

HCR

28

# HOUSE COMMITTEE REPORT

File

(11)

Date Referred: April 6, 1989

FURTHER REFERRALS:

Date of Committee Action: 5/3/90

The FINANCE Committee considered:

HCR 28

HOUSE CONCURRENT RESOLUTION NO. 28

[EFFICIENCY REVIEW OF STATE GOVERNMENT]

Relating to efficient management and the cost of state government.

### RECOMMENDATIONS:

- be replaced with CS HCS 28 (FIN)  the same title
- a new title
- have attached amendment(s)
- do pass o
- do not pass
- no recommendation
- individual recommendations
- additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of intent

ATTACHES NEW FISCAL NOTE(s):  
(Dept)

APPROVES PREVIOUS:

(Date/Dept)

- fiscal impact \_\_\_\_\_
- zero fiscal note (HFC) 5
- zero with analysis \_\_\_\_\_

- fiscal note(s) \_\_\_\_\_
- zero fiscal note(s) \_\_\_\_\_
- zero fn/analysis \_\_\_\_\_

SIGNING DO PASS:

SIGNING:

(Check approx. column)

Do Not  
Pass      No Rec      Amend

<u>Ronald J. Larson</u> Larson			
<u>Charles Swackhammer</u> Swackhammer			
<u>Tammy Brown</u> Brown			
<u>Marian Koponen</u> Koponen			
<u>J. Ulmer</u> Ulmer			
<u>Bill Phillips</u> Phillips			
<u>Steve Rieger</u> Rieger			
_____			
_____			

Chairman's Signature

Ronald J. Larson Larson

## FISCAL NOTE

**REQUEST:**

Revision Date: \_\_\_\_\_  
 Title: Re: Efficiency review of state government  
 Sponsor: Rep. Leman  
 Requestor: House Finance Committee

Fish and Game  
 Agency Affected: Environmental Conservation  
 BRU: \_\_\_\_\_  
 Components: \_\_\_\_\_

**EXPENDITURES/REVENUES: (Thousands of Dollars)**

OPERATING	FY 91	FY 92	FY 93	FY 94	FY 95	FY 96
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT		0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>CAPITAL</b>	-0-	-0-	-0-	-0-	-0-	-0-
<b>REVENUE</b>	-0-	-0-	-0-	-0-	-0-	-0-

**FUNDING: (Thousands of Dollars)**

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	-0-	-0-	-0-	-0-	-0-	-0-

**POSITIONS:**

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME						
TEMPORARY						

**ANALYSIS :** (Attach a separate page if necessary)

Prepared by: House Finance Committee Phone: 465-3727  
 Division: Co-Chairman Ron Larson Date: 5/3/90  
 Approved by Commissioner: Co-Chairman Lyman Hoffman Date: 5/3/90  
 Agency: *Lyman Hoffman*

Distribution (by preparer):  
 Legislative Finance  
 Legislative Sponsor  
 Requestor  
 Office of Management and Budget  
 Impacted Agency(ies)

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

1 IN THE HOUSE

2 CS FOR HOUSE CONCURRENT RESOLUTION NO. 28 ( )

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.

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Official Business

# Representative Loren Lemman

## Alaska State Legislature

3111 C Street  
Suite 425  
Anchorage, Alaska 99503  
561-7614

During Session:

P.O. Box V  
Juneau, Alaska 99811  
465-2095

### MEMORANDUM

TO: Representative Ron Larson, Co-Chairman  
Representative Lyman Hoffman, Co-Chairman  
House Finance Committee

FROM: Representative Loren Lemman *Loren Lemman*

RE: CSHCR 28, Point Woronzof NPDES Permit Renewal

DATE: May 2, 1990

This resolution endorses the renewal of the wastewater discharge permit from the Anchorage Point Woronzof plant, with a continuation of the variance from the requirements of secondary treatment.

The Point Woronzof primary treatment facility treats sewage from the Anchorage bowl area. It has operated at the Point Woronzof location for more than 20 years. In 1985, Anchorage was successful in getting a variance from the requirements of secondary treatment. The existing permit expires in October 1990.

I am not aware of opposition to the permit renewal. The Alaska Department of Fish and Game and Department of Environmental Conservation concur in this reissuance and have issued letters of support or non-objection.

