



Alaska State Legislature

1976

Source:

HCR 122

HOUSE CONCURRENT RESOLUTION NO. 122

Relating to administration of a water pollution control system.

BE IT RESOLVED

BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS the 1972 Amendments to the Federal Water Pollution Control Act established the national pollutant discharge elimination system which mandates a permit to be required for every point source discharge into "navigable waters"; and

WHEREAS the United States Environmental Protection Agency and the courts have interpreted "navigable waters" to be all of the nation's waters, including waters tributary to waters which are navigable for purposes of commerce; and

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

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

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

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

WHEREAS the United States Environmental Protection Agency has refused to extend similar administrative relief to the pulp mills at Ketchikan and Sitka; and

WHEREAS the United States Environmental Protection Agency has consistently ignored Alaska's unique environmental conditions when the agency has promulgated nationwide requirements for effluent limitations; and

WHEREAS the Alaska State Legislature strongly believes that the Department of Environmental Conservation can perform a valuable public service by administering the federal permit program in the state;

BE IT RESOLVED by the Alaska State Legislature that the Governor is respectfully requested to direct the Department of Environmental Conservation to undertake responsibility for implementation of the national pollutant discharge elimination system program in Alaska as quickly as possible.