

Introduced: 4/1/76
Referred: Labor & Management

1 IN THE HOUSE

BY THE LABOR AND
MANAGEMENT COMMITTEE

2 HOUSE CONCURRENT RESOLUTION NO. 122

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 Relating to administration of a water

6 pollution control system.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 WHEREAS the 1972 Amendments to the Federal Water Pollution Control Act
9 established the national pollutant discharge elimination system which man-
10 dates a permit to be required for every point source discharge into "navigable
11 waters"; and

12 WHEREAS the United States Environmental Protection Agency and the courts
13 have interpreted "navigable waters" to be all of the nation's waters, includ-
14 ing waters tributary to waters which are navigable for purposes of commerce;
15 and

16 WHEREAS the administration of such a sweeping program must be conducted
17 in a rational and impartial manner, to avoid severe economic and environmental
18 dislocations; and

19 WHEREAS the United States Environmental Protection Agency administers
20 the permit program in Alaska because the state has not elected to undertake
21 the program; and

22 WHEREAS the statute that created the Alaska Department of Environmental
23 Conservation mandates a duplicative state-administered permit program; and

24 WHEREAS the United States Environmental Protection Agency does not
25 equitably administer the permit program on a nationwide basis, and has
26 recently exempted the iron and steel plants of the Mahoning River Valley in
27 Ohio from the effluent requirements mandated by the Federal Water Pollution
28 Control Act; and

29 WHEREAS the United States Environmental Protection Agency has refused to

1 extend similar administrative relief to the pulp mills at Ketchikan and Sitka;
2 and

3 WHEREAS the United States Environmental Protection Agency has consis-
4 tently ignored Alaska's unique environmental conditions when the agency has
5 promulgated nationwide requirements for effluent limitations; and

6 WHEREAS the Alaska State Legislature strongly believes that the Depart-
7 ment of Environmental Conservation can perform a valuable public service by
8 administering the federal permit program in the state;

9 BE IT RESOLVED by the Alaska State Legislature that the Governor be
10 respectfully requested to direct the Department of Environmental Conservation
11 to undertake responsibility for implementation of the national pollutant dis-
12 charge elimination system program in Alaska as quickly as possible.

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