

CS FOR SENATE BILL NO. 326(RES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE RESOURCES COMMITTEE

Offered: 3/27/02

Referred: Finance

Sponsor(s): SENATORS THERRIAULT, Olson

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 NPDES primacy 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 ASSUMING NPDES PRIMACY BY STATE. (a) The Department of
14 Environmental Conservation shall develop an implementation plan for the assumption of

1 NPDES primacy by the state, including

2 (1) statutory and regulatory changes;

3 (2) procedures for issuing permits;

4 (3) procedures for conflict resolution with the United States Environmental
5 Protection Agency;

6 (4) a statement of the cost of assuming NPDES primacy;

7 (5) a statement of sources of federal funding available.

8 (b) The draft plan shall be submitted to relevant interest groups and the public for
9 review and comment before the Department of Environmental Conservation adopts a final
10 plan. The draft plan shall be submitted to the legislature for review and comment. The final
11 plan shall be submitted to the legislature on the first day of the Second Regular Session of the
12 Twenty-Third Alaska State Legislature.

13 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).