



Water Quality Antidegradation Informational Teleconference



Alaska Department of Environmental Conservation
Division of Water

Introductions and Contacts

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Presentation Format

- ▶ **Presentation**

- ▶ Purpose of meeting
- ▶ Public participation

- ▶ **Question and Answer**

- ▶ How to ask during teleconference

Purpose of Meeting

- ▶ Water Quality Standards and Antidegradation
- ▶ Water Quality Standards and Permits
- ▶ Antidegradation Policy and Implementation Methods
- ▶ How to be heard

First, foundation

- ▶ **Clean Water Act passed in 1972**
 - ▶ Each state must have Water Quality Standards
- ▶ **Water Quality Standards have 3 primary elements**
 1. Uses
 2. Water Quality Criteria
 3. Antidegradation

1. Designated uses

- ▶ **Uses include**
 - ▶ Drinking water
 - ▶ “Fishable swimmable”
 - ▶ Can I eat the fish?
 - ▶ Can I swim in it?
 - ▶ Water supply for industrial processes
 - ▶ Other uses

2. Water Quality Criteria

- ▶ Level of pollutant that must be met in order to meet the use
 - ▶ Example: For fresh water, “fishable” **USE** (“growth and propagation of fish, shellfish, other aquatic life, and wildlife,” to be precise)
 - ▶ Total Aromatic Hydrocarbons must be less than 10 micrograms per liter (10 parts per billion) to maintain use

3. Antidegradation

- ▶ Three levels of protection
- ▶ “Tier 1 waters” – minimum std.
 - ▶ Maintain and protect existing uses
 - ▶ and the water quality necessary to protect existing uses
- ▶ “Tier 2 waters” – our focus
 - ▶ High quality water
 - ▶ Most waters in Alaska
 - ▶ Cleaner than is required to meet Tier 1

