



**ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT FACT SHEET – DRAFT**

Major Modification #1

General Permit Number: AKG521000

Onshore Seafood Processors in Alaska

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Wastewater Discharge Authorization Program

555 Cordova Street

Anchorage, AK 99501

Public Comment Period Start Date: **DRAFT**

Public Comment Period Expiration Date: **DRAFT**

[Alaska Online Public Notice System](#)

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Proposed modification of an Alaska Pollutant Discharge Elimination System (APDES) general permit for:

ONSHORE SEAFOOD PROCESSORS IN ALASKA

General Discussion

The Alaska Department of Environmental Conservation (the Department or DEC) issued APDES general permit (permit) AKG521000, the Onshore Seafood Processors in Alaska General Permit, to operators of seafood processors and operators of onshore facilities that discharge seafood waste to coastal and fresh water systems. The AKG521000 was first issued on October 29, 2021 and went into effect on June 1, 2022. The permit authorizes and sets conditions on the discharge of pollutants from authorized onshore facilities to waters of the United States (U.S.). In order to ensure protection of water quality and human health, the permit places limits on the types and amounts of pollutants that can be discharged from the facilities and outlines best management practices to which each facility must adhere.

Federal regulations found in Code of Federal Regulations (CFR) 40 CFR Part 408 establish Effluent Limitation Guidelines (ELGs) for seafood processors under a single category, “Canned and Preserved Seafood Processing Point Source Category.” Seafood processing dischargers are further divided into subcategories when applying the ELGs found in 40 CFR Part 408 based on seafood species type and processing method. Onshore Alaskan seafood processors processing fresh, frozen, canned and cured fish and shellfish are covered by the ELGs established at 40 CFR part 408 for remote Alaskan locations.

Onshore Alaskan seafood processors are considered remote because the processors are not located in population or processing centers as described in 40 CFR Part 408. Best Professional Judgement (BPJ) and Best Conventional Pollutant Control Technology (BCT) for Alaskan seafood processors in remote locations require that no pollutants may be discharged which exceed 1.27 cm (0.5 inch) in any dimension. This technology-based requirement has been incorporated into the permit.

The permit does not provide specific treatment types (e.g., grinder specifications) to meet the 0.5 inch or smaller in any dimension performance standard, rather the permit requires that seafood processing waste solids be ground or treated by other methods to 0.5 inch or smaller in any dimension prior to discharge.

Appendix G of the permit details the method for evaluating compliance with the 0.5 inch or smaller in any dimension grind size limitation. The method establishes an action level of 10 or more pieces exceeding the maximum size requirement to take corrective action within seven days of discovery. While not explicit in the method, it has been the opinion of the Department that the 10-piece threshold also has been the applicable threshold to compliance with the effluent limit.

DEC is only proposing to modify Permit Part 2.1.6.1 by adding Permit Part 2.1.6.1.2 to clarify that the permit considers a 10-piece threshold for evaluating compliance with the grind size limitation in the permit and Permit Table 3 to clarify reporting requirements with the 10-piece threshold. No other Onshore Seafood Processors GP provisions are proposed to be modified, are not subject to comment, and remain as stated in the effective Onshore Seafood Processors GP.

This fact sheet includes:

- The above general discussion of the proposed permit modification, and
- Information on public comment, public hearing, and appeal procedures.

Public Comment

Persons wishing to comment on, or request a public hearing for the draft permit, may do so in writing by the expiration date of the public comment period.

Commenters are requested to submit a concise statement on the permit condition(s) and the relevant facts upon which the comments are based. Commenters are encouraged to cite specific permit requirements or conditions in their submittals.

A request for a public hearing must state the nature of the issues to be raised, as well as the requester's name, address, and telephone number. The Department will hold a public hearing whenever the Department finds, on the basis of requests, a significant degree of public interest in a draft permit. The Department may also hold a public hearing if a hearing might clarify one or more issues involved in a permit decision or for other good reason, in the Department's discretion. A public hearing will be held at the closest practicable location to the site of the operation. If the Department holds a public hearing, the Director will appoint a designee to preside at the hearing. The public may also submit written testimony in lieu of or in addition to providing oral testimony at the hearing. A hearing will be tape recorded. If there is sufficient public interest in a hearing, the comment period will be extended to allow time to public notice the hearing. Details about the time and location of the hearing will be provided in a separate notice.

All comments and requests for public hearings must be in writing and should be submitted to the Department at the technical contact address, fax, or email identified above (see also the public comments section of the attached public notice). Mailed comments and requests must be postmarked on or before the expiration date of the public comment period.

After the close of the public comment period and after a public hearing, if applicable, the Department will review the comments received on the draft permit. The Department will respond to the comments received in a Response to Comments (RTC) document that will be made available to the public. If no substantive comments are received, the tentative conditions in the draft permit will become the proposed final permit.

The proposed final permit will be made publicly available for a five-day potential applicant review. The applicant may waive this review period. After the close of the proposed final permit review period, the Department will make a final decision regarding permit issuance. A final permit will become effective 30 days after the Department's decision, in accordance with the state's appeals processes at 18 AAC 15.185 – 18 AAC 15.340.

The Department will transmit the final permit, fact sheet (amended as appropriate), and the RTC document to anyone who provided comments during the public comment period or who requested to be notified of the Department's final decision.

Appeals Process

The Department has both an informal review process and a formal administrative appeal process for final APDES permit decisions. An informal review request must be delivered within 20 days after receiving the Department's decision to the Director of the Division of Water at the following address:

Director, Division of Water
Alaska Department of Environmental Conservation
P.O. Box 111800
Juneau, AK 99811-1800

Interested persons can review 18 AAC 15.185 for the procedures and substantive requirements regarding a request for an informal Department review. See <http://dec.alaska.gov/commish/review-guidance/informal-reviews> for information regarding informal reviews of Department decisions.

An adjudicatory hearing request must be delivered to the Commissioner of the Department within 30 days of the permit decision or a decision issued under the informal review process. An adjudicatory hearing will be conducted by an administrative law judge in the Office of Administrative Hearings within the Department of Administration. A written request for an adjudicatory hearing shall be delivered to the Commissioner at the following address:

Commissioner
Alaska Department of Environmental Conservation
P.O. Box 111800
Juneau AK, 99811-1800

Interested persons can review 18 AAC 15.200 for the procedures and substantive requirements regarding a request for an adjudicatory hearing. See <http://dec.alaska.gov/commish/review-guidance/adjudicatory-hearing-guidance.aspx> for information regarding appeals of Department decisions

Documents are Available

The permit, fact sheet and related documents can be obtained by visiting or contacting DEC between 8:00 a.m. and 4:30 p.m. Monday through Friday at the addresses below. The permit, fact sheet and other information are located on the Department's Wastewater Discharge Authorization Program website: <http://dec.alaska.gov/water/wastewater.aspx>.

<p>Alaska Department of Environmental Conservation Division of Water Wastewater Discharge Authorization Program 555 Cordova Street Anchorage, AK 99501 (907) 269-6285</p>	<p>Alaska Department of Environmental Conservation Division of Water Wastewater Discharge Authorization Program 410 Willoughby Avenue, Suite 310 Juneau, AK 99811 (907) 465-5180</p>
<p>Alaska Department of Environmental Conservation Division of Water Wastewater Discharge Authorization Program 610 University Avenue Fairbanks, AK 99709 (907) 451-2100</p>	<p>Alaska Department of Environmental Conservation Division of Water Wastewater Discharge Authorization Program 43335 Kalifornsky Beach Rd. – Suite 11 Soldotna, AK 99669 (907) 262-5210</p>