



ALASKA MINERS ASSOCIATION, INC.

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March 28, 2011

Honorable Steve Thompson
Chair, House Fisheries Committee
Capitol Building
Juneau, AK 99801

RE: HB-85, Mixing Zones

Dear Representative Thompson,

Thank you for the opportunity to comment on House Bill 85 which deals with mixing zones. **The Alaska Miners Association opposes this bill and urges that it be rejected.** HB-85 is not needed, it is not scientifically supportable, and it is poor public policy.

No problem has been identified that this bill is meant to correct. Many hundreds, if not thousands, of mixing zones exist throughout the State and no problems have been identified with them. Mixing zones are used primarily for sewage discharges from cities, municipalities and villages. They are also used for hotels, motels, lodges, placer gold mines, and fish processing plants, whereas two lode metal mines in the State have mixing zones.

Mixing zones are allowed only after a discharge effluent has been treated to remove a very large percentage of any potential pollutant. The final effluent is then discharged into a receiving waterbody where the effluent mixes with the receiving water, typically a stream or river. Each mixing zone is designed individually for the discharge and for a specific location. For each individual mixing zone, DEC specifies that within a certain distance from the point of discharge, the effluent must be diluted by the receiving water to the point that it will meet the State's extremely stringent water quality standards. DEC requires that the length of each individual mixing zone be the smallest size practical for that discharge.

HB-85 is poor public policy. This is because technical details should be addressed in the regulation process where persons with the necessary technical qualifications can focus on the exact details and the broad ramifications of every specific detail and requirement, and provide opportunity for public comment. It is not uncommon for a comment period for these technically complex water quality standards to be 90 days, the same length as this legislative session.

The Alaska Miners Association opposes this bill and urges that it be rejected.

Sincerely,

Steven C. Borell, P.E.
Executive Director

Cc: Committee Members
Commissioner Hartig