State of Alaska

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

18 AAC 70 and 18 AAC 83

Water Quality Standards
Alaska Pollutant Discharge Elimination System Program

Proposed Amendments
Public Notice Draft
January 13, 2015

18 AAC 70.020(b)(14)(D) is amended to read:

Water Quality Standards for Designated Uses	
POLLUTANT & WATER USE	**CRITERIA**
(14) FECAL COLIFORM BACTERIA (FC), FOR MARINE WATER USES, (see note 1)	
(D) Harvesting for Consumption of Raw Mollusks or Other Raw Aquatic Life	**<u>In a 30 day period, the geometric mean</u>** [BASED ON A 5-TUBE DECIMAL DILUTION TEST, THE FECAL COLIFORM MEDIAN MPN] may not exceed 14 FC/100 ml, and not more than 10% of the samples may exceed [A FECAL COLIFORM MEDIAN MPN OF] 43 FC/100 ml.

18 AAC 70.020(b) Water Quality Standards Table Note 1 is amended to read:

1. Wherever criteria for fecal coliform bacteria are provided in this section, fecal coliform bacteria enumeration must be determined by the membrane filter technique or most probable number procedure according to any edition of *Standard Methods for the Examination of Water and Wastewater*, adopted by reference in (c)(1) of this section, or in accordance with other standards approved by the department and the United States Environmental Protection Agency (EPA). **<u>Fecal coliform result reported as “too numerous to count” (TNTC) is considered an exceedance for comparison to water quality standards. Analysis and reporting of the method recommended dilution of the sample is required.</u>**

18 AAC 70.020(b) Water Quality Standards Table Note 9 is amended to read:

9. Wherever cited in this chapter, 10 C.F.R. Part 20 means the Standards for Protection Against Radiation**, revised** as of **January 24, 2013** [JANUARY 1, 1978], adopted by reference.

18 AAC 70.020(b) Water Quality Standards Table Note 10 is amended to read:

10. Wherever cited in this chapter, National Bureau of Standards, *Handbook 69* means *Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and Water for Occupational Exposure*, United States Department of Commerce, National Bureau of Standards Handbook 69, June 5, 1959, **with August 1963 Addendum**, adopted by reference.

18 AAC 70.020(c)(1) is amended to read:

(1) *Standard Methods for the Examination of Water and Wastewater*, 18th edition, 1992, 19th edition, 1995, [OR] 20th edition, 1998, **or 21st edition, 2005,** published jointly by the American Public Health and American Water Works Associations, and the Water Environment Federation; the editions of *Standard Methods for the Examination of Water and Wastewater* listed in this paragraph are adopted by reference, except **for analytical methods where the most recently EPA approved version is required under (c)(3) of this section and later versions of those methods** [THAT ANALYTICAL METHODS THE FOLLOWING ANALYTICAL METHODS 3111B, 3111D, 3112B, 3113B, AND 3114B IN THE 20TH EDITION] are not adopted by reference and are not approved;

18 AAC 70.020(c)(3) is amended to read:

(3) EPA's *Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act;* ***Analysis and Sampling Procedures*****, 77 FED. REG. 29758 – 29846 (May 18, 2012)** [NATIONAL PRIMARY DRINKING WATER REGULATIONS; AND NATIONAL SECONDARY DRINKING WATER REGULATIONS; METHODS UPDATE, 67 Fed. Reg. 65220 – 65253 (OCTOBER 23, 2002)], adopted by reference;

(Eff. 11/1/97, Register 143; am 4/29/99, Register 150; am 5/27/99, Register 150; am 6/22/2003, Register 166; am 6/13/2006, Register 178; am 9/1/2006, Register 179; am 9/19/2009, Register 191; am 5/26/2011, Register 198; am __/__/____, Register ___)

Authority: AS 46.03.020 AS 46.03.070 AS 46.03.080
AS 46.03.050

18 AAC 70.030(a) is amended to read:

(a) An effluent discharged to a water may not impart chronic toxicity to aquatic organisms, expressed as 1.0 chronic toxic unit, at the point of discharge, or if the department authorizes a mixing zone in a permit, approval, or certification, at or beyond the mixing zone boundary, based on the minimum effluent dilution achieved in the mixing zone. If the department determines that an effluent has reasonable potential to cause or contribute to exceedance of the whole effluent toxicity limit, the department will require whole effluent toxicity testing as a condition of a permit, approval, or certification. The permittee shall use methods and species approved by the United States Environmental Protection Agency in *Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, 4th edition (2002), Technical Report No. EPA-821-R-02-013, adopted by reference, and *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to West Coast Marine and Estuarine Organisms*, **3rd** [1ST] edition **(October**

2002) [(AUGUST 1995)], Technical Report NO. **EPA/821/R-02/014** [EPA/600/R-95/136], adopted by reference or alternate methods and species approved by the department that provide equivalent estimates of chronic toxicity. The department will require that the testing use sensitive and biologically important life stages of indigenous species, as the department considers necessary and feasible to protect aquatic life fully. The department will reduce the frequency of, or eliminate, whole effluent toxicity testing if

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(Eff. 11/1/97, Register 143; am 4/29/99, Register 150; am 6/13/2006, Register 178; am __/__/____, Register ___)

Authority: AS 46.03.020 AS 46.03.070 AS 46.03.080
AS 46.03.050

18 AAC 83.010(f) is amended to read:

(f) The provisions of 40 C.F.R. Part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants), as revised as of **September 18, 2014** [JULY 1, 2006]**,** are adopted by reference.

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(Eff. 7/29/2006, Register 179; am 11/10/2007, Register 184; am 10/23/2008, Register 188; am __/__/____, Register ___)

Authority: AS 44.46.020 AS 46.03.020 AS 46.03.100
AS 46.03.010 AS 46.03.050 AS 46.03.110