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Press Release

COMMISSIONER'S OFFICE

FOR IMMEDIATE RELEASE

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DEC Commissioner Grants Alaska Cruise Association Request for Stay of Adjudicatory Hearing Proceedings

The Commissioner of the Department of Environmental Conservation last Friday granted the Alaska Cruise Association's (ACA) request to stay proceedings on its administrative appeal of the cruise ship General Permit. Among other things, that permit limits the types and concentrations of pollutants cruise ships may discharge to Alaska waters from their onboard waste water treatment plants. Cruise ship companies represented by the ACA filed their appeal raising questions about DEC's authority and the propriety of certain requirements in the permit. ACA requested the Commissioner grant a stay of their appeal while they evaluate their ability to comply.

Commissioner Hartig notes in his written decision to temporarily stay the appeal process, his decision does not modify the terms of the General Permit, including the 2010 deadline for cruise ships to meet stricter pollution limits. During the period leading up to this deadline, the companies are required to examine ways to reduce the pollutants in the waste streams coming into their treatment plants and more effective treatment methods.

"This stay merely serves as a place holder," Hartig said. "It keeps the appeal in abeyance and avoids further legal expenses for all parties while the companies represented by the ACA further examine the legal and technical issues associated with the permit and assess whether they wish to pursue their appeal. If they withdraw their appeal the cost of appeal will be avoided altogether."

The stay lasts until June 1, 2009. At that point the appeal process will recommence unless the ACA earlier withdraws their appeal request. The stay could be lifted earlier if the circumstances change.

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See http://www.dec.state.ak.us/water/cruise_ships/gp/08gp.html to view the Notice of Request for Adjudicatory Hearing and Conditional Request for Partial Stay of Large Commercial Passenger Vessel Wastewater Discharge General Permit.

