

State of Alaska FY2006 Governor's Operating Budget

Department of Environmental Conservation Environmental Health Results Delivery Unit Budget Summary

Environmental Health Results Delivery Unit

Contribution to Department's Mission

Safe drinking water, food, and sanitary practices.

Core Services

- Establish clear standards.
- Apply standards consistently statewide.
- Permit, inspect and provide technical assistance.
- Enforce requirements.

End Results	Strategies to Achieve Results
<p>A: The environment is protected from solid waste and pesticide pollution.</p> <p><u>Target #1:</u> 100% of solid waste facilities are authorized/permitted. <u>Measure #1:</u> % of facilities that are authorized/permitted.</p>	<p>A1: Establish protective standards for Solid Waste and Pesticides.</p> <p><u>Target #1:</u> Solid waste regulations are revised, adopted and implemented by FY2007. <u>Measure #1:</u> % of solid waste regulations and standards complete.</p>
End Results	Strategies to Achieve Results
<p>B: Citizens are protected from unsafe food and drinking water.</p> <p><u>Target #1:</u> No outbreaks of food borne illness in regulated facilities. <u>Measure #1:</u> Number of regulated facilities with food borne outbreaks within the fiscal year.</p> <p><u>Target #2:</u> No public illness outbreaks from regulated public water systems. <u>Measure #2:</u> Number of regulated facilities with public illness outbreaks within the fiscal year.</p>	<p>B1: Establish protective standards for food and drinking water.</p> <p><u>Target #1:</u> Protective standards for food are complete by FY2006. <u>Measure #1:</u> % of protective standards complete for food.</p> <p>B2: Control sanitary practices for food and drinking water.</p> <p><u>Target #1:</u> 100% plan reviews are processed within specific turn around times. <u>Measure #1:</u> % reviews processed within specific turn around time.</p> <p><u>Target #2:</u> 100% of food handlers and sanitary survey inspectors are certified. <u>Measure #2:</u> % of food handlers and sanitary survey inspectors are certified.</p> <p>B3: Enforce safe sanitary practices for food and drinking water.</p> <p><u>Target #1:</u> Within a fiscal year, less than 10% of regulated facilities have been issued notice of violations or civil fines. <u>Measure #1:</u> % of regulated facilities issued notice of violations or civil fines within the fiscal year.</p>

Major Activities to Advance Strategies

- Test and monitor food products for safety.
- Assist food operators to be in compliance with the Alaska Food Code.
- Provide environmental health information by conducting laboratory tests and analysis.
- Develop and maintain foreign animal disease monitoring and surveillance.
- Regulate community water systems.
- Implement a risk-based inspection and compliance plan for landfills.
- Assure the safety of food and water supplies during a crisis or disaster.
- Conduct compliance investigations and inspections.
- Enforce environmental health regulatory requirements.
- Investigate complaints and outbreaks.

FY2006 Resources Allocated to Achieve Results

FY2006 Results Delivery Unit Budget: \$11,535,400

Personnel:

Full time	126
Part time	0
Total	126

Performance Measure Detail

A: Result - The environment is protected from solid waste and pesticide pollution.

Target #1: 100% of solid waste facilities are authorized/permited.

Measure #1: % of facilities that are authorized/permited.



Percent of Facilities that are Authorized/Permitted (Reported Annually)

Year	Quarter 1	Quarter 2	Quarter 3	Quarter 4	YTD
2002	0	0	0	0	84%
2003	0	0	0	0	85%
2004	88%	86%	91%	92%	92%
2005	90%	0	0	0	90%