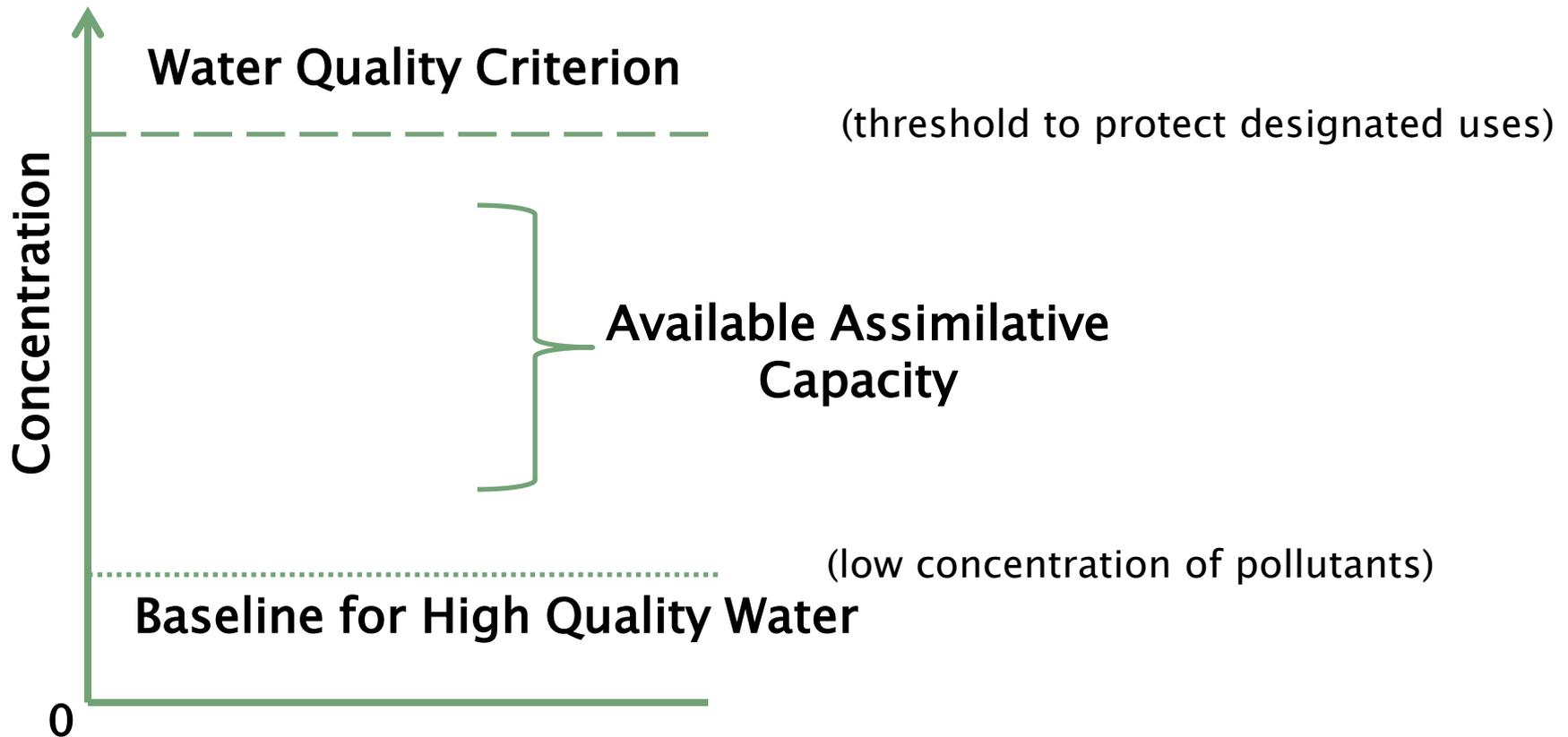
3. Antidegradation

- ▶ **“Tier 3 waters” – unique waters**
 - ▶ Outstanding national resource waters (ONRWs)
 - ▶ Protect existing water quality
 - ▶ Only allows for temporary degradation of existing water quality
 - ▶ No ONRWs designated in Alaska

Tier 2 Antidegradation Analysis

- ▶ **Add pollutants to high quality (Tier 2) waters?**
 - ▶ Only if certain criteria are met
 - ▶ “Antidegradation” is the framework

Antidegradation – Assimilative Capacity



Permitting Example

- ▶ Antidegradation most frequently arises during permitting
- ▶ Example: Sewage treatment plant discharges to a river
 - ▶ Recreation criterion is 200 fecal coliforms per 100 milliliters
 - ▶ Background concentration is 20
 - ▶ Can fecal coliforms be added?

Permitting Example

- ▶ **Consider 5 antidegradation elements:**
 - ▶ Alternative treatment methods?
 - ▶ Social or economic importance?
 - ▶ Existing uses protected?
 - ▶ Won't violate water quality criteria?
 - ▶ Other laws met?

Antidegradation Analysis

- ▶ Do the analysis
- ▶ Document the analysis
- ▶ Analysis is available for public review and comment
 - ▶ With permit

Policy vs. Implementation Methods

- ▶ **Clean Water Act requires**
 - ▶ Antidegradation Policy
 - ▶ Antidegradation Implementation Methods
- ▶ **DEC has**
 - ▶ Antidegradation Policy
 - ▶ At 18 AAC 70.015, adopted 1997
 - ▶ Interim Implementation Procedures

Final Implementation Methods

- ▶ **DEC preparing to draft final implementation methods**
 - ▶ Will be in regulation
- ▶ **Antidegradation Workgroup**
 - ▶ Advisory in nature
 - ▶ Representing key interests
 - ▶ Workgroup's task – key issues
 - ▶ Workgroup process and report

Final Implementation Methods

- ▶ **Will define Tier 2 analysis of:**
 - ▶ Alternative methods of prevention, control, and treatment
 - ▶ Economic or social importance
 - ▶ Water quality protected?
 - ▶ Compliance with other laws

Final Implementation Methods

- ▶ **Will define a process for Tier 3 ONRWs**
 - ▶ Nomination criteria
 - ▶ Review of nomination package
 - ▶ Recommended action
 - ▶ Final determination

Antidegradation Regulations

- ▶ DEC writes regulations
- ▶ Comment Period will include public meetings
- ▶ DEC accepts written comments
- ▶ DEC may modify regulations based on comments

How to participate

- ▶ Question and Answer today
- ▶ Attend workgroup meetings
 - ▶ Comment periods twice a day
- ▶ Write letter before draft regulations
- ▶ Comment during regulation public notice period

Staying Involved

▶ Website:

<http://dec.alaska.gov/water/wqsar/Antidegradation>

▶ Listserves:

<http://list.state.ak.us/soalists/DEC.Water.Quality.Antidegradation/jl.htm>

http://list.state.ak.us/soalists/DEC_WaterQualityStandard/jl.htm

http://dec.alaska.gov/water/npdes/npdes_email_list.htm

▶ Next workgroup meetings:

▶ June 20 & 21, 2012

▶ August 1 & 2, 2012