

**SENATE BILL NO. 326**

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

**BY SENATORS THERRIAULT, Olson**

**Introduced: 2/19/02**

**Referred: Resources, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to evaluating state assumption of the wastewater discharge program**  
2 **under the federal Clean Water Act; and providing for an effective date."**

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

4 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section  
5 to read:

6 FINDINGS AND PURPOSE. The Department of Environmental Conservation has  
7 proposed assuming the national pollutant discharge elimination system (NPDES) permit  
8 system program for Alaska under 33 U.S.C. 1342 from the United States Environmental  
9 Protection Agency. The department is directed to evaluate the potential benefits and  
10 consequences of assuming the NPDES permit system program for Alaska.

11 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 PLAN FOR NPDES PERMITTING BY STATE. (a) The Department of  
14 Environmental Conservation shall develop an implementation plan for the assumption of

- 1 primary NPDES permitting by the state, including
- 2 (1) statutory and regulatory changes;
- 3 (2) procedures for issuing permits;
- 4 (3) modifications of permit requirements for Alaska conditions;
- 5 (4) procedures for conflict resolution with the United States Environmental
- 6 Protection Agency;
- 7 (5) a statement of the cost of assuming primary NPDES permitting;
- 8 (6) a statement of sources of federal funding available.
- 9 (b) The draft plan shall be submitted to relevant interest groups and the public for
- 10 review and comment before the Department of Environmental Conservation adopts a final
- 11 plan. The draft plan shall be submitted to the legislature for review and comment. The final
- 12 plan shall be submitted to the legislature on the first day of the First Regular Session of the
- 13 Twenty-Third Alaska State Legislature.
- 14 \* **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).