

House Bill 80 – Cruise Ship Wastewater Discharge Permits

Sectional Analysis

January 22, 2013

Section 1: provides a concise requirement that cruise ships discharge wastewater in a manner consistent with applicable state or federal law. This section removes the more stringent requirement that such discharges must meet Alaska water quality standards at the point of discharge.

Section 2: modifies statute to allow all small cruise ships to submit plans for alternative terms and conditions of vessel discharges in lieu of obtaining a permit. Existing statute limits such relief to vessels with keels laid before January 1, 2004. This section also extends the approval period for such plans from three years to five years.

Section 3: repeals the existing short term relief from the requirement that discharges meet Alaska water quality standards at the point of discharge and eliminates the three year permit renewal requirement. This section requires the authorization of a mixing zone for cruise ship wastewater discharges to be contingent on the treatment system either being an advanced wastewater treatment system that falls within the class of systems identified by the department in Section 4 of this bill, or the vessel employing methods that achieve a quality of effluent that is comparable to that of one or more vessels employing an advanced wastewater treatment system. In addition, Section 3 requires the department to find that a cruise ship employing an advanced wastewater treatment system meeting the requirements in this section and Section 4 satisfies all state technology-based treatment requirements for authorization of a mixing zone.

Section 4: adds a new subsection to AS 46.03.462 for transition purposes that allows the department to administratively extend until December 15, 2015 the existing general permit issued in 2010. This section provides, at a minimum, a two-part test to determine which systems constitute the class of advanced wastewater treatment systems.

Section 5: repeals AS 46.03.462(d), 46.03.462(f), and 46.03.462(g). The repeal of AS 46.03.462(d) removes the current sunset dates for small cruise ships to seek approval for alternative terms and conditions of vessel discharges in lieu of obtaining a permit. The repeal of AS 46.03.462(f) and (g) makes conforming changes related to cruise ship permitting. Section 5 also repeals 46.03.464 providing for an advisory panel on wastewater treatment technologies and reports from the Department to the legislature as the Department of Environmental Conservation may already conduct review of existing and new technologies under existing law.

Section 6: repeals Sections 3 and 7, ch 53, SLA 2009 regarding the establishment of future permit terms and conditions that would otherwise take effect December 31, 2015.

Section 7: provides for an immediate effective date