

**State of Alaska
FY2009 Governor's Operating Budget**

**Department of Environmental Conservation
Solid Waste Management
Component Budget Summary**

Component: Solid Waste Management

Contribution to Department's Mission

Environmental protection by requiring appropriate management of Alaska's landfills and safe pesticide use.

Core Services

- Review and approve permit applications including plans for design, operations, monitoring, management, construction, and closure; issue permits for solid waste treatment and disposal facilities; and review monitoring results.
- Inspect landfills to verify their compliance with permit requirements and state solid waste regulations.
- Monitor closed landfill sites.
- Train and certify pesticide applicators.
- Register and monitor the sale, use, and storage of pesticides.
- Conduct inspections of pesticide distributors and applications of restricted use pesticides to ensure compliance with the Worker Protection Standards.
- Conduct inspections to ensure commercial pesticide application is done in accordance with the Endangered Species Act and Clean Water Act.
- Review water and sampling results for pesticides to ensure protection of ground water and surface water and report findings to the Environmental Protection Agency.
- Issue and monitor pesticide permits.

End Result	Strategies to Achieve End Result
<p>A: Landfills and pesticides are not sources of pollution.</p> <p><u>Target #1:</u> 100% of Class I and II municipal landfills, regulated industry landfills, and storage/transfer areas are properly located, authorized/permitted, and operating landfills.</p> <p><u>Measure #1:</u> % of Class I and II municipal landfills, industrial landfills and storage/transfer areas that are properly located, authorized/permitted and operating landfills.</p>	<p>A1: Establish protective standards for Solid Waste.</p> <p><u>Target #1:</u> Solid Waste regulations will be revised, adopted and implemented by the end of FY2008.</p> <p><u>Measure #1:</u> % of solid waste regulations and standards complete.</p> <p><u>Target #2:</u> Pesticide regulations are revised, adopted and implemented by the end of FY2007.</p> <p><u>Measure #2:</u> % of pesticide regulations and standards complete.</p> <p>A2: Issue Solid Waste permits timely.</p> <p><u>Target #1:</u> 90% of permits/authorizations are processed within 120 days of receiving required documentation.</p> <p><u>Measure #1:</u> % of permits/authorizations processed within 120 days of receiving required documentation.</p> <p>A3: Strengthen Solid Waste Program Enforcement.</p> <p><u>Target #1:</u> Implement enforcement program for Solid Waste by FY2008.</p> <p><u>Measure #1:</u> % of enforcement program implemented for Solid Waste.</p>

Major Activities to Advance Strategies

- Implement the landfill location risk-based model.
- Evaluate, revise and start implementation of a risk-based statewide inspection and compliance plan.
- Implement a self-audit program for landfill owners based on different risk levels.
- Inspect landfills based on level of risk.
- Inspect for non-compliance of pesticide regulations and the Worker Protection Standard.
- Process pesticide application permits.
- Provide compliance assistance to and inspect public places, including schools, relating to pesticide use.
- Register pesticides for sale, distribution and use in the state.

FY2009 Resources Allocated to Achieve Results

FY2009 Component Budget: \$2,014,500

Personnel:

