

Introduced by: McGahan  
Date: February 3, 1981  
Vote: Unanimous  
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 81-36

URGING THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO AMEND REGULATIONS OR DECLARE A MORATORIUM WHICH WILL PERMIT PRIVATE ENTERPRISE TO ESTABLISH A WORKABLE DISPOSAL SYSTEM FOR SEPTAGE WASTES.

WHEREAS, the Department of Environmental Conservation has created undue hardship on the sewage pumping businesses in the Borough; and

WHEREAS, the Department of Environmental Conservation's involvement in the permitting process and its threatened enforcement of regulations has made it virtually impossible to handle or deal with the problem in the Borough; and

WHEREAS, the Borough's authority does not include power to provide sewers and sewage treatment facilities, although the Department of Environmental Conservation's regulations would require treatment of septage wastes before permitting dumping as a solid waste; and

WHEREAS, the Assembly deems the Department of Environmental Conservation's activity to be a cause of interruption of an essential service requirement in the Borough; and

WHEREAS, the private entrepreneurs should be given an opportunity to provide this essential service without undue regulations which prohibit a workable system;

NOW THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That the Assembly calls upon the Alaska Department of Environmental Conservation to amend its onerous regulations pertaining to the disposal of septic wastes in the Borough, and declare a moratorium which will permit private enterprise to work out a solution which will be both practical and economically feasible while meeting the requirements of the public health.

Section 2. That this resolution shall be served upon The Honorable Ernest Muller, Commissioner of the Department of Environmental Conservation, Robert Gilfillan of the Department of Environmental Conservation at Anchorage, Roger Moulton of the Department of Environmental Conservation at Soldotna, upon the Honorable Jay Kerttula, President of the Senate, upon the Honorable Jim Duncan, Speaker of the House, upon the Honorable Donald E. Gilman, State Senator, and upon the Honorables Bette Cato, Hugh Malone, and Pat O'Connell, State Representatives.

Section 3. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH  
ON THIS 3rd DAY OF February, 1981.

Paul A. Fischer  
Paul Fischer, Assembly President

ATTEST:

Frances Brymer  
Borough Clerk