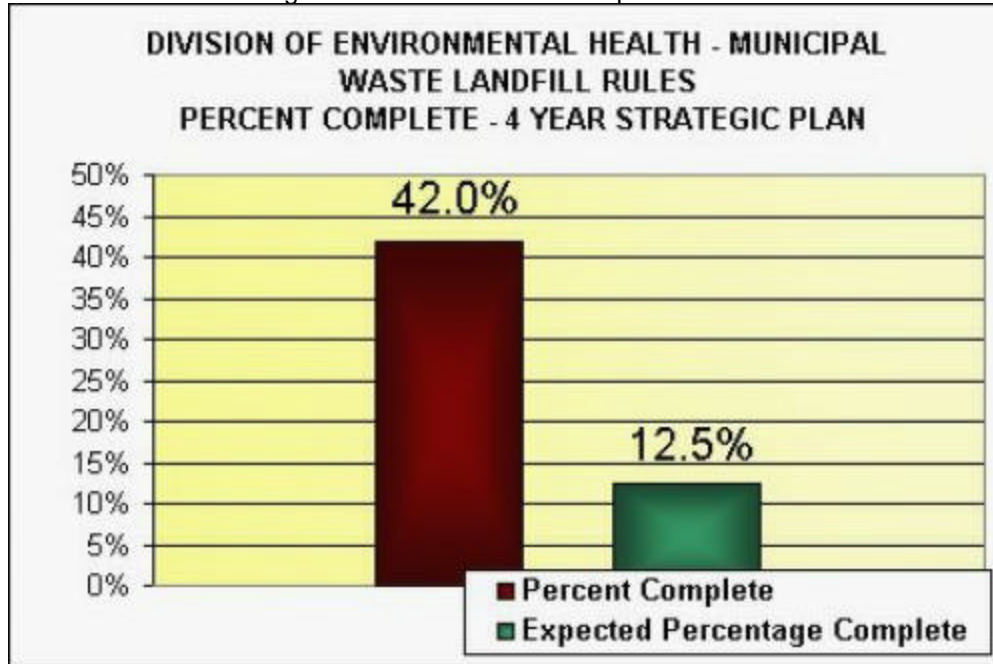
Analysis of results and challenges: The Solid Waste Program oversees permitting municipal landfills receiving over 5 tons of waste per day (Class I and Class II landfills) and industrial activities that require permitting. The

program tracks the number of Class I, Class II, and industrial permits and the number of facilities requiring permits. All of the facilities required to be permitted are either permitted or in the process of obtaining new permits or renewing the necessary permit. During this quarter the program issued notices of violation to one Class I landfill and one unpermitted Class III landfill. Both actions are ongoing.

A1: Strategy - Establish protective standards for Solid Waste and Pesticides.

Target #1: Solid waste regulations are revised, adopted and implemented by FY2007.

Measure #1: % of solid waste regulations and standards complete.



Percent of Solid Waste Regulations and Standards Complete

Year	Quarter 1	Quarter 2	Quarter 3	Quarter 4	YTD
2004	8.3%	16.7%	25.0%	33.3%	
2005	42.0%	0	0	0	

Analysis of results and challenges: The Solid Waste Program effectively manages waste disposal for larger communities through Class I and Class II permits. In the current permitting system, small communities producing less than 5 tons of municipal solid waste per day are required to have a Class III permit. Only 25% of the Class III communities have permitted landfills. The department is changing the structure of the solid waste program to improve permitting rates for Class III communities. This required statutory authority to allow DEC to give permits via prior authorization by developing a process and procedures for governing prior authorization of Class III landfills and revising the solid waste regulations. Statutory changes (passed in 2004) gave DEC the authority to prior authorize a disposal action rather than require site-specific or action specific permits.

