

**HOUSE BILL NO. 36**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES TAMMIE WILSON, Johnson**

**Introduced: 1/16/13**

**Referred: Resources**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act exempting certain federal agencies or military services firing or using**  
2 **munitions on active ranges from prior authorization requirements of the Department of**  
3 **Environmental Conservation."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 **\* Section 1.** AS 46.03.100(e) is amended to read:

6 (e) This section does not apply to

7 (1) a person discharging only domestic sewage into a publicly owned  
8 treatment works;

9 (2) disposals subject to regulation under AS 31.05.030(e)(2);

10 (3) injection projects permitted under AS 31.05.030(h);

11 (4) discharges of solid or liquid waste material or water discharges  
12 from the following activities if the discharge is incidental to the activity and the  
13 activity does not produce a discharge from a point source, as that term is defined in  
14 regulations adopted under this chapter, into any waters of the United States:

1 (A) mineral drilling, trenching, ditching, and similar activities;

2 (B) landscaping;

3 (C) water well drilling and geophysical drilling; or

4 (D) drilling, ditching, trenching, and similar activities  
5 associated with facility construction and maintenance or with road or other  
6 transportation facility construction and maintenance; however, the exemption  
7 provided by this subparagraph does not relieve a person from obtaining a prior  
8 authorization under this section if the drilling, ditching, trenching, or similar  
9 activity will involve the removal of the groundwater, stormwater, or  
10 wastewater runoff that has accumulated and is present at an excavation site for  
11 facility, road, or other transportation construction or maintenance and a prior  
12 authorization is otherwise required by this section;

13 (5) bilge pumping, unless the bilge product pumped may be expected  
14 to yield an oily sludge, emulsion, or sheen on the surface of any water of the state;

15 (6) cooling water discharges from a boat or vessel into any surface  
16 water of the state; or

17 (7) the firing or other use of munitions in training activities conducted  
18 on active ranges, including active ranges operated by the United States Department of  
19 Defense or a United States military agency or service, unless otherwise regulated  
20 under 33 U.S.C. 1251 - 1376 (Federal Water Pollution Control Act), as amended  
21 [IT RESULTS IN A DISCHARGE INTO WATERS OF THE UNITED STATES].