 AAC 72.601 – 18 AAC 72.660
- Eliminate the Onsite Wastewater System Installation Manual (OWSIM) as an adopted reference
 - All requirements for conventional systems moved into regulation (18 AAC 72.501 – 72.560)
- The Department intends to publish one or more technical guidance manuals, in consultation with an assembled Technical Review Committee, that can better address variations on best construction practices that will meet the intent of regulations

General Overview – By Article

Current	Proposed
Article 1: broadly applied to domestic wastewater only with separation distance requirements for private water systems. Covered restrictions on who may install a conventional system and general site conditions for not needing plan approval.	Article 1: applies to all wastewater systems and types, specifies when an approval or registration is no longer valid, specific section for private water systems with separation distance requirements. Repealed references to disposal systems and conventional systems moved to other sections.
Article 2: plan review requirements and approval based on sanitary engineering practices for domestic wastewater systems	Article 2: plan review requirements and approval based on sanitary engineering practices for all wastewater types; clarifies exemptions from plan review and allows a path for utilities to expand collection systems without prior plan approval.
Article 3: all repealed in 1998	Article 3: continues to be completely repealed
Article 4: Certified Installer Program	Article 4: any requirements not related to becoming certified moved to proposed Article 5; fees moved to proposed 72.954; some other changes on refresher requirements and suspensions

General Overview – By Article (cont.)

Current	Proposed
Article 5: covers nondomestic wastewater system permit requirements	Article 5: repurposed to cover ALL conventional wastewater system requirements for prescriptive construction standards, separation distances, what can be installed by whom and what does or does not require plan approval
Article 6: covers nondomestic wastewater system plan review requirements	Article 6: repurposed to cover alternative wastewater systems to include the first step into allowing alternative wastewater systems to be installed without plan approval
Article 7: covers general provisions including fees	<p>Article 7: moved fees previously covered in Article 4 and put all definitions in alphabetical order; some definitions were removed, some added, and some modified for clarity; some other minor changes and housekeeping</p> <p>Note: any section not shown for amendment in Article 7 will remain the same</p>


Clarification based on Comments:

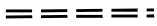
Sewer Line


- Broad term that can be used interchangeably with community sewer line or **sewer main**; does not include a private sewer line or **sewer service line**
- The term is currently interpreted, and is intended to include stormwater collection systems
- Sewer line is not currently interpreted, nor intended to include roadside ditches or open ended culverts
- Existing 72.020 specifying separation distances uses the term “sewer” or “sewer line” throughout the section
- Existing 72.020(c)(1) specifies the distance between a private well and a “sewer cleanout” to be 100 feet and (c)(2) specifies the distance as 75 feet to a community sewer line and other potential sources of contamination which the Department has and does interpret to include stormwater collection systems.
- Proposed regulations would make the requirement to be 100 feet to a sewer line, community sewer line, sewer main to include associated cleanouts, manholes, and lift stations.


