

# **State of Alaska FY2002 Governor's Operating Budget**

Department of Environmental Conservation  
Environmental Health  
Budget Request Unit

## Environmental Health Budget Request Unit

**Contact: Janice Adair, Director**

**Tel:** (907) 269-7644 **Fax:** (907) 269-7654 **E-mail:** Janice\_Adair@envircon.state.ak.us

### BRU Mission

Protect consumers from food-and water-borne illness.

### BRU Services Provided

Safe water, safe food and healthy communities through:

- permitting and approvals;
- inspections; and
- public education and outreach.

### BRU Goals and Strategies

#### 1) SAFE WATER

- Continue to work with owners and operators of public drinking water systems to ensure they provide drinking water that meets established health standards.
- In collaboration with the engineering community, implement appropriate design and maintenance standards for domestic wastewater systems so they can successfully treat sewage over time.
- Certify commercial and municipal laboratories so they can test the safety of the water produced by public drinking water systems.
- Work with public water system operators in analyzing and communicating results of the source water assessments.

#### 2) SAFE FOOD

- Implement a credible inspection and monitoring program for seafood processors, shellfish growers, other Alaska-based food manufacturers as well as food service operators that support Alaska's food and hospitality industries and that is protective of public health.
- Continue outreach efforts with industry and consumers on food safety hazards including how they can be controlled or otherwise managed.

#### 3) HEALTHY COMMUNITIES

- Protect public health and property values by improving the way solid waste is managed statewide with an increasing emphasis on field inspections and technical assistance.
- Develop and implement improved sanitation standards for tattoo parlors and permanent cosmetic shops.
- Continue to implement an effective pesticide program that is protective of children and the elderly, by reducing exposure at schools and residential care facilities.

### Key BRU Issues for FY2001 – 2002

The Division of Environmental Health deals with the most basic public health and environmental management programs - food, water, sewage, and garbage. Everyone plays an important role in the success of these efforts, thus it is critical that we have an effective public outreach component for all programs, that the regulations be as understandable as possible, and that the requirements therein are fully understood by employees, the regulated industries, and the general public.

A critical component of our outreach is how we communicate relative risks to the public. The need for effective risk communication skills will become critical as the source water assessments are completed for all federally-regulated public water systems in the state. These are skills we will further develop and refine over the next year.

## Major BRU Accomplishments for FY2000

- Developed a Uniform Shellfish Sampling Program for clams, mussels, and oysters that decreases the level of sampling yet provides for long term monitoring of harvest areas.
- Increased the use of computers in the field enhancing the quality and accuracy of food-related inspections, and providing inspector access to establishment information on the division's database.
- Obtained EPA approval of State's Capacity Development Program for new drinking water systems.
- Obtained EPA approval of State's Source Water Assessment and Wellhead Protection programs as a jointly managed Drinking Water Protection Program.
- Worked with the Governor's office to secure an Alaska-specific amendment to the FAA Reauthorization Bill for solid waste facilities.
- Initiated Phase 2 of the new Jellett Biotech PSP testing procedure.

## Key Performance Measures for FY2002

### Measure: The amount of state investment per facility or unit.

*(Revised from Legislature's FY2002 version.)*

#### Current Status:

As can be seen from the attached spreadsheets, most of the program areas are funded roughly 60% general fund and 40% program receipts. There are two program areas where this is not the case:

- Food (other than seafood) and public facility sanitation: In this program area, general funds account for just 13% of the total funding available per unit. This is down from nearly 70% in calendar year 1998. Program receipts represent 81% of the program unit funding, up significantly from calendar year 1998 when program receipts were just under 28%.
- Drinking Water: General funds account for 24% of this program area while federal funds account for 74%. In calendar year 1998, general funds represented nearly 30% of the funding. Because the federal drinking water grant is a 75%/25% match grant, what this means is that the state is essentially running a federal drinking water program.

#### Benchmark:

Until there is agreement on the appropriate relative percentage of general fund to program receipt support for state services, there is no way to determine a benchmark. However, a split of 60% general fund / 40% program receipts seems appropriate.

#### Background and Strategies:

During the 2000 Legislative session, legislation was passed (HB 361) that changed what services DEC could include in its fee calculations for some programs. The net effect of this legislation will be to reduce the fees paid certain industries for their permits, approvals and other services. The solid waste program was included in HB 361, and as shown in the attached spreadsheet, the overall percentage of fees was reduced from 44.4% to 38.6%. The ratio of general funds and program receipts is now approximately 60%/40%.

