



THE STATE  
*of* **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Environmental  
Conservation

DIVISION OF WATER  
Juneau

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February 10, 2021

Dan Opalski  
Director  
Water Division  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 155  
Seattle, WA 98101

RE: Alaska's 2021-2023 Triennial Review

Dear Mr. Opalski,

In accordance with Clean Water Act section 303(c)(1), the Alaska Department of Environmental Conservation (DEC) has completed its 2021-2023 Triennial Review (TR) planning process and is notifying U.S. Environmental Protection Agency (EPA) Region 10 of DEC's water quality standards priorities.

DEC issued public notice of the 2021-2023 TR cycle on October 1, 2020 and accepted comments until November 30, 2020 (60-day notice). DEC provided a list of potential TR topics and department prioritization based on best professional judgement and input during previous TR cycles. DEC also provided issue-specific factsheets pertaining to the TR process, human health criteria, and temperature. Questions received pertaining to issues posed during the 2021-2023 TR cycle were posted on the DEC Water Quality Standards webpage:  
<http://dec.alaska.gov/water/water-quality/triennial-review>.

**2021-2023 Triennial Review Priorities**

Based on the results of the public comment process, DEC stakeholder engagement, DEC/EPA discussions, and available state resources, DEC will be prioritizing the following topics over the next three years:

- Human health criteria for non-carcinogenic pollutants
- Human health criteria for carcinogenic pollutants
- Updates to existing state water quality standards to:
  - Clarify duration and frequency values for select pollutants in 18 AAC 70.020(b)
  - Establish a definition for fresh and marine waters at 18 AAC 70.900
  - Adopt EPA 2017 recommended Standard Analytical Methods by reference
- Human health criteria for manganese
  - Consider revisions to existing criteria to reflect toxicity to human health rather than aesthetic and organoleptic factors (e.g., laundry staining, taste)

- Aluminum criteria for the protection of freshwater aquatic life per EPA 2018 recommendations

In addition, DEC will continue to work with EPA on actions pertaining to DEC's 2011 Residues Criteria and other water quality standards revisions proposed and pending with EPA.

DEC reserves the right to re-prioritize these and other water quality standards issues as needed.

Per 40 CFR 131.20, DEC is providing a summary of the following 304(a) aquatic life criteria that will not be addressed during the 2021-2023 TR cycle:

- Mercury/Methylmercury human health criteria (2001): DEC has determined that pollutants such as human health criteria and select metals require the majority of DEC's resources at this time. DEC anticipates specifically addressing this pollutant in future triennial review cycles.
- Acrolein criteria for aquatic life (2009): Acrolein criteria was promulgated for Alaska as part of the 1992 National Toxics Rule. This is a pollutant (biocide) primarily used for irrigation ditch weed control and algal management. Alaska is working to address issues associated with human health criteria for Acrolein during this triennial review cycle but does not anticipate adoption of aquatic life criteria.
- Carbaryl criteria for aquatic life (2012): Carbaryl is a non-priority pollutant (pesticide) used for pest control and fruit thinning. Alaska has not previously adopted criteria for this pollutant. Carbaryl is not considered to be a pollutant of public concern in Alaska at this time and DEC will not be adopting 2012 EPA recommended criteria during this triennial review cycle.
- Copper criteria for aquatic life (2007): Aquatic life criteria for copper were last adopted by Alaska following the EPA 1995 Updates: Water Quality Criteria Documents for the Protection of Aquatic Life in Ambient Water (EPA-820-B-96-001, September 1996). DEC is well aware of the biotic ligand model and is currently working to apply the model on a site-specific basis as referenced in the EPA 2007 document. However, due to the data collection challenges associated with developing a statewide criterion in a state as geographically diverse as Alaska is, rulemaking may be postponed to a future triennial review cycle. DEC will research the availability of water quality data needed to support adoption efforts in concert with efforts to develop revised aluminum criteria.
- Nutrient criteria for aquatic life (2003): Alaska addresses nutrients through narrative criteria at 18 AAC 70.020(11) and (23) Toxic and Other Deleterious Organic and Inorganic Substances: There may be no concentration of toxic substances in water or in shoreline or bottom sediments, that, singly or in combination, cause, or reasonably can be expected to cause, adverse effect on aquatic life or produce undesirable or nuisance aquatic life, except as authorized by this chapter (emphasis added). Alaska is not currently considered part of the National Nutrient Strategy. DEC does not consider nutrients to be an imminent and widespread threat in Alaska at this time.

Mr. Dan Opalski

Please note that DEC is expending significant resources to address such issues as the illegal discharge of pollutants in the marine environment, permittee compliance with all APDES/NPDES requirements, and development of Alaska's natural resources in accordance with state and federal law. Such efforts demonstrate Alaska's commitment to implementation of water quality standards in a manner that is protective of human health and the environment.

Sincerely,

A handwritten signature in blue ink, appearing to read 'R. Bates'.

Randy Bates  
Director

Enclosures

CC: Jason Brune, Commissioner  
Emma Pokon, Deputy Commissioner  
Terri Lomax, Environmental Program Manager II