If Anchorage is required to construct additional treatment facilities, the design and construction cost could be \$100 million or more; the increase in the annual operating cost could be \$6 million. This translates into an increase for the residential consumer of \$20 to \$30 per month, depending upon the availability of grants and sale of bonds.

Because of the quality of the Knik Arm receiving water and strong tidal currents, increased treatment will produce negligible environmental benefit. It is not necessary to protect water quality in the Anchorage area.

I have worked as a professional engineer on the Anchorage sewerage system for the past 15 years, including implementation of the existing monitoring program. I highly endorse this resolution and the reissuance of the NPDES permit with secondary treatment variance.

## INTRODUCTION

The Municipality of Anchorage (MOA) has successfully operated the John M. Asplund Water Pollution Control Facility under its existing 1985 NPDES permit and 301(h) variance. NPDES permit number AK-002255-1 expires at midnight, October 15, 1990.

MOA is applying for a renewal of its NPDES permit and 301(h) variance from secondary treatment. This renewal application is the culmination of a very extensive monitoring program and 3 years of work to comply with the Clean Water Act and its 1987 amendments, the Water Quality Act of 1987. MOA staff and our consultants, CH2M HILL, have met six times in Seattle with EPA Region X staff and two times in Washington, D.C. with EPA Headquarters staff. These very productive meetings have helped MOA direct its renewal efforts in the proper direction to meet all the federal requirements for primary effluent discharge to marine waters.

The State of Alaska adopted revisions to the water quality standards for fresh and marine waters in 1987. We met numerous times with Alaska Department of Environmental Conservation (ADEC) staff in Anchorage, Juneau, and Seattle to be able to comply with all of ADEC's requirements for discharge to marine waters.

Continuation of the 301(h) variance to the secondary treatment requirements of the federal regulations is of utmost importance to the MOA. A secondary treatment plant would cost MOA over \$100 million to build and would be very expensive to operate and maintain, with virtually no measurable benefit to the receiving water, the Knik Arm of Cook Inlet.

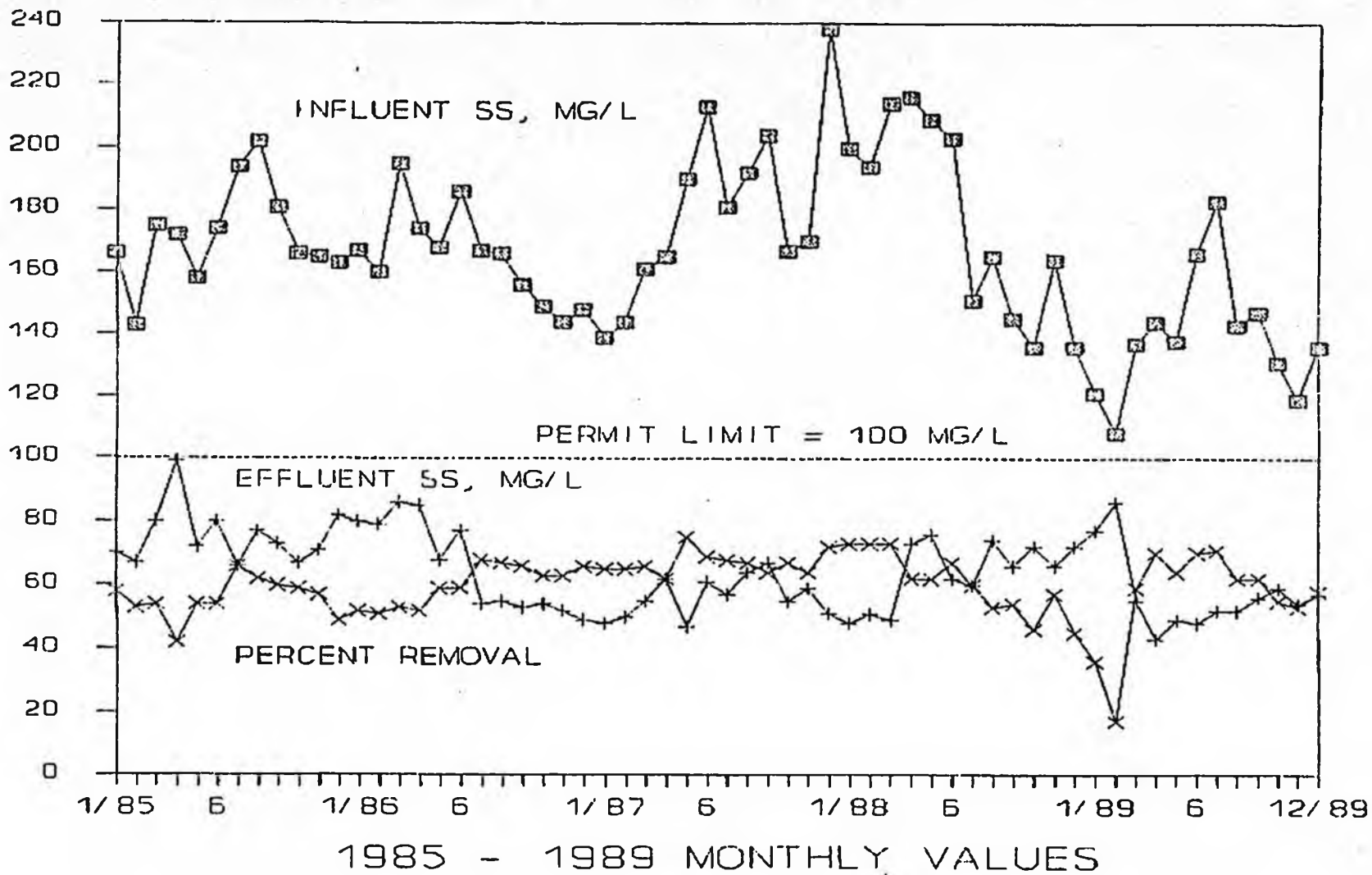
The receiving water and environs of the Knik Arm are atypical of estuaries. Knik Arm's extreme tidal range (average of 30 feet), current ranges of 3 to 5 knots, and typical sediment loads of 1,000 mg/l result in a capacity to easily assimilate MOA's treated wastewater effluent. No impacts have been measurable from the existing discharge to the very sparse biological community or to the minimal recreational uses of the area. The Knik Arm of upper Cook Inlet provides an ideal situation for discharge of nonindustrial primary effluent without harm to the environment.

