

Water Quality Standards

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

2003-2005 Triennial Review

Section Manager, Nancy Sonafrank
(907) 451-2726



**Department of Environmental Conservation
Water Quality Standards Revisions for Mixing Zones
Comparison of the Existing Regulations, the 2004 Proposed Regulations, and the 2005
Proposed Regulations**

Existing Regulations	2004 Proposed Regulations	2005 Proposed Regulations
<p>Contain an absolute general prohibition on mixing zones in areas of anadromous fish spawning or resident fish spawning for specific species in streams, rivers, or other flowing fresh waters.</p>	<p>Removed the current prohibition on mixing zones in areas of anadromous fish spawning or resident fish spawning for specific species in streams, rivers, or other flowing fresh waters.</p>	<p>Retains the existing general prohibition on mixing zones in areas of anadromous fish spawning or resident fish spawning for specific species in streams, rivers, or other flowing fresh waters. Expands the prohibition on mixing zones to explicitly include areas in lakes where anadromous fish spawning or resident fish spawning for certain species occurs.</p>
<p>No provisions for exceptions to the prohibition on mixing zones in spawning areas.</p>	<p>Allowed mixing zones in spawning areas where there will be no effect on the capability of an area to support spawning, incubation or rearing of anadromous or certain resident fish.</p>	<p>Allows for exemptions from the prohibition on mixing zones in fish spawning habitat in certain specific situations if a discharger complies with all other provisions of the mixing zone regulations and makes one of three specific demonstrations:</p> <ul style="list-style-type: none"> • wastewater discharges are timed to avoid spawning and will not adversely affect the capability of the area to support future spawning, incubation, and rearing; • discharges do not contain substances that adversely affect present and future spawning, incubation, and rearing; or • a mitigation plan has been approved by DNR or F&G.

<p>No requirements for DEC to consult with DNR or F&G when making mixing zone decisions.</p>	<p>Not required to consult with DNR and F&G regarding spawning areas, although consultation recommended in guidance.</p>	<p>Requires DEC to consult with F&G and DNR when an exemption for discharge in a spawning area is considered. When a discharger requests authorization of a mixing zone in a spawning area and is required to submit a mitigation plan, that plan must be approved by DNR or F&G.</p>
<p>Protection of <u>fish and shellfish</u> populations and a limitation on permanent displacement of indigenous organisms are applied only to streams, rivers, or other flowing fresh waters.</p>	<p>Protection of <u>fish</u> populations and a limitation on permanent displacement of indigenous organisms were applied only to flowing fresh waters, similar to current regulations.</p>	<p>Expands to all waters the protections for <u>fish and shellfish</u> populations and the limitation on permanent displacement of indigenous organisms.</p>
<p>Include technical provisions such as a description of human health risk assessment prohibiting “a risk” to human health, without defining risk; and includes specific flow calculations.</p>	<p>Simplified some technical provisions or moved them to a draft guidance document, including provisions dealing with risk assessment, flow calculations, and mixing zone models.</p>	<p>Reinserts/introduces some specific technical provisions in the regulation, such as flow calculations and references existing human health risk level.</p>
<p>Mixing zone provisions are poorly organized, spread throughout six separate sections of the regulations, and include redundancies.</p>	<p>Reorganized the mixing zone regulations to improve clarity and reduce redundancy.</p>	<p>Reorganized the mixing zone regulations to improve clarity and reduce redundancy. Organization remains the same as the 2004 proposal.</p>