

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE ARMSTRONG

TO: CSHB 50(RES), Draft Version "S"

Page 1, line 5, following "**Resources**";:

Insert "**relating to carbon dioxide pipelines**";

Page 30, following line 18:

Insert a new bill section to read:

* **Sec. 40.** AS 46.03.020 is amended to read:

Sec. 46.03.020. Powers of the department. The department may

(1) enter into contracts and compliance agreements necessary or convenient to carry out the functions, powers, and duties of the department;

(2) review and appraise programs and activities of state departments and agencies in light of the policy set out in AS 46.03.010 for the purpose of determining the extent to which the programs and activities are contributing to the achievement of that policy and to make recommendations to the departments and agencies, including environmental guidelines;

(3) consult with and cooperate with

(A) officials and representatives of any nonprofit corporation or organization in the state;

(B) persons, organizations, and groups, public and private, using, served by, interested in, or concerned with the environment of the state;

(4) appear and participate in proceedings before any state or federal regulatory agency involving or affecting the purposes of the department;

(5) undertake studies, inquiries, surveys, or analyses it may consider essential to the accomplishment of the purposes of the department; these activities

1 may be carried out by the personnel of the department or in cooperation with public or
2 private agencies, including educational, civic, and research organizations, colleges,
3 universities, institutes, and foundations;

4 (6) at reasonable times, enter and inspect with the consent of the owner
5 or occupier any property or premises to investigate either actual or suspected sources
6 of pollution or contamination or to ascertain compliance or noncompliance with a
7 regulation that may be adopted under AS 46.03.020 - 46.03.040; information relating
8 to secret processes or methods of manufacture discovered during investigation is
9 confidential;

10 (7) conduct investigations and hold hearings and compel the
11 attendance of witnesses and the production of accounts, books, and documents by the
12 issuance of a subpoena;

13 (8) advise and cooperate with municipal, regional, and other local
14 agencies and officials in the state, to carry out the purposes of this chapter;

15 (9) act as the official agency of the state in all matters affecting the
16 purposes of the department under federal laws now or hereafter enacted;

17 (10) adopt regulations necessary to carry out the purposes of this
18 chapter, including regulations providing for

19 (A) control, prevention, and abatement of air, water, or land or
20 subsurface land pollution;

21 (B) safeguard standards for carbon dioxide, petroleum, and
22 natural gas pipeline construction, operation, modification, or alteration;

23 (C) protection of public water supplies by establishing
24 minimum drinking water standards, and standards for the construction,
25 improvement, and maintenance of public water supply systems;

26 (D) collection and disposal of sewage and industrial waste;

27 (E) collection and disposal of garbage, refuse, and other
28 discarded solid materials from industrial, commercial, agricultural, and
29 community activities or operations;

30 (F) control of pesticides;

31 (G) other purposes as may be required for the implementation

1 of the policy declared in AS 46.03.010;

2 (H) handling, transportation, treatment, storage, and disposal of
3 hazardous wastes;

4 (11) inspect the premises of sellers and suppliers of paint, vessels, and
5 marine and boating supplies, and take other actions necessary to enforce
6 AS 46.03.715;

7 (12) notwithstanding any other provision of law, take all actions
8 necessary to receive authorization from the administrator of the United States
9 Environmental Protection Agency to administer and enforce a National Pollutant
10 Discharge Elimination System program in accordance with 33 U.S.C. 1342 (sec. 402,
11 Clean Water Act), 33 U.S.C. 1345 (sec. 405, Clean Water Act), 40 C.F.R. Part 123,
12 and 40 C.F.R. Part 403, as amended;

13 (13) require the owner or operator of a facility to undertake
14 monitoring, sampling, and reporting activities described in 33 U.S.C. 1318 (sec. 308,
15 Clean Water Act);

16 (14) notwithstanding any other provision of law, take all actions
17 necessary to receive federal authorization of a state program for the department and
18 the Department of Natural Resources to administer and enforce a dredge and fill
19 permitting program allowed under 33 U.S.C. 1344 (sec. 404, Clean Water Act) and to
20 implement the program, if authorized.

21
22 Renumber the following bill sections accordingly.

23
24 Page 30, line 31:

25 Delete "Section 40"

26 Insert "Section 41"