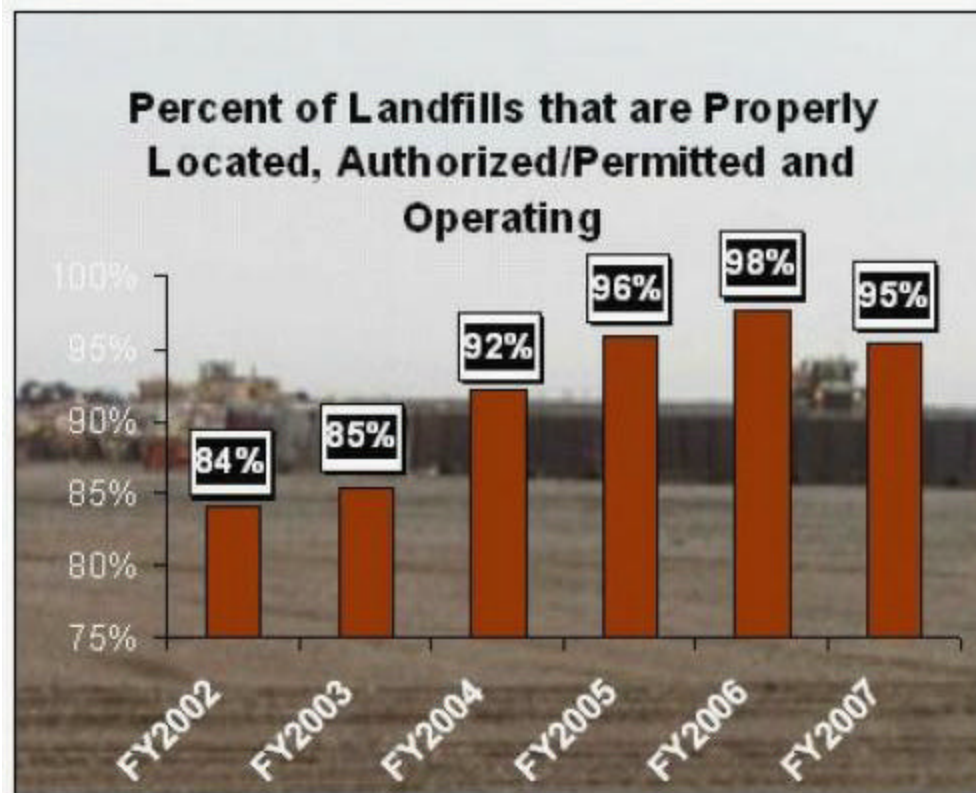
Full time	21
Part time	0
Total	21

Performance Measure Detail

A: Result - Landfills and pesticides are not sources of pollution.

Target #1: 100% of Class I and II municipal landfills, regulated industry landfills, and storage/transfer areas are properly located, authorized/permited, and operating landfills.

Measure #1: % of Class I and II municipal landfills, industrial landfills and storage/transfer areas that are properly located, authorized/permited and operating landfills.

