

# REPRESENTATIVE PAUL SEATON

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## ALASKA STATE LEGISLATURE House District 35

### HB 85 Sectional Summary

**Section 1** adds language to AS. 46.03 to require an annual report that details the amount, nature, and description of a pollutant permitted for discharge into a mixing zone. This section does not apply to existing permits. As suggested by the Department of Environmental Conservation (DEC). This section does not apply to information about water temperature, acidity, alkalinity, or dissolved oxygen. This section does not apply permits for streambed disturbance, turbidity, or private sewage systems.

**Section 2** prohibits DEC from authorizing a mixing zone in an area in a lake, stream, river or other flowing fresh water in an area where anadromous fish spawn or resident fish redds are located. This section does not apply to the renewal of a mixing zone for a public or private domestic wastewater facility that became a spawning area after initial authorization. This section does not apply to facilities that do not have DEC discharge permits. This section does not apply to the authorization of turbidity mixing zones for placer mines.

**Section 3** adds language allowing public comment on expansions of commercial sewage treatment facilities if that expansion causes a 50% or greater increase in the size of the facility.

**Section 4** adds applicability language to grandfather in a number of facilities in response to DEC concerns. The following wastewater facilities are grandfathered in for their useful life: 1.) Wastewater facilities with a mixing zone that becomes a fish spawning area after initial authorization. 2.) Wastewater facilities that are not currently permitted for a mixing zone, yet have a mixing zone, if DEC certifies that it did not take action on the facility before the effective date of the act. An additional exemption if for facilities with a permit for a mixing zone in a spawning area if that permit was granted five years or more before the effective date of the act.