AUTHORIZATION TO DISCHARGE UNDER THE ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM FOR NORTON SOUND LARGE DREDGE PLACER MINERS

GENERAL PERMIT NUMBER AKG374000

Authorization Number: [#]

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501

In compliance with the provisions of the Clean Water Act (CWA), 33 U.S.C. §1251 et seq., as amended by the Water Quality Act of 1987, P.L. 100-4, this permit is issued under provisions of Alaska Statutes (AS) 46.03; the Alaska Administrative Code (AAC) as amended; and other applicable state laws and regulations.

Owners and operators of facilities engaged in the processing of placer gold, as defined in Part 1.0 of this Alaska Pollutant Discharge Elimination System (APDES) permit, are authorized to discharge to waters of the United States, only in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein.

A COPY OF THIS GENERAL PERMIT MUST BE KEPT AT THE SITE WHERE DISCHARGES OCCUR.

[PERMITTEE NAME]

NORTON SOUND

This permit is effective **August 15, 2013**.

This permit and the authorization to discharge shall expire at midnight on **August 14, 2018**.

The permittee shall reapply for a permit reissuance on or before **May 16, 2018,** 90 days before the expiration of this permit, if the permittee intends to continue operations and discharges at the facility beyond the term of this permit.

Wade Strickland	July 16, 2013
Signature	Date
Wade Strickland	Program Manager
Printed Name	Title

TABLE OF CONTENTS

SCHEDULE OF SUBMISSIONS 3
1.0 PERMIT COVERAGE 4
1.1 Coverage Area 4
1.2 Eligibility 4
1.3 Authorized Placer Mining Operations 4
1.4 Limitations on Coverage 4
1.5 Operations Requiring an Individual Permit 5
1.6 Notification Requirements 5
2.0 LIMITATIONS AND MONITORING REQUIREMENTS 6
2.1 Effluent Limitations 6
2.2 Visual Monitoring Requirements 6
2.3 Expanded Mixing Zone Requirements 6
2.4 Alternative Effluent Limitations and Monitoring Requirements 7
3.0 SPECIAL CONDITIONS 8
3.1 Best Management Practices 8
3.2 Separation Requirements 9
3.3 Site-Specific Requirements 10
4.0 RECORDING AND REPORTING REQUIREMENTS 10
4.1 Daily Records 10
4.2 Annual Report Requirements 10
4.3 Monthly Report Requirements 11
4.4 Spill Reporting 11
4.5 Standard Conditions Applicable to Recording and Reporting 11

APPENDICES

APPENDIX A. STANDARD CONDITIONS A-1
APPENDIX B. ACRONYMS B-1
APPENDIX C. DEFINITIONS C-1
APPENDIX D. COVERAGE AREA D-1
APPENDIX E. NOTICE OF INTENT INFORMATION E-1

TABLES

Table D2: Anadromous Waters – Cape Rodney to Cape Nome D-2
Table D3: Anadromous Waters – Cape Nome to Cape Darby D-3

SCHEDULE OF SUBMISSIONS

The Schedule of Submissions summarizes some of the required submissions and activities the permittee must complete and/or submit to the Alaska Department of Environmental Conservation (hereinafter referred to as DEC or the Department) during the term of this permit. The permittee is responsible for all submissions and activities even if they are not summarized below.

Schedule of Submissions

Permit Part	Submittal or Completion	Frequency	Due Date	Submit To
1.6.1	Notice of Intent (NOI) for a new, recommencing, or expanding operation	As necessary	60 days prior to discharge	DEC Permitting Program[a]
1.6.5	NOI for a currently authorized operation for coverage under a reissued general permit	1/permit cycle	90 days before expiration of this general permit	
3.3	Site-Specific Requirements	As specified within the permit authorization	As specified within the permit authorization	DEC Compliance Program[b]
4.1	Daily Records	Daily	With the Annual Report	DEC Compliance Program[b]
4.2	Annual Report	1/year	January 31 of the next year	
4.3	Monthly Reports	1/month	As specified within the permit authorization	
4.4	Spill Report	As necessary	Upon knowledge of the discharge	DEC spill response team[c]
Appendix A, 3.4	Oral notification of noncompliance	As necessary	Within 24 hours from the time the permittee becomes aware of the circumstances of noncompliance	DEC non-compliance reporting hotline[d]
	Written documentation of noncompliance	As necessary	Within five days after the permittee becomes aware of the circumstances	DEC Compliance Program[b]

Notes:

a. Permitting address: Department of Environmental Conservation, Division of Water, Wastewater Discharge Authorization Program, 610 University Avenue, Fairbanks, Alaska 99709 (an Annual Placer Mining Application submitted to the Alaska Department of Natural Resources will be accepted as an NOI if all the required information is provided).

b. Compliance address: Department of Environmental Conservation, Division of Water, Compliance Program, 555 Cordova Street, Anchorage, Alaska 99501.

c. Spill reporting hotline: 1-907-451-2121 (within normal business hours) or 1-800-478-9300 (outside normal business hours).

d. Non-compliance reporting hotline for oral notifications: 1-907-269-4114 (from Alaska) or 1-877-569-4114 (toll free nationwide).