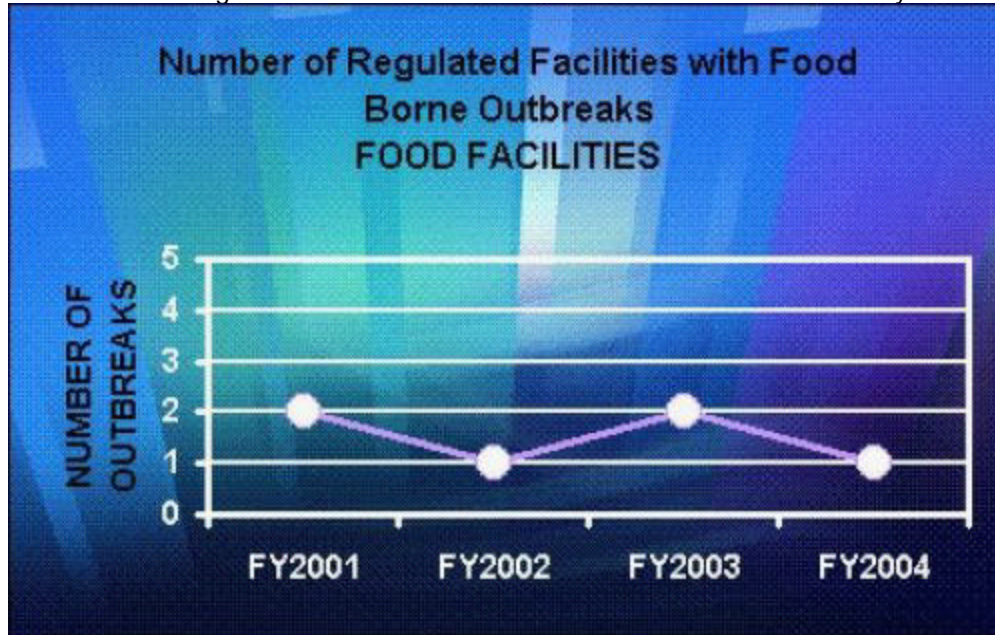
Location specific data is being developed for Class III landfills that will allow a community to evaluate if they qualify for the prior authorization landfill permit program. A location calculator, linked to landfill design criteria and operational parameters that are specific to landfill location, will be used to make the evaluation and qualify for prior authorization of the landfill. A similar approach is also under development for some types of industrial activities (construction debris).

The location calculator for Class III landfills is completed and is scheduled for web-design application in FY2006. Development of the design criteria and operational parameters has started and will be ready for linking to the location calculator in FY2006. Regulation revisions are underway and expected to be complete by the end of FY2007.

B: Result - Citizens are protected from unsafe food and drinking water.

Target #1: No outbreaks of food borne illness in regulated facilities.

Measure #1: Number of regulated facilities with food borne outbreaks within the fiscal year.



Number of Regulated Facilities With Food Borne Outbreaks Within the Fiscal Year (Reported Annually)

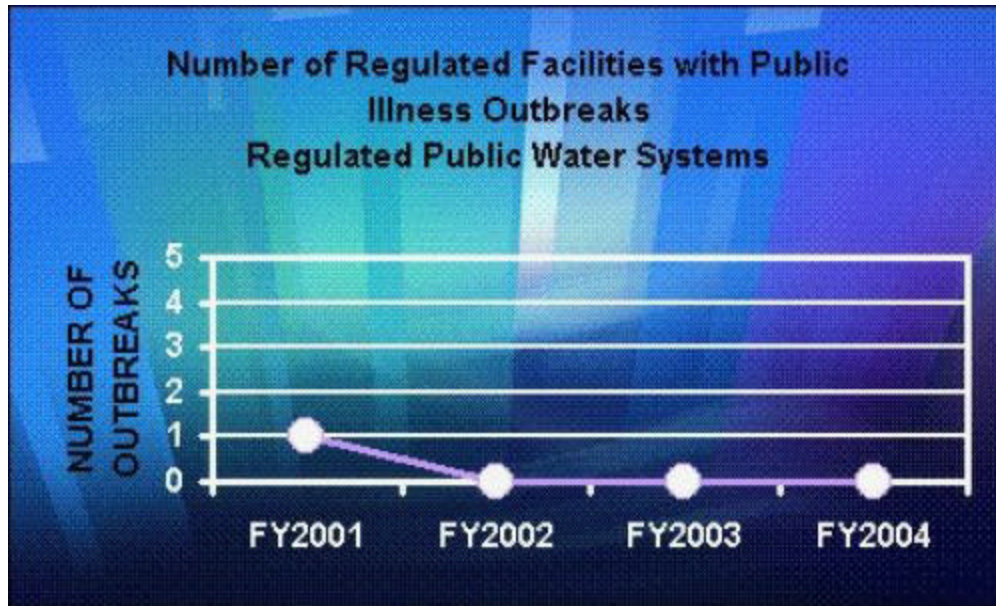
Year	Quarter 1	Quarter 2	Quarter 3	Quarter 4	YTD
2001	0	0	0	0	2
2002	0	0	0	0	1
2003	0	0	0	0	2
2004	0	0	0	0	1

