

# STATE OF ALASKA

## THE LEGISLATURE

1990

Source

Legislative  
Resolve No.

CSHCR 28(Fin)

110



Endorsing renewal of the Point Woronzof NPDES permit with a variance from secondary wastewater treatment requirements.

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

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

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

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

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

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

WHEREAS the Point Woronzof primary wastewater treatment facility meets all the technical requirements in sec. 301(h) for a variance from secondary treatment requirements except for the

EPA definition of "primary treatment" that includes removal of at least 30 percent of the biochemical oxygen demand; and

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

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

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

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

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

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

COPIES of this resolution shall be sent to William Reilly, EPA Administrator; Craig Vogt, Director, Office of Marine and Estuarine Protection, EPA; Thomas Dunne, Acting Administrator, EPA Region 10; Dennis Kelso, Commissioner of Environmental Conservation; Tom Fink, Mayor of Anchorage; Rick Besse, General Manager, Anchorage Water and Wastewater Utility; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.