Throughout the legislative hearings on HB 361, the department consistently stated that the food service program should be included in order to reduce the overall level of fees paid by facility operators. We continue to support such a strategy.

### Measure: The number of "boil water" notices issued, the population affected, and the duration for the year.

*(Added by Legislature in FY2002 version.)*

#### Current Status:

In the first three quarters of calendar year 2000, we've seen a reduction from 1999 in each of the three areas measured: the number of boil water notices issued, the population affected, and the length of the boil water notice.

#### Benchmark:

Decrease in the number of Boil Water Notices issued, population affected, and duration.

**Background and Strategies:**

Boil water notices are issued when public water supplies exceed the public health standards for fecal coliform. Fecal coliform indicates a water system is being contaminated by sewage. Testing for fecal coliform is the most routine testing done by public water systems and the least expensive. 85% of the compliance sampling done by public water systems is for fecal coliform. The longer it takes the public water system to bring the water into public health compliance, the longer the requirement to boil the water will last.

In order to continue to see a decrease in the number of Boil Water Notices, their duration, and the population affected the department will

- continue to work with engineers and others to ensure domestic wastewater systems are properly designed and installed;
- work with property owners and utility managers to ensure domestic wastewater systems are properly maintained;
- work with public water systems and the Division of Facilities, Construction and Operation to ensure water system operators are properly trained for the collection of water samples; and
- work with public water system operators to ensure the disinfection methods for the water system are appropriate and properly functioning.

**Measure: The percentage of sanitary surveys that result in significant compliance violations.**

*(Added by Legislature in FY2002 version.)*

**Current Status:**

Tracking significant deficiencies in sanitary surveys began 4/1/00. Therefore, we have no historical data as of yet. Between 4/1/00 and 9/30/00, 16% of the completed sanitary surveys (11 out of 71) found significant deficiencies.

**Benchmark:**

Yearly percent decrease (with a target of 10% for 6/30/01 and 5% for 6/30/02) in sanitary surveys that identify significant compliance violations.

**Background and Strategies:**

A sanitary survey is required of all public water systems that are federally regulated under the Total Coliform Rule. It is a general "inspection" of the system where the surveyor reviews how the system is operated, how well the operator is keeping required records, and the overall integrity of the infrastructure of the system. A sanitary survey can result in a number of "paperwork" violations that may not present a threat to public health, such as monitoring and reporting; however, this performance measure seeks to decrease the number of violations that may be a threat to public health.

In order to achieve a decrease in the number of sanitary surveys that result in significant compliance violations, we will

- work with system operators and the Division of Facilities, Construction and Operation to ensure each public water system is managed by a certified operator;
- continue to provide assistance to water system operators, directly and through the Remote Maintenance Worker program and the National Rural Water Association on how the water treatment process works and the system's maintenance needs; and
- provide information annually to the Division of Facilities, Construction and Operation on the infrastructure needs of individual systems.

**Measure: The percentage of landfills with a permit or an alternative to a permit.**

*(Added by Legislature in FY2002 version.)*

**Current Status:**

All landfills are required to have a permit or some form of acceptable alternative in order to operate. At the end of the third quarter in 2000, 88 active landfill sites out of 264 (33%) had a current permit or an acceptable alternative. This is an increase from calendar year 1997 when just 22% of landfills were permitted.

**Benchmark:**

Percent increase of landfills with permit or an alternative to a permit.

**Background and Strategies:**

Alaskans generate about 1,300 tons of household garbage each day, nearly twice the national average per person. 78% is disposed of in landfills; 15% is incinerated; and 7% is recycled. DEC regulates 385 landfills: 142 are non-municipal (industrial) facilities that handle materials like drilling wastes, mine tailings, and construction wastes; 243 are municipal landfills, of which 10 serve large communities; 21 service medium-sized towns; 38 serve industrial or government camps; and 174 serve small villages. AS 46.03.100 requires that anyone who conducts an operation that results in the disposal of solid waste into the waters or onto the land of the state have a permit.

In order to increase the percentage of landfills with a permit and an alternative to a permit, we will

- develop general permits for landfills that serve small camps and villages (Class 3 landfills);
- significantly streamline permitting process in-house through developing standard permit formats and language and reducing the detail in the permit document, relying instead on the language of the regulation and the permit application; and
- develop permits-by-rule.