Analysis of results and challenges: The Epidemiology section of Health and Social Services (HSS) conducts investigations of outbreaks of human illness and death and, with the help of DEC investigators, determines the source of the outbreak. Data displayed here reflects the number of food facilities regulated by DEC that were determined to be the source of an outbreak during the reporting period.

While outbreaks reported to HSS can be tracked, many incidents of illness related to food may never actually get reported. In milder cases, symptoms may be mistaken for ordinary flu or an upset stomach and be overlooked by doctors or individuals.

Target #2: No public illness outbreaks from regulated public water systems.

Measure #2: Number of regulated facilities with public illness outbreaks within the fiscal year.



Number of Regulated Facilities with Public Illness Outbreaks within the Fiscal Year (Reported Annually)

Year	Quarter 1	Quarter 2	Quarter 3	Quarter 4	YTD
2001	0	0	0	0	1
2002	0	0	0	0	0
2003	0	0	0	0	0
2004	0	0	0	0	0

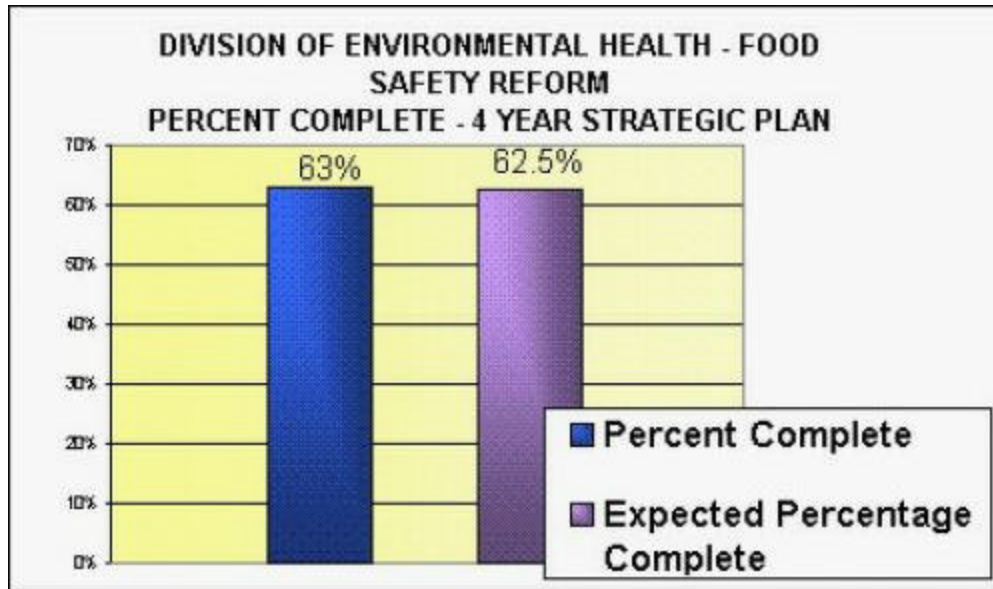
Analysis of results and challenges: The Epidemiology section of Health and Social Services (HSS) conducts investigations of outbreaks of human illness and death and, with the help of DEC investigators, determines the source of the outbreak. Data displayed here reflects the number of drinking water facilities regulated by DEC that were determined to be the source of an outbreak during the reporting period.