1.0 PERMIT COVERAGE

1.1 Coverage Area

1.1.1 This permit provides coverage for operations in marine waters of Norton Sound up to three nautical miles offshore between Cape Rodney at 166°24'09" west longitude and Cape Darby at 162°46'54" west longitude (see Appendix D, Map D1: Coverage Area). The permit coverage area is further restricted under Part 1.4.

1.2 Eligibility

1.2.1 A new applicant with an operation that meets the criteria for coverage under this general permit will be granted coverage upon completion of notification requirements outlined in Part 1.6.

1.2.2 A permittee operating under this permit who plans to expand must submit a new Notice of Intent (NOI) describing the new discharge. If the operation meets all the requirements of coverage, then the current permit authorization may be rescinded and replaced with a new authorization reflecting the changes.

1.2.3 A new or expanding operation is considered for permit coverage on a case-by-case basis provided the applicant reasonably demonstrates that the proposed operation can comply with all effluent limitations and special conditions under this permit.

1.3 Authorized Placer Mining Operations

1.3.1 This permit authorizes discharges from the following placer mining operations:

1.3.1.1 Suction dredges with intake diameters greater than 10 inches;

1.3.1.2 Suction dredge operations with a combination of intake hoses that have a combined intake area greater than that of a 10 inch suction dredge (78 square inches); and

1.3.1.3 Mechanical dredges, such as excavators or clamshells.

1.3.2 Suction dredges with intake diameters less than or equal to 10 inches may be authorized under this permit provided any such dredge is used in conjunction with a larger operation described under Part 1.3.1.

1.3.3 This permit authorizes discharge of only those pollutants resulting from facility processes, waste streams, and operations clearly related to the mining process.

1.3.4 Authorization to discharge requires satisfaction of notification requirements and written notification from DEC that coverage has been granted.

1.4 Limitations on Coverage

1.4.1 The following discharges are not authorized under this permit:

1.4.1.1 Discharges within coral beds, eelgrass beds, seagrass beds, kelp beds, vegetated shallows, shellfish beds, or mudflats;

1.4.1.2 Discharges from operations on sea ice;

1.4.1.3 Discharges from March 1 to May 31;

1.4.1.4 Discharges that contain chemicals used for the enhancement of mineral recovery; or

1.4.1.5 Discharges that contain domestic wastewater.

1.4.2 Discharges from operations within three nautical miles of Sledge Island or east of Cape Nome from 165°10’00” west longitude (see Appendix D, Coverage Area) are not authorized unless an applicant requests an exception and the Department grants written approval. After evalution of the applicant’s request and consultation with the Alaska Department of Fish and Game (ADF&G), the Department may authorize the discharge provided the applicant

1.4.2.1 furnishes all available evidence reasonably necessary for a decision; and

1.4.2.2 accepts site-specific requirements, such as additional monitoring or limitations on water depth or operating periods, under Part 3.3.

1.5 Operations Requiring an Individual Permit

1.5.1 As authorized under 18 AAC 83.215, the Department may terminate or revoke a permittee’s coverage under this general permit requiring the permittee to obtain an APDES individual permit for discharges.

1.5.2 If permit coverage is denied, the Department will notify the permittee in writing that an individual permit must be obtained in order to discharge. If the permittee fails to submit an individual permit application by the date in the notification, then coverage under this permit is automatically terminated at the end of the day specified for application submittal.

1.6 Notification Requirements

1.6.1 An applicant eligible for permit coverage must submit a complete NOI. Information required for a complete NOI is specified in Appendix E. A complete NOI must be submitted 60 days prior to discharge from a new, recommencing, or expanding operation. At the Department’s discretion, an application may be accepted with less than 60 days notice.

1.6.2 An Annual Placer Mining Application (APMA) submitted to the Alaska Department of Natural Resources (DNR) will be accepted as an NOI if all the required information is provided in a timely manner.

1.6.3 An applicant who does not use the APMA process must submit a complete NOI to DEC at the address in Appendix A, Part 1.1.1.

1.6.4 An applicant with a new or expanding operation, or with a mixing zone proposed under Part 2.3, may be required to submit additional information reasonably necessary to assist in the permit authorization.

