



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce,  
Community, and  
Economic Development

BOARD OF REGISTRATION FOR ARCHITECTS,  
ENGINEERS, AND LAND SURVEYORS

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February 24, 2022

Alaska Department of Environmental Conservation  
Commissioner Jason Brune  
P.O. Box 111800  
Juneau, AK 99811

Dear Mr. Brune:

Upon review of the proposed revisions to 18-AAC-72 (Wastewater Disposal), currently out for public comment, it was noticed that there are provisions related to the role of "Certified Septic System Installers" regarding commercial septic systems that appear to conflict with current AELS statute specific to the authorized practice of engineering. AELS Statute 08.48.331 does not provide an exemption that would allow "Certified Installers" to prepare waiver reports, interpret percolation test data, or perform design services associated with any commercial septic systems, regardless of size. To ensure that 18-AAC-72 does not conflict with AELS statutes and/or regulations, we encourage you to review AS 08.48.331 (exemptions) and 12-AAC-36. One solution may be for the legislature to add an exemption to AS.08.48.331 that would allow for "Certified Installers" to design "small commercial septic systems" (up to 1500 gpd). Another possible solution is to see if there is a statutory path (via AELS Statute 08.48.331(7)) for "specialty contractors" to install and document the installation of commercial septic systems that are designed by engineers. Although this latter option would not provide as much latitude for Certified Installers as the proposed regulation would allow, it would likely provide a cost savings for some projects, which we realize is beneficial when public health risk is low.

If you would like an opportunity to speak with the AELS board, we can add discussion of this section of your proposed regulations to the agenda of our next scheduled board meeting on May 10-11<sup>th</sup>, 2022. If you would like to discuss this subject matter sooner, please contact Executive Administrator, Sara Neal, at (907)465-2540 or [sara.neal@alaska.gov](mailto:sara.neal@alaska.gov) to arrange for a special meeting.

Please contact myself or AELS board member, Jeff Garness, PE Environmental Engineer, at (907) 244-9612 with any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Catherine Fritz".

Catherine Fritz, Architect,  
AELS Board Chair  
(907) 957-2068

Cc: Tonya Bear, PE