MOA proposes to make a minor improvement to its discharge by adding reducers to the three existing discharge ports. This improvement is required because the effluent flow rate increase predicted in the 1984 permit application has not occurred. The reducers will provide increased discharge velocity into Knik Arm.

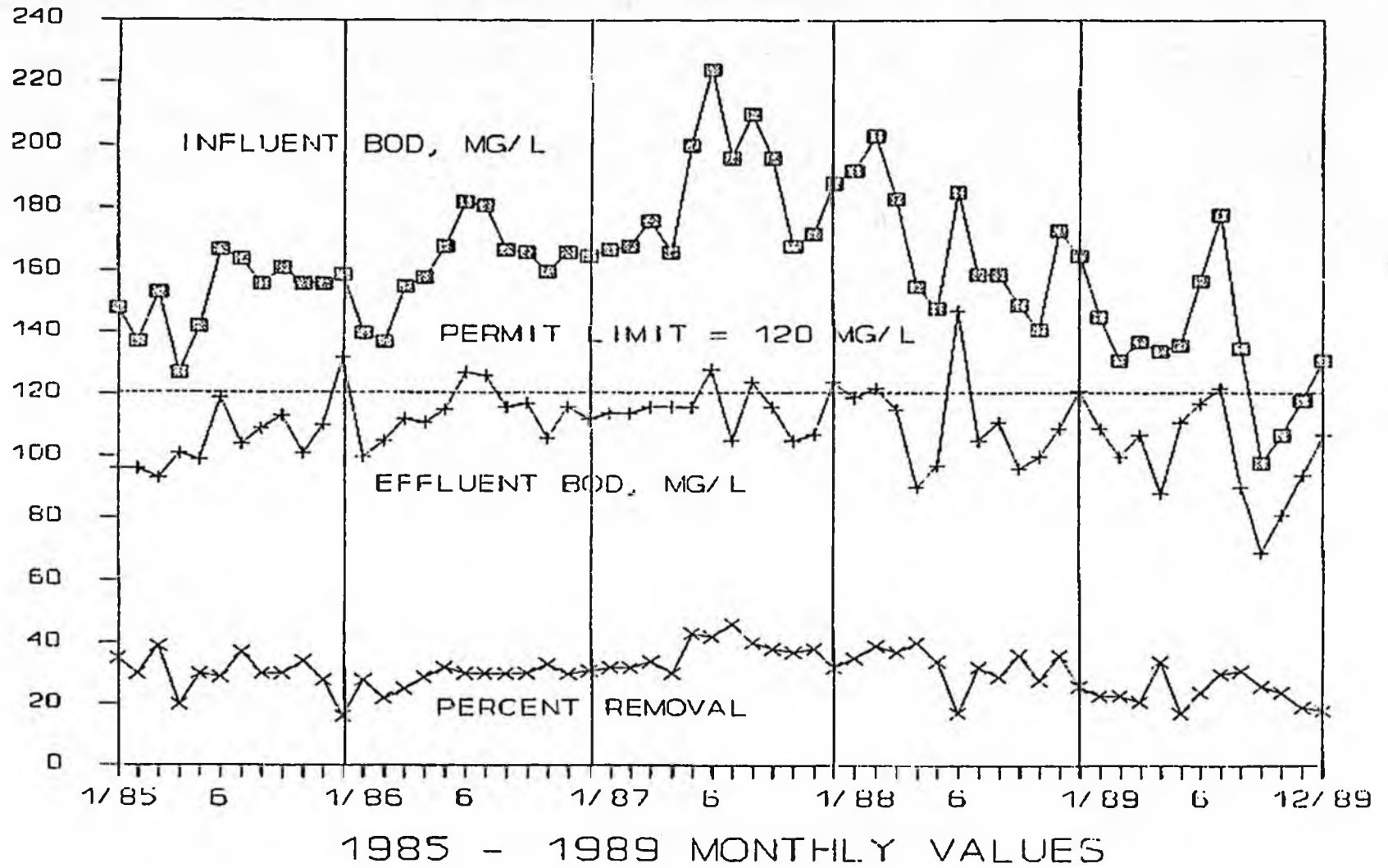
This permit renewal application demonstrates that the treatment plant discharge will comply with all federal and state requirements for discharge of primary effluent to the Knik Arm of Cook Inlet.

- RENEWAL OF THE NDPES PERMIT AND 301(h) VARIANCE FROM SECONDARY TREATMENT BY CH2M HILL APRIL 1990
- submitted for the ANCHORAGE WATER AND WASTEWATER UTILITY