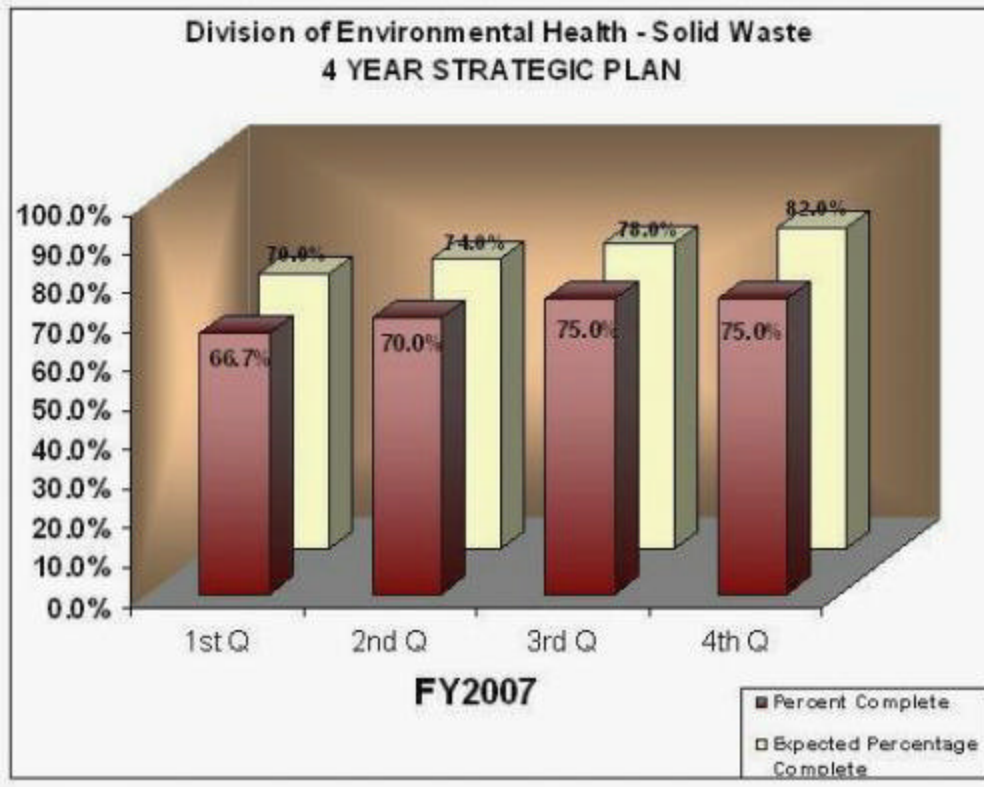


Analysis of results and challenges: All municipal landfills that receive more than 5 tons of waste per day and all disposal sites associated with industrial activities (oil & gas, construction, mining, and agriculture) are required to have a permit. The Solid Waste Program issues these permits and tracks the overall compliance rate by comparing the number of active permits to the number of sites that require a permit. Although the goal is that 100% of these facilities are permitted, two factors in how permits are tracked affect the Solid Waste Program's ability to reach that goal. One factor is that permits are renewed every five years and, when a renewal application is received, the permit status for the facility is changed in the Solid Waste Program database from "current" to "in process." Consequently, any facilities that are in the process of renewing their permits are not counted as having a permit. Another factor is that proposed facilities are entered into the database and the tracking system before the initial permit is issued and before the facility begins operations. Again, the proposed facilities are included in the count of facilities that need a permit, but are not counted among the facilities that have a permit. These factors had a direct effect on the compliance rate during this reporting period as two communities were in the process of closing an old landfill and opening a new landfill. In both cases, the database showed the permit for the old landfill as "expired" even though one of those landfills was operating under a permit that had been administratively continued and the other landfill was operating under a Compliance Order by Consent. Therefore, the overall compliance rate for this reporting period is artificially low.

A1: Strategy - Establish protective standards for Solid Waste.

Target #1: Solid Waste regulations will be revised, adopted and implemented by the end of FY2008.

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

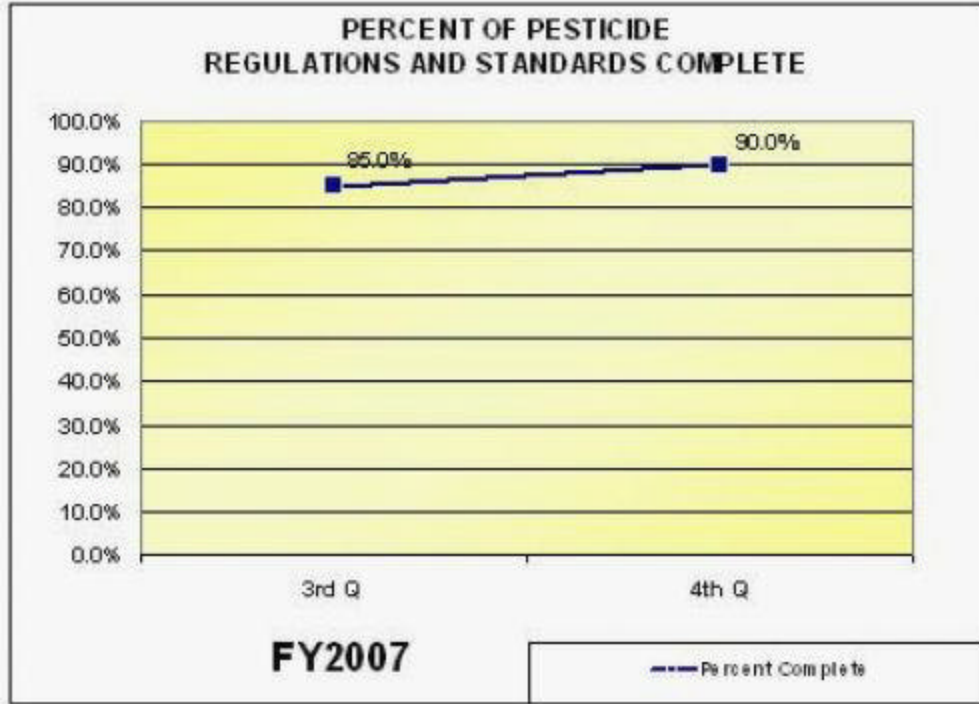


Analysis of results and challenges: Solid Waste Program effectively manages waste disposal in communities that produce more than 5 tons of municipal solid waste per day by issuing individual permits to the landfills serving those communities. Currently, small communities producing less than 5 tons of municipal solid waste per day are also required to have a permit, but only 25% of the Class III communities have permitted landfills. Since the permit process is difficult for small communities with limited resources, a simplified authorization process is needed to improve the permitting rate among small communities. As such, the department is in the process of changing the structure of the Solid Waste Program.