While outbreaks reported to HSS can be tracked, many incidents of illness related to drinking water may never actually get reported. In milder cases, symptoms may be mistaken for ordinary flu or an upset stomach and be overlooked by doctors or individuals.

B1: Strategy - Establish protective standards for food and drinking water.

Target #1: Protective standards for food are complete by FY2006.

Measure #1: % of protective standards complete for food.



Percent of Protective Standards Complete for Food

Year	Quarter 1	Quarter 2	Quarter 3	Quarter 4	YTD
2004	12.5%	25.0%	37.5%	50.0%	
2005	63.0%	0	0	0	

Analysis of results and challenges: Part one of the Alaska Food Code revision (dealing only with fee adjustments) went to public notice on September 7, 2004. The public comment period ended on October 8, 2004. The current schedule targets an effective date for December 1, 2004.

Part two of the Alaska Food Code revision (dealing with substantive changes, including implementing food worker and operator certification, civil fines, and other Active Managerial Control-related provisions) is expected to be released for public comment before November 1, 2004. The draft regulations are currently undergoing a thorough internal departmental review. During the 45 to 60 day comment period following release for public comment, the program will hold public workshops across the state to explain the changes to operators and other interested persons. The effective date target for these regulations is February 2005.

Policies, guidance documents, forms and other information to assist staff and operators with compliance is in development. An educational CD for operators on Active Managerial Control was completed in July 2004.

B2: Strategy - Control sanitary practices for food and drinking water.

Target #1: 100% plan reviews are processed within specific turn around times.

Measure #1: % reviews processed within specific turn around time.

Percent of Reviews Processed Within Specific Turn Around Times

Year	Quarter 1	Quarter 2	Quarter 3	Quarter 4	YTD
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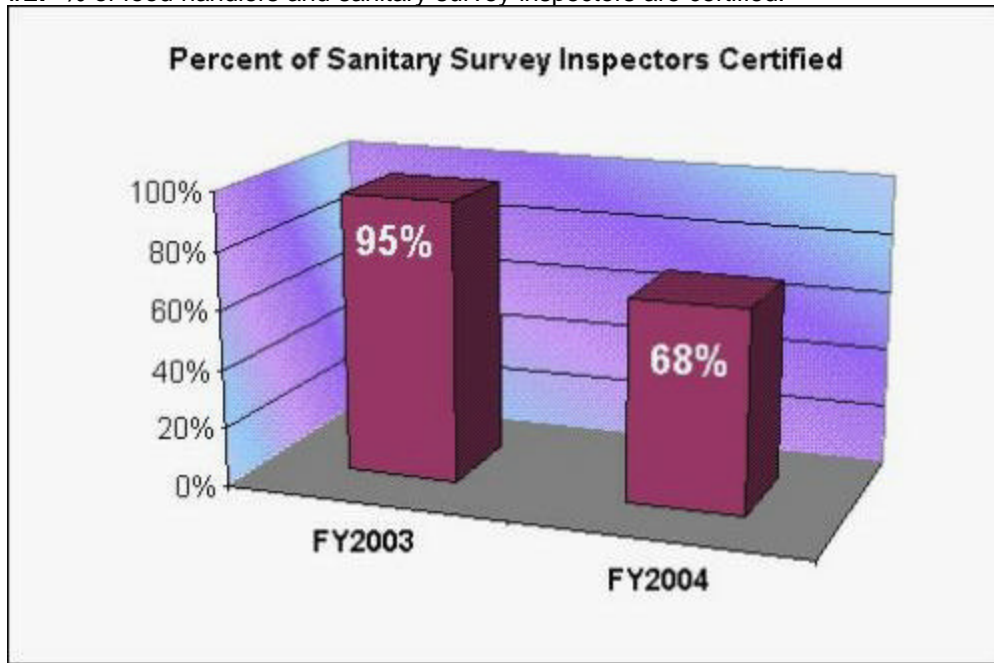
Analysis of results and challenges: This is a new measure. Data will not be available until the third quarter of FY2005.

