



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

REGIONAL ADMINISTRATOR
M/S RA-140

October 31, 2008

Commissioner Larry Hartig
Alaska Department of Environmental Conservation
410 Willoughby Avenue, Suite 303
P.O. Box 111800
Juneau, Alaska 99811-1800

Dear Mr. Hartig:

I am pleased to inform you that the U.S. Environmental Protection Agency has today approved the State of Alaska's application to administer the National Pollutant Discharge Elimination System (NPDES) Program pursuant to Section 402(b) of the Clean Water Act (CWA), 33 U.S.C. § 1342(b). Specifically, Alaska is being approved to administer the NPDES permit program covering point source discharges to State waters, the pretreatment program covering industrial sources discharging to publicly owned treatment works, and federal facilities. EPA will retain NPDES permitting authority and primary enforcement responsibility for the bio-solids program; facilities operating in the Denali National Park and Preserve pursuant to Alaska Statehood Act § 11; facilities discharging in Indian Country as defined in 18 U.S.C. § 1151; facilities operating three miles offshore outside state waters; and facilities with CWA § 301(h) waivers. Alaska's application requests that the permitting and compliance authority be transferred in phases as reflected in Table 1 of the Program Description. This approval acknowledges the requested phasing whereby EPA will continue to write permits and conduct compliance and enforcement for those sectors not yet transferred to the State.

Enclosed with this letter is the Memorandum of Agreement (MOA) that our two agencies negotiated which sets out how the Alaska Department of Environmental Conservation (ADEC) and EPA will work together subsequent to EPA's approval.

Let me congratulate you and everyone at the State on this fine effort. We here at EPA recognize the hard work that has gone into developing the application and building the program. We look forward to continuing to work closely with you and your staff to implement the NPDES Program. If we can assist you in any way, please feel free to call me at (206) 553-1234.

Sincerely,

A handwritten signature in black ink, appearing to read "Elin D. Miller".

Elin D. Miller
Regional Administrator

Enclosure

cc: Ms. Sarah Palin
Governor of Alaska