

SENATE BILL NO. 225

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - FIRST SESSION

BY SENATOR COWDERY

Introduced: 5/4/01

Referred: Transportation, Resources

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to sewage and graywater."**

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

3 *** Section 1.** AS 46.03.710 is amended by adding new subsections to read:

4 (b) Except as provided in (c) of this section, a municipality, unincorporated
5 community, industrial establishment, commercial vessel, or municipal, commercial, or
6 industrial wastewater treatment plant may not discharge into the marine waters of the
7 state any of the following:

8 (1) untreated sewage;

9 (2) treated sewage that has a fecal coliform bacterial count greater than
10 200 colonies per 100 milliliters or suspended solids greater than 150 milligrams per
11 liter; or

12 (3) graywater, beginning January 1, 2003, that has a fecal coliform
13 bacterial count greater than 200 colonies per 100 milliliters or suspended solids greater
14 than 150 milligrams per liter.

15 (c) The prohibitions in (b) of this section do not apply to discharges made

1 (1) under emergency circumstances in order to preserve public safety
 2 or to save human life if all reasonable precautions have been taken for the purpose of
 3 preventing or minimizing the discharges; or

4 (2) from a vessel that operates in the marine waters of the state solely
 5 in innocent passage as determined under either the Convention on the Territorial Sea
 6 and the Contiguous Zone, April 29, 1958, 15 U.S.T. 1606; or, for a foreign-flag vessel,
 7 under the United Nations Convention on the Law of the Sea 1982, December 10,
 8 1982, United Nations Publication No. E.83.V.5, 21 I.L.M. 1261 (1982).

9 (d) In this section,

10 (1) "commercial vessel" means any form or manner of watercraft,
 11 other than a seaplane on the water, whether or not capable of self-propulsion, that
 12 carries passengers or cargo for hire or is used in operations that are intended to result
 13 in income;

14 (2) "discharge" means any release, however caused, including any
 15 escape, disposal, spilling, leaking, pumping, emitting, or emptying;

16 (3) "graywater" means galley, dishwasher, bath, and laundry waste
 17 water;

18 (4) "marine waters of the state" means all waters within the boundaries
 19 of the state together with all of the waters of the Alexander Archipelago even if not
 20 within the boundaries of the state;

21 (5) "sewage" means human body wastes and the wastes from toilets
 22 and other receptacles intended to receive or retain human body waste;

23 (7) "treated sewage" means sewage that meets all applicable effluent
 24 limitation standards and processing requirements of 33 U.S.C. 1251 - 1376 (Federal
 25 Water Pollution Control Act), as amended, and other applicable federal laws;

26 (7) "untreated sewage" means sewage that is not treated sewage;

27 (8) "waters of the Alexander Archipelago" means all waters under the
 28 sovereignty of the United States within or near Southeast Alaska, beginning at a point
 29 58 degrees 11 minutes 41 seconds North, 136 degrees 39 minutes 25 seconds West
 30 (near Cape Spencer Light), thence southeasterly along a line three nautical miles
 31 seaward of the baseline from which the breadth of the territorial sea is measured in the

1 Pacific Ocean and the Dixon Entrance, except where this line intersects geodesics
2 connecting the following five pairs of points: (A) 58 degrees 05 minutes 17 seconds
3 North, 136 degrees 33 minutes 49 seconds West and 58 degrees 11 minutes 41
4 seconds North, 136 degrees 39 minutes 25 seconds West (Cross Sound); (B) 56
5 degrees 09 minutes 40 seconds North, 134 degrees 40 minutes 00 seconds West and
6 55 degrees 49 minutes 15 seconds North, 134 degrees 17 minutes 40 seconds West
7 (Chatham Strait); (C) 55 degrees 49 minutes 15 seconds North, 134 degrees 17
8 minutes 40 seconds West and 55 degrees 50 minutes 30 seconds North, 133 degrees
9 54 minutes 15 seconds West (Sumner Strait); (D) 54 degrees 41 minutes 30 seconds
10 North, 132 degrees 01 minutes 00 seconds West and 54 degrees 51 minutes 30
11 seconds North, 131 degrees 20 minutes 45 seconds West (Clarence Strait); (E) 54
12 degrees 51 minutes 30 seconds North, 131 degrees 20 minutes 45 seconds West and
13 54 degrees 46 minutes 15 seconds North, 130 degrees 52 minutes 00 seconds West
14 (Revillagigedo Channel); the portion of each such geodesic situated beyond three
15 nautical miles from the baseline from which the breadth of the territorial sea is
16 measured forms the outer limit of the waters of the Alexander Archipelago in those
17 five locations.