

Sponsor Statement for HB503

Wastewater Discharge Program

An Act relating to evaluating state assumption of the wastewater discharge program under the federal Clean Water Act; and providing for an effective date.

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Passage of [House Bill 503](#) will direct the [Department of Environmental Conservation](#) (DEC) to evaluate the potential benefits and consequences of assuming primacy for the [National Pollutant Discharge Elimination System](#) (NPDES) program and develop an implementation plan.

In 1972 the federal government enacted the [Clean Water Act](#) (CWA) to protect and restore the quality of the nations water. The CWA provided that states can be authorized to operate their own NPDES program as long as it complies with federal requirements. Currently 44 states and the U.S. Virgin Islands administer their own NPDES program and Idaho is currently considering assuming NPDES primacy. The main reason that states have adopted primacy is to allow them to tailor their water discharge program to regional concerns and environmental features rather than follow federal guidelines designed to cover all states.

House Bill 503 would direct the DEC to study and describe:

- EPA's existing program in Alaska,
- Required and recommended primacy program components,
- Advantages, disadvantages, and experiences from similarly situated states along with their program costs,
- Draft rules and regulations needed for primacy,
- Guidance and implementation recommendations for executing the permit review, issuing permits and performing field compliance assistance,
- Necessary resources including number of staff, use of contractors and specific technical expertise of staff for an Alaskan program,
- Legal issues and propose solutions necessary to acquire primacy, and
- A proposed action plan to secure federal funding as an ongoing contributor to offset operational costs of an Alaska NPDES permit Program.

This proposal is supported by the [Waste Water Permit Work Group](#) which was formed by the Department of Environmental Conservation. This group is comprised of external stakeholders who were asked to make recommendations to guide the rebuilding of the wastewater discharge program. I envision this group being involved throughout this proposed process helping to evaluate the pros and cons of state assumption of the NPDES program. This review would involve public comment and a final report to be submitted to the First Regular Session of the Twenty-Fourth Alaska State Legislature. The Legislature could then take action if it believed assumption would be in the state's best interest.