

1 IN THE HOUSE

BY FRANK, MILLER, BOYER
AND SHULTZ

2

HOUSE BILL NO. 524

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to the application of water quality
7 criteria."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 46.03.080 is amended by adding a new subsection to
10 read:

11 (b) In applying water quality criteria, the department shall
12 prescribe in its permits or certifications a volume of dilution for an
13 effluent or substance within a mixing zone of the receiving water
14 unless the department determines that toxic pollutants are being
15 discharged that will accumulate or concentrate in the environment, are
16 carcinogens, would present a significant risk to human health, or
17 would form a barrier to migratory species. The water quality criteria
18 and antidegradation requirements of the regulations of the Environ-
19 mental Protection Agency may be exceeded within the mixing zone of the
20 receiving water. The mixing zone of the receiving water shall be as
21 small as practicable. In determining the size of the mixing zone of
22 the receiving water, the department shall consider

23 (1) the physical, biological, and chemical characteristics
24 of the receiving water, including volume and flow rate;

25 (2) the effects of the discharge upon the uses of the
26 receiving water;

27 (3) the mixing characteristics of the receiving water; and

28 (4) the characteristics of the effluent, including volume
29 and flow rate.