



ALASKA
Department of
Environmental
Conservation

Publicly-Owned Wastewater Treatment Plants & the Section 301(h) Program

What is the Section 301(h) Program?

The Federal Clean Water Act requires that all municipal wastewater treatment plants use primary treatment (using gravity to separate solids from liquids) and secondary treatment (using special strains of aerobic bacteria [bacteria that need oxygen to grow] to break down the organic waste left after primary treatment) before discharging their water. The Section 301(h) Program issues waivers to wastewater treatment plants, allowing the plant to discharge wastewater into marine waters with *less than full* secondary treatment.

Background

In 1972, Congress passed the Federal Water Pollution Control Act Amendment, which required wastewater treatment plants to achieve secondary treatment capability by 1977. Some municipalities that discharged into marine waters, however, argued that this requirement might be unnecessary on the grounds that marine treatment plants tend to discharge into deeper waters with large tides and substantial currents, which allow for greater dilution and dispersion than their freshwater counterparts. As a result, Congress added section 301(h) to the Clean Water Act in 1977, allowing for a case-by-case review of treatment requirements for marine dischargers. Eligible applicants that met the set of environmentally stringent criteria in section 301(h) would receive a modified National Pollutant Discharge Elimination System (NPDES) permit waiving the secondary treatment requirements for the conventional pollutants biochemical oxygen demand (BOD), suspended solids (SS), and pH.

All treatment plants under the program have minimum requirements to conduct primary treatment of their wastewater effluent. The addition of secondary treatment, however, provides for the removal of more Total Suspended Solids (TSS) and BOD than primary treatment alone.

Status in Alaska

A list of dischargers in Alaska that have a 301(h) waiver is attached. The communities that may potentially host cruise ships with 301(h) waivers are Haines, Ketchikan, Petersburg, Sitka, Skagway, and Wrangell. Anchorage, the largest city in Alaska, also has a 301(h) waiver.