1.6.5 Existing permittees wishing to continue an activity regulated by this permit after its expiration must submit an application for the new permit. In accordance with Appendix A, 1.3, the Department will accept an application from a permittee with a currently effective permit up to 90 days before the existing permit expires. The Department, at its discretion, may accept an application on a later date; However, an application will not be accepted after the expiration date of the existing permit.

2.0 LIMITATIONS AND MONITORING REQUIREMENTS

2.1 Effluent Limitations

2.1.1 A permittee is authorized a 1,600 foot radius mixing zone centered on the outfall. All Alaska Water Quality Standards must be met at the boundary of the mixing zone. The entire water column within this radius constitutes the mixing zone. If the operation includes multiple outfalls, the mixing zone is centered on the geometric center of the outfalls, unless the Department designates a different location within the authorization.

2.1.2 The discharge may not create a visual increase in turbidity (cloudiness or muddiness) outside the mixing zone during operation.

2.1.3 If the discharge contributes to noticeable turbidity outside the mixing zone, then operation must decrease or cease until the turbidity plume from the discharge is confined to the mixing zone.

2.1.4 The discharge may not result in floating oils on the surface of the waterbody or cause a film or sheen from petroleum hydrocarbons, or oils and grease, on the surface or floor of the waterbody or adjoining shorelines.

2.1.5 If floating oil or a film or sheen is observed, operation must cease until the source of the problem can be identified and corrective action can be taken. Spills must be managed as described under Part 3.1.9.

2.2 Visual Monitoring Requirements

2.2.1 The permittee must visually monitor for turbidity and for any film or sheen a minimum of once daily during operation.

2.2.2 The visual turbidity observation must be conducted during normal discharge after the plume has reached its full extent.

2.2.3 A permittee who conducts the visual turbidity observation must observe the turbidity plume radially from the dredge and record the distance and direction the plume extends from the center of the mixing zone.

2.2.4 If during a given day, an operation relocates and discharges in a spot one nautical mile or more from its previous discharge location, then visual monitoring must be repeated, according to Parts 2.2.2 and 2.2.3, to ensure discharge characteristics have not changed.

2.2.5 The permittee must maintain records of all visual inspections according to Part 4.1.

2.3 Expanded Mixing Zone Requirements

A permittee who is unable to meet turbidity limits within 1,600 feet of the discharge point, as demonstrated through modeling, monitoring results, or discharge data from similar operations, may request an expanded mixing zone.

2.3.1 DEC will authorize a mixing zone larger than 1,600 feet provided that:

2.3.1.1 the applicant, upon request, provides all available evidence reasonably necessary to assist in the mixing zone authorization, including output from an approved mixing model or any information reasonably necessary to assist in the mixing zone calculation;

2.3.1.2 the resulting mixing zone is consistent with the Clean Water Act and 18 AAC 70.240 – 18 AAC 70.270 (as amended through June 26, 2003); and

2.3.1.3 the location of discharge is not located within three nautical miles of Sledge Island or east of Cape Nome from 165°10’00” west longitude (see Appendix D, Coverage Area).

2.3.2 A permittee authorized a mixing zone larger than 1,600 feet is subject to alternative effluent limitations and monitoring requirements under Part 2.4.

2.4 Alternative Effluent Limitations and Monitoring Requirements

A permittee authorized a mixing zone larger than 1,600 feet or who is unable to comply with visual monitoring may be required to meet numerical effluent limits and/or conduct additional water quality monitoring in lieu of, or in addition to, effluent limitations and visual monitoring requirements under Parts 2.1 and 2.2.

2.4.1 A permittee authorized numerical limits must meet the following minimum requirements:

2.4.1.1 Turbidity at the boundary of the authorized mixing zone may not exceed an instantaneous measurement of 25 nephelometric turbidity units (NTU), unless a modified turbidity limit is authorized under Part 2.4.2;

2.4.1.2 Turbidity samples must be collected during discharge from at least one location downcurrent of the operation; and

2.4.1.3 Turbidity samples must be collected at the frequency, depth, and location specified within the permit authorization.

2.4.2 If the turbidity measurements under Part 2.4.1 exceed, or are anticipated to exceed 25 NTU because of naturally-elevated background turbidity, a permittee may request a modified turbidity limit reflecting the turbidity concentrations naturally present in the receiving water. DEC will determine the natural condition based on available evidence and approve a modified turbidity limit provided that

2.4.2.1 the turbidity naturally present in the receiving water is determined at a location upcurrent of the mixing zone boundary and unaffected by the discharge of any active mining operation;

2.4.2.2 the applicant, upon request, provides any additional information that the Department determines is necessary to modify an existing limit;

2.4.2.3 the modified limit is consistent with the Clean Water Act and 18 AAC 70.235, as amended through June 26, 2003; and

2.4.2.4 the public is provided reasonable notice of and an opportunity to comment on the proposed approval.

