

Alaska State Legislature

Interim: (June – Dec.)
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Session: (Jan. – May)
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REPRESENTATIVE JOHN HARRIS

March 11, 2009

Governor Sarah Palin
Office of the Governor
Juneau, Alaska

Subject: Large Commercial Passenger Vessel Wastewater Discharge Permits

Dear Governor Palin:

This is to call your attention to legislation relating to wastewater discharge permits for large passenger vessels operating in state waters. Policy direction from your office would be helpful to the legislature, coastal communities, vessel owners, and many interested individuals toward resolving this issue.

House Bill 134 would provide the Department of Environmental Conservation with the same authority to regulate wastewater discharges of large vessels that it has with other entities. Current law – which was established by voter initiative in 2006 – requires testing of vessel wastewater specifically at the point of discharge.

Testing at the point of discharge imposes a different methodology than that which exists for any other industry or municipality in Alaska. For example, mining operations, seafood processing, and coastal communities have their discharges tested at a reasonable distance away from the discharge point. Be that as it may, clean water itself should be our standard, and if someone is polluting our waters, then DEC must step in and stop them.

In spite of the initiative's language, DEC issued a general permit for all large commercial passenger vessels on March 25, 2008 that provides interim effluent limits and recognizes that vessels need time to make changes to their operations or equipment. The compliance schedule provides a deadline of 2010 to fully meet new standards for ammonia, copper, nickel, and zinc.

I believe this first discharge permit was a good first step. It complies with the citizens' initiative, and it establishes a reasonable approach toward developing vessel treatment systems that will keep our marine water clean.

Two bills have already been signed into law that have amended the citizens' initiative. One, by former Sen. Kim Elton, removed state ferries and other vessels of similar size from the initiative's requirements. Another, by Rep. Lindsey Holmes, removed certain passenger disclosure provisions. HB 134 – if enacted – would not be the first change to the initiative.

As the prime sponsor of HB 134, I have confidence that DEC is fully qualified to evaluate the best available methods and technologies and apply them to the operational permits that cruise ships must obtain. A technology session recently held by DEC revealed several approaches that could result in protecting Alaska waters; however, it found that not all systems could work on all vessels, not all vessels could discharge to shore, and all this is a developing field needing further evaluation by DEC. The bottom line is that your administration is working right now toward bringing the best treatment systems possible on board vessels as quickly as possible.

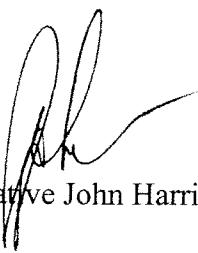
By having confidence in DEC's ability and efforts, I sponsored HB 134. Giving the agency broad authority does nothing to diminish water quality standards. Its officials are working hard to implement the best treatment technology as quickly as possible, and they will hold vessels to high water quality standards.

Unless a bill is enacted this session that amends the testing requirement "at the point of discharge," both large commercial passenger vessels and DEC will face a difficult decision. Either the agency will have to continue to issue permits that don't meet the requirements of the citizens' initiative or large commercial passenger vessels will have to abide by standards for which technology is not now available.

HB 134 returns that authority to the agency. Your support for the legislation will convey your confidence that the agency will do the job that we expect it to do.

Thank you for your time and consideration of this important issue.

Sincerely,



Representative John Harris

cc: Commissioner Larry Hartig, Department of Environmental Conservation
Jerry Gallagher, Legislative Director, Office of the Governor