Waterborne disease continues to be a threat to public health in many areas. To provide for the protection of public health, the Drinking Water Regulations (18 AAC 80) require that any time a public water system (PWS) is constructed or modified that engineering plans be submitted to the Drinking Water Program for review by department engineering staff. During the engineering review process, the engineer will determine if specifications and materials used in the construction or modification of a PWS meet criteria of the Drinking Water Regulations. These criteria address many items that, taken together, best protect public health and provide safe drinking water. In order to make sure that public water systems are being constructed and operated in a safe manner

and are protective of public health, department engineers are required to review complete engineering plan submittals within 30 days of receipt.

Target #2: 100% of food handlers and sanitary survey inspectors are certified.

Measure #2: % of food handlers and sanitary survey inspectors are certified.



Percent of Food Handlers and Sanitary Survey Inspectors Certified.

Year	Quarter 1	Quarter 2	Quarter 3	Quarter 4	YTD
2003	0	0	0	0	95%
2004	80%	0%	75%	50%	68%
2005	86%	0	0	0	0

Analysis of results and challenges: This measure combines the certification programs within the Food Safety and Drinking Water Programs. The certification of food handlers is part of the new food safety system and will be implemented in FY2007. Following implementation, data for the food handlers will be included in the measure. Current data only includes certification of sanitary survey inspectors.

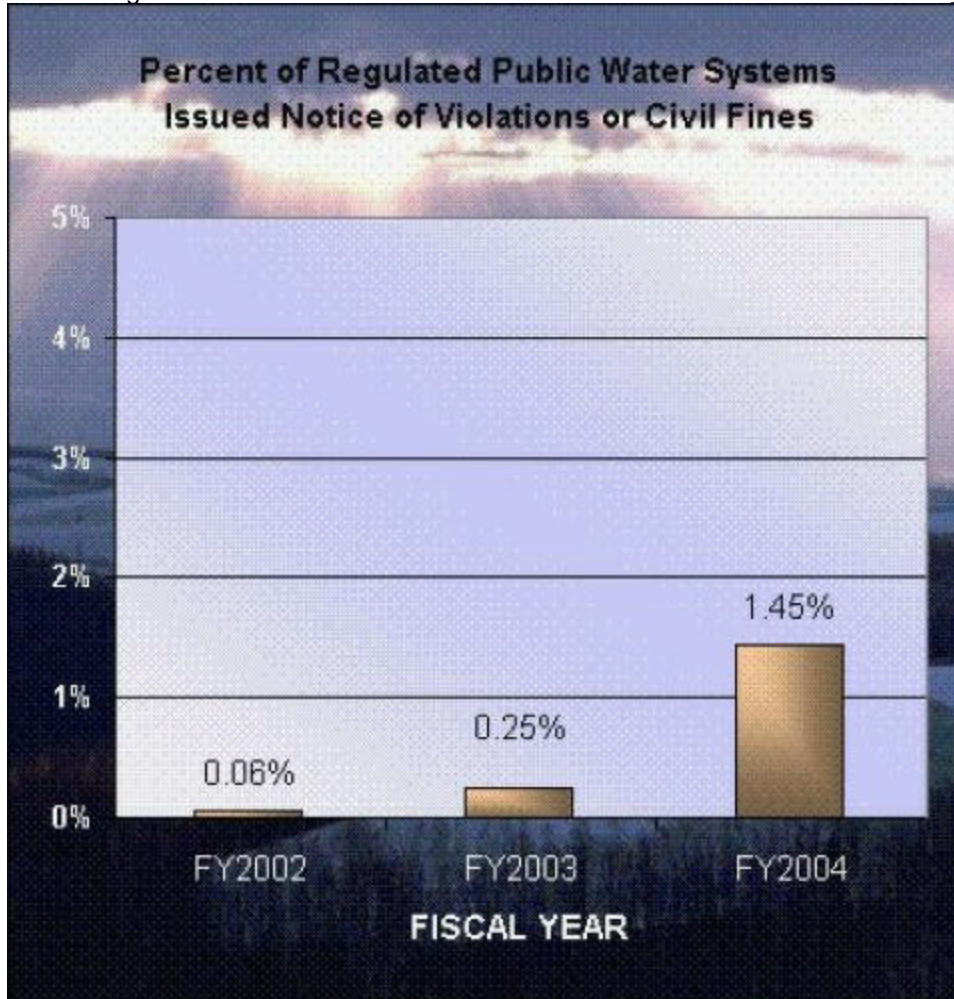
All federally regulated public water systems are required to conduct a periodic sanitary survey of their entire water system. A sanitary survey is an onsite review of the water source, treatment facilities and equipment, and operation and maintenance procedures of a public water system. The sanitary survey is used to evaluate the adequacy of the system and helps to determine if it can produce and distribute safe drinking water. Sanitary surveys are required every five years for public water systems using a groundwater source and every three years for public water systems using a surface water source. Most public water systems are very complex, with many individual components that must be inspected during the sanitary survey. The complexity of inspecting the public water system and the protection of public health require that a person conducting a sanitary survey be knowledgeable in all aspects of drinking water treatment and distribution. This requires extensive and specialized training. There are approximately 1,634 federally regulated public water systems in Alaska that must meet the sanitary survey requirement. Not all sanitary surveys can be completed by department staff, so the Drinking Water Program has contracted with the University of Alaska Southeast Alaska Training/Technical Assistance Center (ATTAC) to provide training sessions for both department staff and other third party individuals who have prior experience with public water system treatment and distribution. ATTAC currently offers at three training sessions per year, including two Basic Sanitary Survey classes and one Advanced Sanitary Survey classes.