As a first step in this process, legislation was requested and passed in 2004 that gave DEC the ability to authorize disposal activities by regulation (i.e. prior authorization) rather than solely by permit. To utilize this

new authority, it is necessary to revise the solid waste regulations. Efforts to revise the regulations have proceeded steadily and a draft package of revised regulations was completed by the end of FY2005. Much of FY2006 was spent on internal review of the draft regulations and revision of the regulations in response to review comments from the Commissioner's Office. During FY2007, the Solid Waste Program completed a comprehensive rewrite of the draft package to improve the readability and organization of the regulations. The package was submitted to the Commissioner's Office for review, pending approval from the Commissioner's Office, the draft regulations will be released for public comment.

Target #2: Pesticide regulations are revised, adopted and implemented by the end of FY2007.
Measure #2: % of pesticide regulations and standards complete.

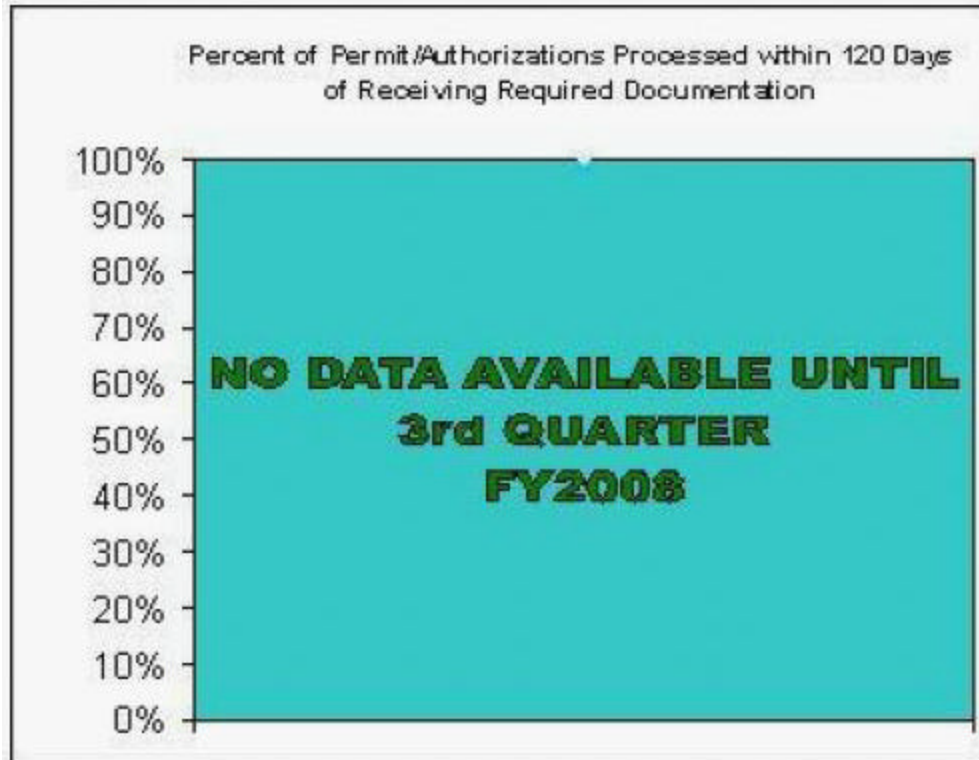


Analysis of results and challenges: During the 2004-2005 legislative sessions, the Alaska State Legislature enacted a new law that required the Department of Environmental Conservation to develop regulations to ensure that reasonable, on-site notice is provided prior to the application of pesticides in a public place. Implementing this law requires amending the existing pesticide regulations. During this reporting period, changes were made to the original draft of the regulations in response to public and agency comments and the revised document was submitted to the Lieutenant Governor's Office for approval.

A2: Strategy - Issue Solid Waste permits timely.

Target #1: 90% of permits/authorizations are processed within 120 days of receiving required documentation.

Measure #1: % of permits/authorizations processed within 120 days of receiving required documentation.