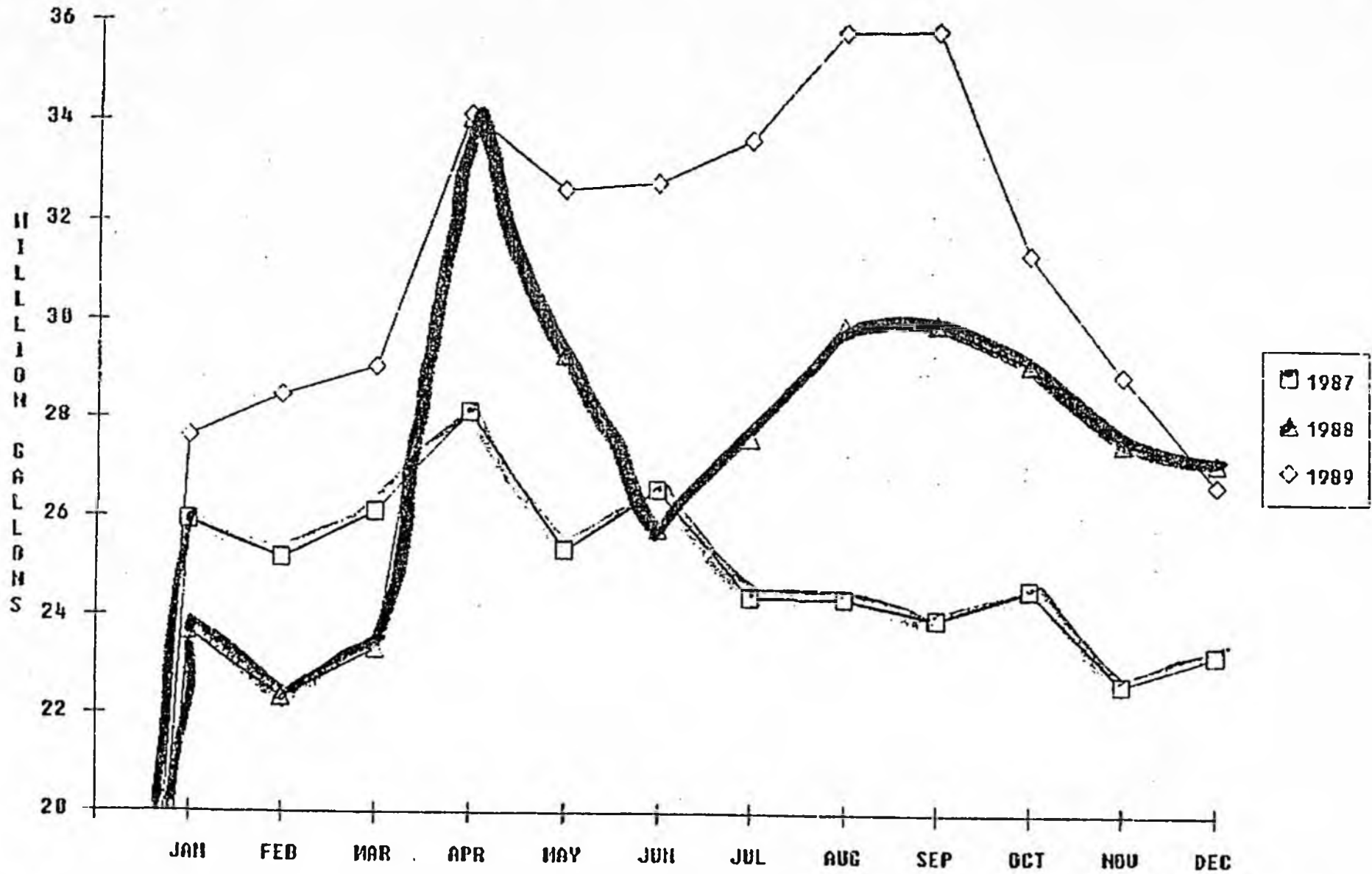
# POINT WORONZOF WWTP MONTHLY SS DATA



# POINT WORONZOF WWTP MONTHLY BOD DATA



AVERAGE DAILY EFFLUENT FLOW BY MONTH  
 Pt Woronzof WWTF  
 Annual Monitoring Report  
 1989



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TABLE 1  
FLOW, SUSPENDED SOLIDS, BOD

PT. WORONZOF WWTF MONITORING REPORT  
1989

	FLOW MGD	Suspended Solids			BOD			FE LOADING LB/DAY	
		I MG/L	FE MG/L	% REM	I MG/L	FE MG/L	% REM		
JANUARY	27.637	121	77	36	17,970	145	109	23	25,344
FEBRUARY	28.408	108	86	17	20,326	131	100	23	23,312
MARCH	29.073	137	55	59	13,250	137	107	21	26,385
APRIL	34.151	144	43	70	12,300	134	88	34	25,670
MAY	32.655	138	49	64	13,437	136	111	17	30,472
JUNE	27.807	166	48	70	13,102	157	117	24	32,292
JULY	33.674	183	52	71	14,752	178	122	30	34,629
AUGUST	35.873	143	52	62	16,800	135	90	31	26,587
SEPTEMBER	35.910	147	56	62	17,029	98	69	26	20,671
OCTOBER	31.439	131	59	55	16,157	107	81	24	21,367
NOVEMBER	28.987	119	54	53	12,773	118	94	19	22,366
DECEMBER	26.746	136	57	58	12,820	131	107	18	24,186
MINIMUM	26.746	108	43	17	12,300	98	69	17	20,671
MAXIMUM	35.910	183	86	71	20,326	178	122	34	34,629
AVERAGE	31.453	139	57	59	15,060	134	100	25	26,107

[Sec. 301(h)(3) amended by PL 100-4]

[Section 303(b)(2) of PL 100-4 states the amendment to 301(h)(3). "shall only apply to modifications and renewals of modifications which are tentatively or finally approved after the date of the enactment of this Act."]