B3: Strategy - Enforce safe sanitary practices for food and drinking water.

Target #1: Within a fiscal year, less than 10% of regulated facilities have been issued notice of violations or civil

fines.

Measure #1: % of regulated facilities issued notice of violations or civil fines within the fiscal year.



Percent of Regulated Facilities Issued Notice of Violations or Civil Fines Within the Fiscal Year

Year	Quarter 1	Quarter 2	Quarter 3	Quarter 4	YTD
2002	0	0	0	0	.06%
2003	0	0	0	0	.25%
2004	.00%	.19%	.50%	1.45%	1.45%
2005	1.65%	0	0	0	0

Analysis of results and challenges: This measure combines enforcement actions for regulated food establishments and regulated public water systems for two enforcement tools Notice of Violation (NOV) and the levy of civil fines and administrative penalties should a regulated entity not comply with standards. The information system to support compliance and enforcement for the new Food Safety Program, Active Managerial Control, is anticipated to be available by FY2006. Current data only includes enforcement actions associated with regulated drinking water systems.

The primary goal of the Drinking Water Program is to make sure that all people who are served by a federally regulated public water system are receiving drinking water that meets health-based standards. Health-based standards are designed to protect people from consuming unsafe drinking water and are enforceable in order for public water systems to be able to serve drinking water to the public. If a public water system does not meet these standards, violations occur and formal enforcement actions are taken against the system. Formal enforcement actions include NOVs and civil fines (administrative penalties). The goal of the Drinking Water Program is to have 100% of public water systems in compliance with health-based standards.

Key RDU Challenges

The Division of Environmental Health deals with the most basic environmental health programs - food, water, and garbage. Adequate laboratory capacity to test food for the presence of biological or chemical contaminants and to certify private laboratories for accurate testing of public water supplies for these same substances is a critical component of the state's environmental health infrastructure. Bringing the new Environmental Health Laboratory fully on line and operational continues to be a priority for this RDU.

The operating model for a number of Environmental Health programs has been redefined requiring changes to statutes, regulations and staff activities. The Food Safety program is implementing a new, comprehensive food safety system that offers multiple assurances that food sold and served throughout Alaska is safe. The Solid Waste program is shifting from a standard permit type program to a risk-based approach. Implementation of these program changes will be a primary focus for this RDU.