**Measure: The percentage of landfills with an inspection score of 80 or higher.**

*(Added by Legislature in FY2002 version.)*

**Current Status:**

Permitted landfills as well as unpermitted dumps are inspected, but scores are only tracked for permitted sites. At the end of the third quarter of 2000, we had inspected 15% of the permitted landfills and 52% had a score of 80 or higher. This compares with calendar year 1997, when we had inspected approximately 10% of the permitted landfills and just 27% had a score of 80 or above.

**Benchmark:**

Increase in the percent of landfills inspected, and percent increase of landfills with an inspection score of 80 or higher.

**Background and Strategies:**

Landfill facilities are inspected to determine if they are handling their wastes in a manner that is protective of public health as outlined in their permits and the department's solid waste regulations. The higher the inspection score, the better the waste disposal practices by the landfill operator.

Over the past four years, the percentage of Class 3 community landfills that have been inspected has ranged from a low of 43% to a high of 79%. In order to achieve the goal of improving how waste is handled and disposed, we need to increase our presence in the field, particularly for Class 3 community landfills.

In order to accomplish this goal, we will

- increase the number of inspections by using staff time that is freed up as a result of streamlining the permitting processing with a target of inspecting 25% to 35% of all permitted landfills annually;
- provide solid waste training to operators with an emphasis on rural landfill operations;
- increase our focus on solid waste handling options with communities; and
- increase the percentage of Class 3 community landfills that are inspected, and decrease the percentage of Class 1 and Class 2 community landfill inspections except for those facilities with compliance problems.

**Measure: The number of critical violations affecting food safety.**

*(Added by Legislature in FY2002 version.)*

**Current Status:**

We are seeing an increase in the percentage of critical violations in the food inspections we conduct, even though the number of inspections are decreasing because of significant budget reductions to this program. Inspections are used as a means to provide technical assistance to operators on how to prevent problems from occurring. The less we are able to be in the field, the fewer our opportunities to provide this kind of assistance.

These figures do not include seafood processor inspections. The seafood program's database is being redesigned to collect this for future reporting.

**Benchmark:**

Percent decrease in critical violations that affect food safety and wholesomeness.

**Background and Strategies:**

Critical violations occur when an operator is not in compliance with state food rules in a manner that can result in a foodborne illness. They include such things as serving shellfish from unapproved areas, not separating raw foods from cooked foods, and employees that do not wash their hands after using the restroom. Because foodborne illness is notoriously underreported, often passed off as the "stomach flu" (which doesn't exist), we use critical violations as a means to measure the likelihood of a foodborne illness occurring.

In order to reduce the occurrence of critical violations, we should

- inspect operations according to the public health risks they pose based on the type of food, preparation, or processing;
- focus on critical items during routine inspections;
- continue to provide training to operators in order to have an educated workforce in food industry regarding food safety issues; and
- continue other outreach efforts with the food industry such as direct mailings and posting contemporary food safety issues on our website.

**Measure: The percentage of facilities inspected according to risk-based inspection frequency protocol.**

*(Added by Legislature in FY2002 version.)*

**Current Status:**

Because of significant budget cuts to this program, no operations are inspected as often as called for in the risk-based inspection frequency protocol.

By the end of the third quarter of 2000, 36% of all food operations had been inspected at least once; 67% of the inspections were performed at higher risk level operations. 45% of all higher risk food operations have been inspected at least once.

During this same time, 7% of all public facilities were inspected at least once, and 91% of the inspections were performed at higher risk facilities. 24% of all higher risk public facilities have been inspected at least once. Only 27% of all public facilities are ranked as higher risk facilities.

**Benchmark:**

Underfunding of this program will prevent us from meeting this performance measure. Therefore, our benchmark is to increase the percentage of high-risk operations inspected at least once per year.

**Background and Strategies:**

The primary goal of a sanitation inspection program, whether for food operations or public facilities such as pools, spas, and day-care centers is to protect the public from diseases that can be spread in those operations because of poor sanitation. This goal is best achieved with regular inspections, the frequency of which is based upon the public health risks posed by the particular operation. Inspections allow the department to interact with facility operators to identify and correct conditions that could lead to a public health outbreak.