Stormwater Collection System

Based on wastewater definitions

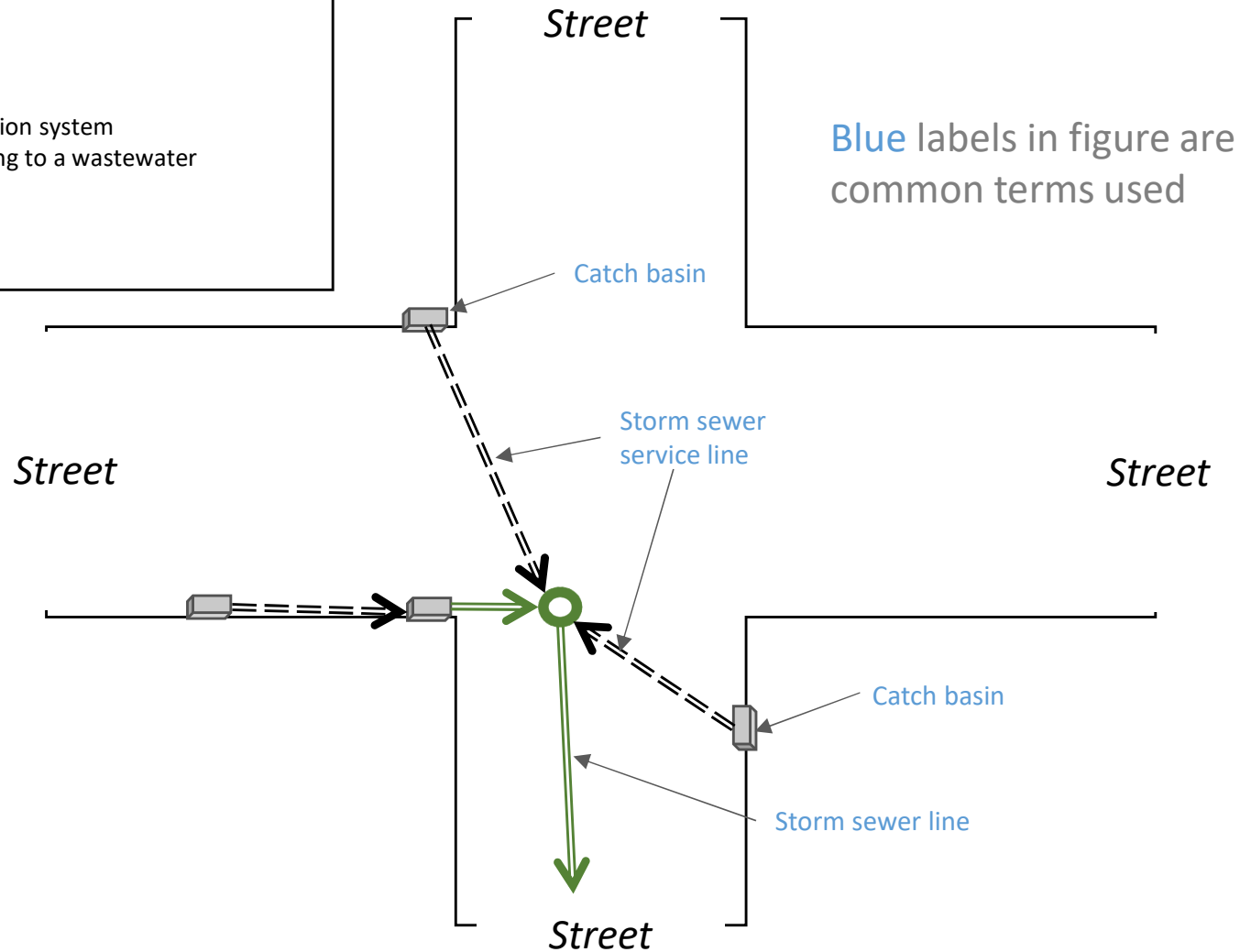
 Service connection (new)

