

# Water Quality Standards

<http://www.state.ak.us/dec/water/wqsar/trireview/trireview.htm>

## 2011-2013 Triennial Review

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### TRIENNIAL REVIEW PROCESS

As required by the federal Clean Water Act, every three years the Department of Environmental Conservation (DEC) conducts a comprehensive review of the Water Quality Standards (WQS) in 18 AAC 70 (the “Triennial Review”). This review helps to keep the pollution limits for Alaska's waters current by integrating the latest science, technology, policy, and federal requirements into how the State regulates and protects water quality. Each Triennial Review follows these steps:

**1. Public notice of Triennial Review start-up.** DEC asks for public comment on WQS topics (including specific pollutants) that need review and priority of the topics. For the next triennial review, scheduled to begin in fall, 2010, DEC will also accept nominations for “tier 3” water body designations – high quality waters that constitute an outstanding national resource, such as a water of a national or state park or wildlife refuge or a water of exceptional recreational or ecological significance. Actual designation of a “tier 3” water would only take place after opportunity for public review and comment on that specific action. As part of the triennial review startup, DEC will describe the review process and solicit stakeholders interested in potential advisory groups or other public participation in topic reviews.

**2. Select and Schedule Triennial Review Topics.** There are usually more topics, and potentially more tier 3 water body nominations suggested than can be realistically addressed in a three-year period, so the Department will prioritize and schedule topic and waterbody reviews based on potential risk to human health and the environment and on public input.

**3. Research and Review Topics.** For each priority topic or waterbody review, DEC will research available information and science, consider different options, and evaluate how implementation may affect water quality, water users, and regulated industries. DEC will review each topic or waterbody separately, so that each can move at its own speed and one topic will not hold up other WQS changes that are ready for public notice or adoption. DEC will review a few topics at a time. A topic review may include one or more of the following:

- DEC staff review,
- public workshops,
- independent contractor reports,
- technical workgroup of recognized experts,

- stakeholder advisory group for topics with significant public interest, and/or
- other stakeholder feedback (email list, fax, teleconference, survey).

**4. Prepare WQS revisions.** Based on the research and review of recent science, DEC will prepare proposed regulation revisions if necessary to address issues from the topic review. Recommendations on a topic may also include changes to policy or implementation procedures.

**5. Public notice proposed WQS revisions or tier 3 waterbody designations.**

There will be multiple WQS revision packages proposed during the Triennial Review. DEC will public notice all proposed changes to the WQS regulations. A single regulation package may include revisions for multiple topics. State and federal law also requires DEC to hold a public hearing during the public comment period when revising the WQS.

**6. Amend and adopt new WQS.** Adoption of WQS revisions must follow the requirements of the Administrative Procedures Act under AS 44.62. Following the public comment period, DEC will review comments and prepare the final regulations. The regulations are adopted by the Commissioner and the Lt. Governor and go into effect 30 days later. Adopted WQS are sent to the EPA for approval for use under the Clean Water Act for wastewater discharge permits and waterbody recovery plans for polluted waters.

**7. Begin next priority topic(s) review.** As each topic review is completed, DEC will begin work on new topics according to their priority. At any given time, there are always multiple topics undergoing review and revision.

For more information on the 2007-2010 Triennial Review, please visit our website at <http://www.dec.state.ak.us/water/wqsar/trireview/index.htm>.