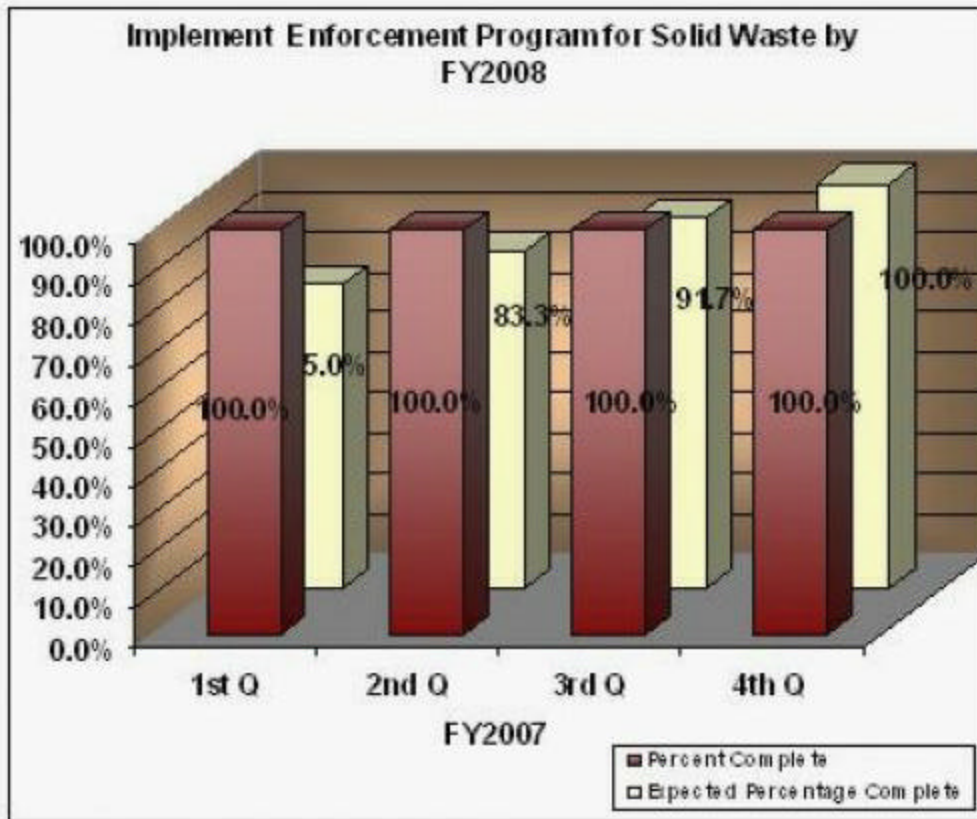
Analysis of results and challenges: Tracking the time it takes to process a Class I, Class II, and industrial permit is a new measure for the Solid Waste Program. The current database is not set up to track this measure, so the program must implement a new database that will allow for tracking the permitting process, including documenting the receipt of incomplete permit applications, the date a complete application is received, and the date of final approval or denial of the requested permit.

Although the new database is under development, progress is temporarily stalled. In FY2006, the design requirements for the database were compiled by a contractor hired for that purpose and a prototype of the new database was developed. However, the contract was cancelled when the cost estimate for completing construction of the database exceeded the available funding. As a result, the database did not become functional during FY2007 as was expected. At present, ADEC staff members are working to complete the database using the existing prototype and the goal is to have the database completed and operational by the time the new Solid Waste regulations are implemented. Reporting of this measure will not be possible until the new database is functional, which is conservatively projected to be the end of FY2008.

A3: Strategy - Strengthen Solid Waste Program Enforcement.

Target #1: Implement enforcement program for Solid Waste by FY2008.

Measure #1: % of enforcement program implemented for Solid Waste.



Analysis of results and challenges: The Solid Waste Program undertook major restructuring of the permitting process and development of "prior authorization" procedure for municipal and industrial landfills. With these revisions and new structures, the Solid Waste Program evaluates non-compliance with landfill permitting and prior authorization to determine the appropriate level and type of enforcement for violations. A policy has been established for how formal enforcement will proceed when such action is necessary. With the policy in place, the measure is reported as 100% complete and will be removed at the end of FY2007.

Key Component Challenges

Non-compliance with solid waste regulations, particularly in small communities, continues to pose risks to public health and to the air, water, lands, and subsurface lands of the state. To resolve these problems, the program is developing manuals for distribution to small communities that outline proper procedures for siting, designing, operating, and closing community landfills. To streamline and enhance program performance, the program is developing new permit application forms, landfill inspection forms, fact sheets, and other tools. The program will continue to maintain the current permit program, inspections and on-site compliance assistance to ensure adequate protection of public health and the environment from impacts of improper solid waste management.

Pesticide use in Alaska is consistently one of the most controversial environmental issues in the state. Pesticides are the most regulated group of chemicals in the United States. The Pesticide Program continues to meet the challenges of regulating pesticide use with inspections, certification and training, compliance assistance, permitting, and registration.