 Sewer service line

 Manhole

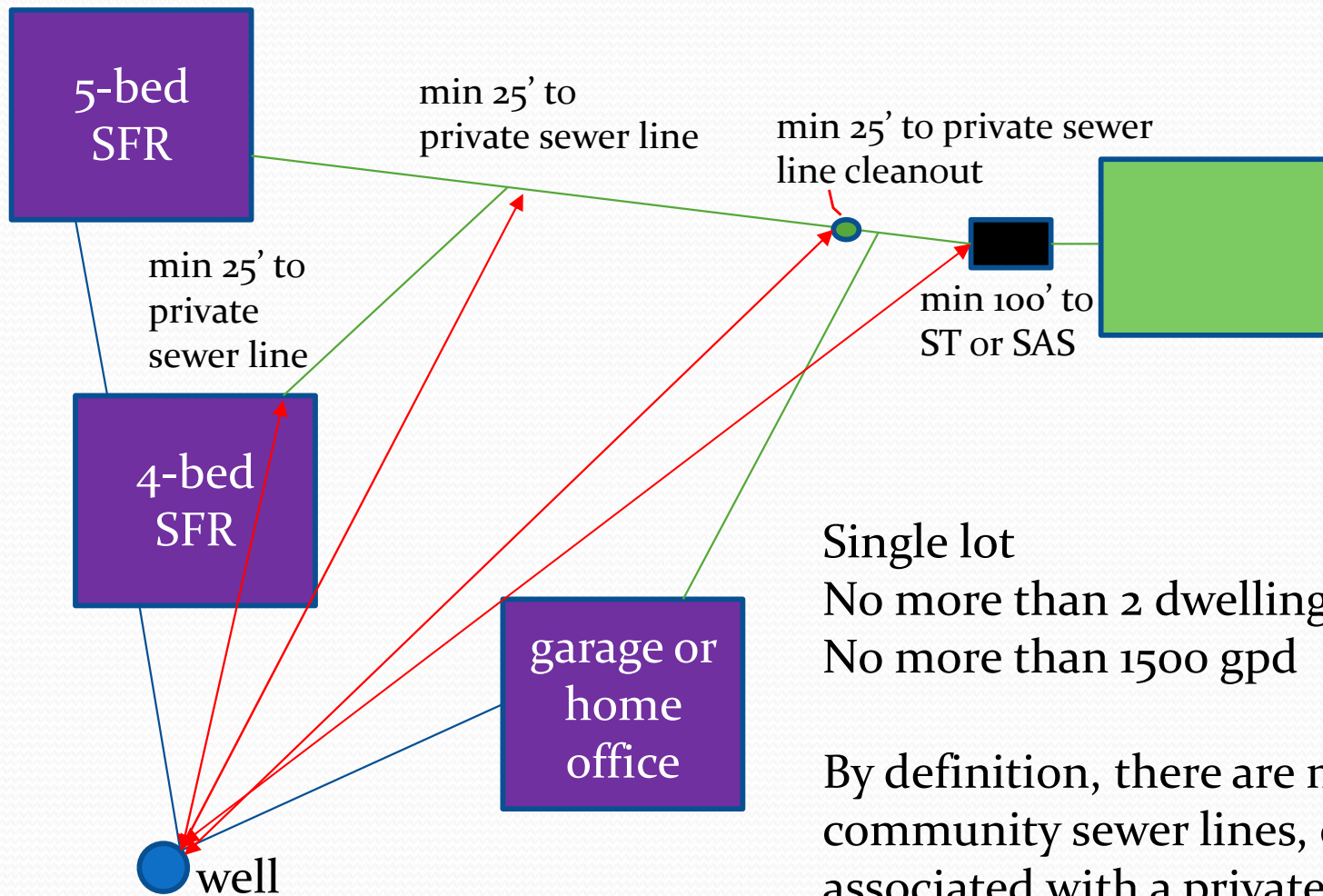
 Sewer, sewer line, collection system
(sewer main if transporting to a wastewater treatment works)

(comprised of green portion of figure only)