In order to ensure the best use of the department's resources, a risk-based inspection frequency protocol was developed and implemented two years ago. The protocol takes into account as appropriate the type of food, the population served, the type of process or handling, and the likelihood that physical, microbial, or chemical hazards will be present.

In order to increase the percentage of higher risk operations that are inspected at least once per year, we will

- continue to cross-train our inspection staff so all are able to proficiently inspect all types of food operations, including seafood processors;

- continue to reduce the number of inspections performed at lower risk facilities unless done under contract with the U.S. Food and Drug Administration; and
- continue to find ways to reduce the amount of time inspection staff must spend in the office, such as we have done through the expanded use of laptop computers.

**Status of FY2001 Performance Measures**

	<i>Achieved</i>	<i>On track</i>	<i>Too soon to tell</i>	<i>Not likely to achieve</i>	<i>Needs modification</i>
<ul style="list-style-type: none"> <li>• The amount of state investment per facility or unit.</li> <li>• The number of "boil water" notices issued, the population affected, and the duration for the year.</li> <li>• The percentage of sanitary surveys that result in significant compliance violations.</li> <li>• The percentage of landfills with a permit or an alternative to a permit.</li> <li>• The percentage of landfills with an inspection score of 80 or higher.</li> <li>• The number of critical violations affecting food safety.</li> <li>• The percentage of facilities inspected according to risk-based inspection frequency protocol.</li> </ul>			X		

**Environmental Health**  
**BRU Financial Summary by Component**

*All dollars in thousands*

	FY2000 Actuals				FY2001 Authorized				FY2002 Governor			
	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds	General Funds	Federal Funds	Other Funds	Total Funds
<b>Formula Expenditures</b>												
None.												
<b>Non-Formula Expenditures</b>												
Environmental Health Director	182.1	0.0	0.0	182.1	171.9	0.0	0.4	172.3	265.8	0.0	0.0	265.8
Food Safety & Sanitation	2,418.2	89.7	175.0	2,682.9	2,524.3	504.2	349.3	3,377.8	2,753.2	505.0	177.6	3,435.8
Laboratory Services	1,242.7	439.0	164.9	1,846.6	1,335.1	568.1	197.6	2,100.8	1,382.5	584.1	195.5	2,162.1
Drinking Water	1,299.9	1,671.0	10.0	2,980.9	1,536.1	2,351.9	1.0	3,889.0	1,538.6	2,389.5	0.0	3,928.1
Solid Waste Management	859.4	26.1	0.2	885.7	1,115.6	27.0	1.3	1,143.9	1,193.4	27.0	0.0	1,220.4
<b>Totals</b>	<b>6,002.3</b>	<b>2,225.8</b>	<b>350.1</b>	<b>8,578.2</b>	<b>6,683.0</b>	<b>3,451.2</b>	<b>549.6</b>	<b>10,683.8</b>	<b>7,133.5</b>	<b>3,505.6</b>	<b>373.1</b>	<b>11,012.2</b>

## Environmental Health

### Proposed Changes in Levels of Service for FY2002

The Department is proposing to switch \$166,300 in statutory designated program receipts to general funds, along with a general fund increment of \$53,700 to increase inspections of high-risk food operations performed once a year by 36%, without increasing fees.

## Environmental Health

### Summary of BRU Budget Changes by Component

#### From FY2001 Authorized to FY2002 Governor

*All dollars in thousands*

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
<b>FY2001 Authorized</b>	<b>6,683.0</b>	<b>3,451.2</b>	<b>549.6</b>	<b>10,683.8</b>
<b>Adjustments which will continue current level of service:</b>				
-Environmental Health Director	93.9	0.0	-0.4	93.5
-Food Safety & Sanitation	177.2	0.8	-170.4	7.6
-Laboratory Services	47.4	16.0	-2.1	61.3
-Drinking Water	2.5	37.6	-1.0	39.1
-Solid Waste Management	2.6	0.0	-1.3	1.3
<b>Proposed budget decreases:</b>				
-Food Safety & Sanitation	-2.0	0.0	-1.3	-3.3
<b>Proposed budget increases:</b>				
-Food Safety & Sanitation	53.7	0.0	0.0	53.7
-Solid Waste Management	75.2	0.0	0.0	75.2
<b>FY2002 Governor</b>	<b>7,133.5</b>	<b>3,505.6</b>	<b>373.1</b>	<b>11,012.2</b>