Significant Changes in Results to be Delivered in FY2009

None.

Major Component Accomplishments in 2007

The Pesticide Program successfully implemented pesticide regulations, required under HB19, related to requirements for providing public notice when pesticides are used in public areas. In addition, any pesticide application in a public area must be done by a certified applicator.

The Pesticide Program implemented a new web-based pesticide registration system. This system allows registrants to complete the entire registration process, including fee payment, online. This system also allows Pesticide Program registration technicians the ability to review the entire application electronically, greatly reducing the physical paper work involved in pesticide registration.

The Pesticide Program implemented a new web-based certified applicator database. This database allows certified applicators to pay annual licensing fees online as well as view their registration status. This database also allows Pesticide Program certification and training coordinators to send reminder letters and information to applicators electronically, with a single keystroke.

The Solid Waste Program increased the number of facility inspections and made considerable progress in bringing facilities into compliance with surface water and groundwater monitoring requirements.

The Solid Waste Program implemented a new web-based Solid Waste Information System (SWIMS) database. The database includes a public side for regulated entities, as well as an internal function for solid waste program staff.

The Solid Waste Program revised and implemented new application forms for municipal landfill permits. These forms are a user-friendly checklist, giving applicants much more direction on permitting requirements.

Statutory and Regulatory Authority

AS 44.46.020, AS 44.46.025, AS 46.03.100-120, AS 46.06.021, 18 AAC 15, 18 AAC 60

Contact Information

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Solid Waste Management Component Financial Summary

All dollars shown in thousands

	FY2007 Actuals	FY2008 Management Plan	FY2009 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	1,408.8	1,556.1	1,635.2
72000 Travel	51.6	65.8	65.8
73000 Services	345.4	285.3	285.3
74000 Commodities	47.0	28.2	28.2
75000 Capital Outlay	0.0	0.0	0.0
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	1,852.8	1,935.4	2,014.5
Funding Sources:			
1002 Federal Receipts	255.7	320.5	328.7
1003 General Fund Match	4.0	0.0	0.0
1004 General Fund Receipts	856.5	1,015.0	1,059.3
1005 General Fund/Program Receipts	185.9	186.9	197.4
1007 Inter-Agency Receipts	28.5	0.0	0.0
1156 Receipt Supported Services	522.2	413.0	429.1
Funding Totals	1,852.8	1,935.4	2,014.5

Estimated Revenue Collections

Description	Master Revenue Account	FY2007 Actuals	FY2008 Management Plan	FY2009 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Federal Receipts	51010	255.7	320.5	328.7
Interagency Receipts	51015	28.5	0.0	0.0
General Fund Program Receipts	51060	185.9	186.9	197.4
Receipt Supported Services	51073	522.2	413.0	429.1
Restricted Total		992.3	920.4	955.2
Total Estimated Revenues		992.3	920.4	955.2

**Summary of Component Budget Changes
From FY2008 Management Plan to FY2009 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2008 Management Plan	1,201.9	320.5	413.0	1,935.4
Adjustments which will continue current level of service:				
-FY 09 Bargaining Unit Contract Terms: General Government Unit	54.8	8.2	16.1	79.1
FY2009 Governor	1,256.7	328.7	429.1	2,014.5

**Solid Waste Management
Personal Services Information**

Authorized Positions		Personal Services Costs		
	<u>FY2008</u> <u>Management</u> <u>Plan</u>	<u>FY2009</u> <u>Governor</u>		
Full-time	21	21	Annual Salaries	1,057,536
Part-time	0	0	COLA	74,125
Nonpermanent	0	0	Premium Pay	0
			Annual Benefits	588,723
			<i>Less 4.95% Vacancy Factor</i>	<i>(85,184)</i>
			Lump Sum Premium Pay	0
Totals	21	21	Total Personal Services	1,635,200

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant II	1	0	0	0	1
Administrative Clerk II	0	0	0	1	1
Analyst/Programmer V	1	0	0	0	1
Environ Program Manager I	1	1	0	0	2
Environ Program Manager III	1	0	0	0	1
Environ Program Spec II	1	2	1	1	5
Environ Program Spec III	3	1	1	3	8
Environ Program Technician	0	0	0	1	1
Research Analyst II	1	0	0	0	1
Totals	9	4	2	6	21