

Introduced: Fischer, Jean, &
McGahan
Date: Sept. 21, 1982
Vote: Unanimous
Action: Adopted

KENAI PENINSULA BOROUGH

RESOLUTION 82-189

URGING THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION, AND THE ALASKA HOUSING FINANCE CORPORATION TO SUSPEND ITS PROPOSED RULE REGARDING SEPTIC SYSTEM TESTING.

WHEREAS, the State of Alaska, Department of Environmental Conservation has proposed a rule regarding the methodology for testing every septic system throughout the State prior to the sale of a house to a third party; and

WHEREAS, the Alaska Housing Finance Corporation has stated that it will adopt this rule immediately once it has become effective on October 1, 1982; and

WHEREAS, the proposed rule would require the pumping of large amounts of water into a septic system for several days in a row and this could damage the septic system; and

WHEREAS, the cost of such a mandatory test would be anywhere from \$500 to \$1,200 per test and this would add significantly to the cost of purchasing any home on the Peninsula; and

WHEREAS, the rule was promulgated without adequate notice and public hearing, and local engineers have been unable to evaluate the rule and comment upon its feasibility and cost effectiveness;

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

Section 1. That the Assembly urges the State of Alaska, Department of Environmental Conservation to suspend the effective date of its proposed rule regarding septic system testing for a period of 120 days in order to allow adequate public comment from affected parties and professional engineers regarding the feasibility of their rule, and to allow the proposal of an alternative means of assuring the same result at lower cost to the public.

Section 2. That the Clerk shall serve a copy of this resolution upon the Commissioner, of the State of Alaska, Department of Conservation, and upon the Chairman, of the Alaska Housing Finance Corporation. The Clerk shall also serve upon State of Alaska, Governor Jay S. Hammond, State Senate President, Jalmar Kerttula, House Speaker, Joe L. Hayes, State

Senator, Donald E. Gilman, and State Representatives Bette Cato, Hugh Malone, and Pat O'Connell.

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

DATED this 21 day of September, 1982.


John C. Davis, Assembly President

ATTEST:


Borough Clerk