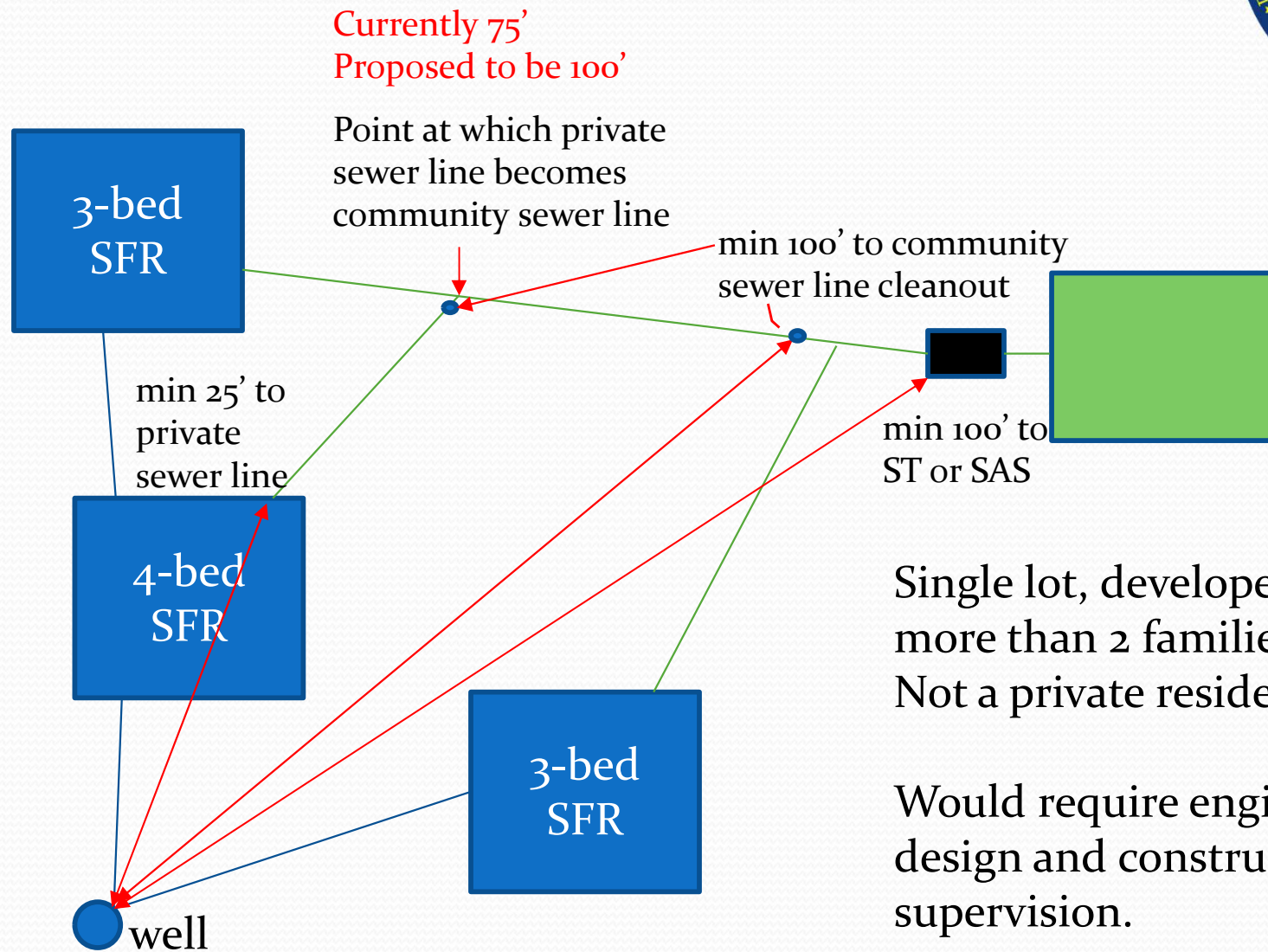


Private Residence Scenerio



Single lot
No more than 2 dwellings
No more than 1500 gpd

By definition, there are no sewer lines, community sewer lines, or sewer mains associated with a private residence.



Single lot, developed for more than 2 families;
Not a private residence

Would require engineer design and construction supervision.

Clarification based on Comments:

Lift Stations

- OWSIM currently states lift Stations or STEP systems must be an “approved package system” with no further details other than to check with the local ADEC office for approved systems. No approved product list is published.

18 AAC 72.530(g) - Proposed minimum vault size of 350 gallons

- Intent is to define minimum criteria to have a premanufactured, water tight vault extending to the ground surface to provide access for maintenance and reasonable reserve capacity
- Reserve capacity is not currently defined or proposed to be defined in 18 AAC 72. The 1980 EPA design manual (section 8.3 Dosing Chambers) states the reserve capacity is the volume of the vault between the high water alarm switch (on) and the invert of the inlet pipe and typically should be equal to the estimated daily flow for residential applications (section 8.3.4.1).

Clarification based on Comments: Municipality of Anchorage Ordinances

- The Department recognizes that the ordinance developed specific to the Municipality of Anchorage (MOA) includes some standards that are less restrictive
- Many of these less restrictive standards have been approved by the Department for use within the MOA under their delegated authority
- The Department and MOA will be reviewing their ordinances to ensure all lessor standards are specifically addressed and will provide an updated Delegation of Authority agreement accordingly
- It is not the intent of the Department to modify or change any ordinance currently in effect within the MOA

Public Comment

The public comment period will end March 20, 2022 (extended 30 days). All public comments must be submitted before midnight on that date and should be submitted through the public notice webpage at:

<https://dec.alaska.gov/water/wastewater/engineering/2022-regulation-updates>

Tips on providing effective and helpful comments:

- Provide section number of proposed regulation with a detailed statement
- General comments without examples or a specific section referenced:
 - may lead to a concern not being adequately addressed; or
 - a potential oversight/unintended interpretation not being corrected
- If you are finding yourself asking who, why, how, what, or where in your public comment, consider asking questions first to help the Department clarify how the regulation is intended to be implemented
- Any additional clarifying questions may be submitted by email to tonya.bear@alaska.gov. Before submitting a question, please review the FAQ to see if your question has been previously answered.