(4) such modified requirements will not result in any additional requirements on any other point or nonpoint source;

(5) all applicable pretreatment requirements for sources introducing waste into such treatment works will be enforced;

(6) in the case of any treatment works serving a population of 50,000 or more, with respect to any toxic pollutant introduced into such works by an industrial discharger for which pollutant there is no applicable pretreatment requirement in effect, sources introducing waste into such works are in compliance with all applicable pretreatment requirements, the applicant will enforce such requirements, and the applicant has in effect a pretreatment program which, in combination with the treatment of discharges from such works, removes the same amount of such pollutant as would be removed if such works were to apply secondary treatment to discharges and if such works had no pretreatment program with respect to such pollutant;

[New Sec. 301(h)(6) added by PL 100-4]

(7) to the extent practicable, the applicant has established a schedule of activities designed to eliminate the entrance of toxic pollutants from nonindustrial sources into such treatment works;

[Former Sec. 301(h)(8) deleted by PL 97-117; former (6) and (7) redesignated as (7) and (8) by PL 100-4]

(8) there will be no new or substantially increased discharges from the point source of the pollutant to which the modification applies above that volume of discharge specified in the permit;

(9) the applicant at the time such modification becomes effective will be discharging effluent which has received at least primary or equivalent treatment and which meets the criteria established under section 304(a)(1) of this Act after initial mixing in the waters surrounding or adjacent to the point at which such effluent is discharged.

[Sec. 301(h)(9) added by PL 100-4]

For the purposes of this subsection the phrase "the discharge of any pollutant into marine waters" refers to a discharge into deep waters of the territorial sea or the waters of the contiguous zone, or into saline estuarine waters where there is strong tidal movement and other hydrological and geological characteristics which the Administrator determines necessary to allow compliance with paragraph (2) of this subsection, and section 101(a)(2) of this Act. For the purposes of paragraph

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(9). "primary or equivalent treatment" means treatment by screening, sedimentation, and skimming adequate to remove at least 30 percent of the biological oxygen demanding material and of the suspended solids in the treatment works influent, and disinfection, where appropriate. A municipality which applies secondary treatment shall be eligible to receive a permit pursuant to this subsection which modifies the requirements of subsection (b)(1)(B) of this section with respect to the discharge of any pollutant from any treatment works owned by such municipality into marine waters. No permit issued under this subsection shall authorize the discharge of sewage sludge into marine waters. In order for a permit to be issued under this subsection for the discharge of a pollutant into marine waters, such marine waters must exhibit characteristics assuring that water providing dilution does not contain significant amounts of previously discharged effluent from such treatment works. No permit issued under this subsection shall authorize the discharge of any pollutant into saline estuarine waters which at the time of application do not support a balanced indigenous population of shellfish, fish and wildlife, or allow recreation in and on the waters or which exhibit ambient water quality below applicable water quality standards adopted for the protection of public water supplies, shellfish, fish, and wildlife or recreational activities, or such other standards necessary to assure support and protection of such uses. The prohibition contained in the preceding sentence shall apply without regard to the presence or absence of a causal relationship between such characteristics and the applicant's current or proposed discharge. Notwithstanding any other provisions of this subsection, no permit may be issued under this subsection for discharge of a pollutant into the New York Bight Apex consisting of the ocean waters of the Atlantic Ocean westward of 73 degrees 30 minutes west longitude and northward of 40 degrees 10 minutes north latitude.

[Sec. 301(h) amended by PL 97-117; PL 100-4]

[Section 303(g) of PL 100-4 states the amendments to 301(h) and (h)(2), as well as the provisions of (h)(6) and (h)(9), "shall not apply to an application for a permit under section 301(h) of the Federal Water Pollution Control Act which has been tentatively or finally approved by the Administrator before the date of the enactment of this Act; except that such amendments shall apply to renewals of such permits after such date of enactment."]

(1) (1) Where construction is required in order for a planned or existing publicly owned treatment works to achieve limitations under subsection (b)(1)(B) or (b)(1)(C) of this section, but (A) construction cannot be completed within the time required in such subsection, or (B) the United States has failed to make financial assistance under this Act available in time to achieve such limitations by the time specified in such subsection, the owner or operator of such treatment works may request the Administrator (or if appropriate the State) to issue a permit pursuant to section 402 of this Act or to modify a permit issued pursuant to that section to extend such time for compliance. Any such request shall be filed with the Administrator (or if

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[Sec. 301

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