



# LAWS OF ALASKA

2002

**Source**

CSSB 326(FIN)

**Chapter No.**

50

**AN ACT**

Relating to evaluating state assumption of the wastewater discharge program under the federal Clean Water Act; and providing for an effective date.

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

THE ACT FOLLOWS ON PAGE 1

**Approved by the Governor:** June 19, 2002

**Actual Effective Date:** January 1, 2003

AN ACT

1 Relating to evaluating state assumption of the wastewater discharge program under the federal  
2 Clean Water Act; and providing for an effective date.

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4 \* **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section to  
5 read:

6 FINDINGS AND PURPOSE. The Department of Environmental Conservation has  
7 proposed assuming the national pollutant discharge elimination system (NPDES) permit  
8 system program for Alaska under 33 U.S.C. 1342 from the United States Environmental  
9 Protection Agency. The department is directed to evaluate the potential benefits and  
10 consequences of assuming NPDES primacy for Alaska.

11 \* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to  
12 read:

13 PLAN FOR ASSUMING NPDES PRIMACY BY STATE. (a) The Department of  
14 Environmental Conservation shall develop an implementation plan for the assumption of

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- 1 NPDES primacy by the state, including
- 2 (1) statutory and regulatory changes;
- 3 (2) procedures for issuing permits;
- 4 (3) procedures for conflict resolution with the United States Environmental
- 5 Protection Agency;
- 6 (4) a statement of the cost of assuming NPDES primacy;
- 7 (5) a statement of sources of federal funding available.
- 8 (b) The draft plan shall be submitted to relevant interest groups and the public for
- 9 review and comment before the Department of Environmental Conservation adopts a final
- 10 plan. The draft plan shall be submitted to the legislature for review and comment. The final
- 11 plan shall be submitted to the legislature on the first day of the Second Regular Session of the
- 12 Twenty-Third Alaska State Legislature.
- 13 \* **Sec. 3.** This Act takes effect January 1, 2003.