Significant Changes in Results to be Delivered in FY2006

The legislature, through budget reductions, directed a change in service delivery for the Drinking Water and Solid Waste programs. Beginning in FY2006, regulatory oversight of all Class C Public Water Systems will be eliminated. During FY2006, communities of less than 200 people under new Solid Waste regulations will be guided by Best Management Practices and will receive no direct regulatory oversight.

The emergence of new environmental threats to seafood and animals require the addition of staff resources to meet increased monitoring and surveillance activity. The emergence of marine bacteria that now negatively impacts the food safety of shellfish coupled with an increase in the number of shellfish growing areas requires additional seafood and laboratory staff. An Assistant Veterinarian has been proposed to the Office of the State Veterinarian to address the increased foreign animal disease monitoring and surveillance.

Major RDU Accomplishments in 2004

Following adoption of a controversial regulation package that puts pesticide aerial application policy into law, the first permit for an aerial application was received. The defined process for reviewing this type of permit is being implemented and improved upon.

Completed the first year of paralytic shellfish poisoning (PSP) testing of geoduck clams under the new protocol resulting in the safe and successful sale of live product at a level not previously achieved.

Obtained changes to Alaska Statute 17 to support food worker and manager certification and civil fines, two important components of the proposed new food safety system, Active Managerial Control (AMC).

Ground was broken in the spring of 2004 for the new Environmental Health Laboratory. The construction project is on schedule.

All of Alaska's Public Water System source water assessments were completed on time, by June 30, 2004, and within budget.

Obtained changes to Alaska Statute 46 that were needed to shift the Solid Waste program from a standard permit type program to a risk-based approach.

Contact Information

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**Environmental Health
RDU Financial Summary by Component**

All dollars shown in thousands

	FY2004 Actuals				FY2005 Management Plan				FY2006 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
Formula Expenditures												
None.												
Non-Formula Expenditures												
Environmental Health Director	298.8	0.0	0.0	298.8	266.6	0.0	0.0	266.6	273.3	0.0	0.0	273.3
Food Safety & Sanitation	1,069.0	337.5	1,405.9	2,812.4	1,304.4	466.9	1,451.1	3,222.4	1,330.7	375.3	1,634.2	3,340.2
Laboratory Services	1,249.5	537.5	302.4	2,089.4	1,224.2	514.9	439.7	2,178.8	1,347.0	1,055.5	273.2	2,675.7
Drinking Water	1,446.1	2,286.3	42.9	3,775.3	824.5	2,834.0	0.0	3,658.5	801.9	2,913.4	0.0	3,715.3
Solid Waste Management	1,013.5	18.0	13.6	1,045.1	1,196.5	291.6	0.0	1,488.1	1,231.0	299.9	0.0	1,530.9
Totals	5,076.9	3,179.3	1,764.8	10,021.0	4,816.2	4,107.4	1,890.8	10,814.4	4,983.9	4,644.1	1,907.4	11,535.4

Environmental Health
Summary of RDU Budget Changes by Component
From FY2005 Management Plan to FY2006 Governor

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2005 Management Plan	4,816.2	4,107.4	1,890.8	10,814.4
Adjustments which will continue current level of service:				
-Environmental Health Director	6.7	0.0	0.0	6.7
-Food Safety & Sanitation	34.2	-91.6	53.7	-3.7
-Laboratory Services	36.8	110.6	3.5	150.9
-Drinking Water	23.0	79.4	0.0	102.4
-Solid Waste Management	34.5	8.3	0.0	42.8
Proposed budget decreases:				
-Food Safety & Sanitation	-7.9	0.0	-81.8	-89.7
-Laboratory Services	-18.4	0.0	-200.0	-218.4
-Drinking Water	-45.6	0.0	0.0	-45.6
Proposed budget increases:				
-Food Safety & Sanitation	0.0	0.0	211.2	211.2
-Laboratory Services	104.4	430.0	30.0	564.4
FY2006 Governor	4,983.9	4,644.1	1,907.4	11,535.4