

Original sponsor(s): REP. LEMAN, Boucher, Hudson, Gruenberg, Collins,
Pettyjohn, Furnace, C.Davis, Taylor, Hanley, Zawacki, Phillips, Ulmer

1 IN THE HOUSE BY THE FINANCE COMMITTEE
2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 28 (Finance)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SIXTEENTH LEGISLATURE - SECOND SESSION

5 Endorsing renewal of the Point Woronzof
6 NPDES permit with a variance from se-
7 condary wastewater treatment require-
8 ments.

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

10 WHEREAS in 1977 the United States Congress enacted sec. 301(h) of the
11 Clean Water Act allowing for the issuance of National Pollutant Discharge
12 Elimination System (NPDES) permits with variances from Environmental Pro-
13 tection Agency (EPA) secondary wastewater treatment requirements for marine
14 discharges of municipal wastewater meeting specific criteria; and

15 WHEREAS in October 1985 the Municipality of Anchorage was issued an
16 NPDES discharge permit with a variance from secondary wastewater treatment
17 requirements for its wastewater treatment facility at Point Woronzof; and

18 WHEREAS extensive testing of the plant effluent, Knik Arm receiving
19 water, and sediments has demonstrated that measurable negative effects to
20 the environment have not occurred because of the quality of the effluent,
21 dispersion by strong tidal currents, silt laden receiving water, and
22 limited indigenous life; and

23 WHEREAS in 1987 the Congress further amended the Clean Water Act to
24 require that recipients of a variance from secondary treatment requirements
25 provide a minimum of "primary treatment or equivalent"; and

26 WHEREAS the 1987 amendments included a definition of "primary or
27 equivalent treatment" that is unusually restrictive and does not conform to
28 the standard industry definition of "primary treatment"; and

29 WHEREAS the Point Woronzof primary wastewater treatment facility meets

1 all the technical requirements in sec. 301(h) for a variance from secondary
2 treatment requirements except for the EPA definition of "primary treatment"
3 that includes removal of at least 30 percent of the biochemical oxygen
4 demand; and

5 WHEREAS the EPA is in the process of adopting regulations to implement
6 the 1987 Clean Water Act amendments; and

7 WHEREAS it could cost more than \$100,000,000 to design and construct a
8 secondary treatment facility at Point Woronzof and an additional \$6,000,000
9 annually in operating costs if the EPA does not renew the municipality's
10 NPDES permit with a variance from secondary treatment; and

11 WHEREAS additional treatment will not result in measurable benefit to
12 the receiving water in Knik Arm; and

13 WHEREAS appropriation of funds for this project will detract from
14 funds that could be appropriated for more important water, sewerage, and
15 solid waste projects in Anchorage as well as throughout the rest of the
16 state;

17 BE IT RESOLVED that the Sixteenth Alaska State Legislature recommends
18 that the EPA use industry standards for primary treatment when adopting
19 regulations for the 1987 Clean Water Act amendments; and be it

20 FURTHER RESOLVED that the legislature endorses the renewal of the
21 Anchorage Point Woronzof NPDES permit with a variance from the requirements
22 of secondary treatment.

23 COPIES of this resolution shall be sent to William Reilly, EPA Admin-
24 istrator; Craig Vogt, Director, Office of Marine and Estuarine Protection,
25 EPA; Thomas Dunne, Acting Administrator, EPA Region 10; Dennis Kelso, Com-
26 missioner of Environmental Conservation; Tom Fink, Mayor of Anchorage; Rick
27 Besse, General Manager, Anchorage Water and Wastewater Utility; and to the
28 Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and
29 the Honorable Don Young, U.S. Representative, members of the Alaska delega-

1 tion in Congress.