2.4.3 If a permittee is unable to collect a sample required under this section due to hazardous weather conditions, then the permittee must note the circumstances and collect the sample as soon as conditions allow.

2.4.4 Requirements under Part 2.4 are implemented on a case-by-case basis depending on the size, scale, and nature of the operation. The Department will specify the requirements within the permit authorization.

3.0 SPECIAL CONDITIONS

3.1 Best Management Practices

3.1.1 The permittee must refrain from dredging that causes undercutting, littoral channeling, or that otherwise results in beach erosion.

3.1.2 Reasonable care shall be used when mining through silt and clay materials that would result in a significant increase in turbidity. Reasonable care includes moving the dredge to a new location; limiting the operating speed of the dredge; or implementing additional turbidity control methods, beyond those under Parts 3.1.3 – 3.1.7, to specifically control the extraneous resuspension of silts and clays.

3.1.3 Operational controls to reduce turbidity generated during excavation must be implemented as follows:

3.1.3.1 Mechanical dredge operations must avoid bucket over-penetration and overfilling, multiple bucket bites, bucket dragging, and bottom stockpiling. Bucket ascent speed and lateral movement of the submerged bucket must be reduced or controlled to minimize sediment wash.

3.1.3.2 Cutterhead dredge operations must use reasonable care to reduce cutterhead rotation and swing speed, in relation to suction velocity, in order to eliminate unnecessary side-casting and resuspension of sediment.

3.1.4 Site conditions, such as tides, waves, currents, wind, and substrate type, must be considered and operational methods must be adjusted, as necessary, to ensure discharges comply with permit limits and separation distance requirements, per Part 3.2.

3.1.5 Operations in water depths greater than 30 feet must install a downspout, or similar equipment, at the primary outfall(s) on the dredge where discharge of fine material occurs. The discharge from the downspout must occur at least five (5) feet below the water surface and as close to the sea floor as practicable. As a standard operating practice, the downspout must be elevated or deflected as necessary to prevent any scouring and minimize resuspension of sediment.

3.1.6 All wastewater discharges, including those from oversized, screened material, must be controlled to minimize aeration and reduce air entrainment that may hinder particle settling. Controls include avoiding discharges into air, directing discharges vertically downward or use of downspouts, deflectors, or similar equipment.

3.1.7 Mechanical dredges, particularly those that operate in water depths greater than 30 feet, should be fitted with closeable, sealed buckets when economically feasible and practicable.

3.1.8 Red king crab mating pairs and clusters must be avoided. If red king crab mating pairs or clusters are observed, mining operations must move to an alternate location where no crabs are observed or cease operation until the crabs move away on their own.

3.1.9 Releases of petroleum products and other hazard substances must be prevented or mitigated as follows:

3.1.9.1 Equipment and systems must be regularly inspected and maintained to avoid situations that result in leaks, spills, and other releases of pollutants. Equipment must be free of excess oils and grease and must not release petroleum products. Biodegradable lubricants and fluids should be used in place of petroleum-based products when economically feasible and practicable.

3.1.9.2 Precaution must be taken to ensure that petroleum products are stored at a reasonable distance from the waterbody and cannot spill or otherwise enter the waterbody. Care shall be taken during refueling of the equipment to prevent spills.

3.1.9.3 Drip pans or absorbents must be used under or around leaky equipment when practicable. Any spills must be cleaned up using materials such as sorbent pads and booms. All spills must be reported upon discovery, per Part 4.4.

3.1.10 Mercury from historical dredge operations or other pollutants may be encountered during dredge operations. The permittee must take measures to ensure mercury or other heavy metal pollutants, such as lead, that are removed from the wastewater streams are retained in storage areas and not released to the waters of the U.S. Information on how to safely handle, store, and dispose of mercury or other pollutants can be obtained by contacting DEC at the address in Appendix A, Part 1.1.1.

3.2 Separation Requirements

3.2.1 The permittee must ensure that the discharged turbidity plume does not overlap with the plume of another active dredging operation.

3.2.2 The permittee must allow for a zone of passage for fish around the turbidity plume at all times.

3.2.3 Unless a variance is granted under Part 3.2.4, the following separation requirements apply to the mouth of any anadromous stream or river, as identified in the ADF&G Anadromous Waters Catalog (see Appendix D for a Coverage Area map):

3.2.3.1 From June 1 to July 15, discharge is prohibited within one (1) mile of any anadromous stream or river mouth.

3.2.3.2 From July 16 to September 15, discharge is prohibited within a half (1/2) mile of any anadromous stream or river mouth.

3.2.3.3 Year-round, the permittee must ensure that visible turbidity from a discharge plume does not occur within 500 feet from the mouth of any anadromous stream or river.

3.2.4 The permittee may request a variance to the separation requirements under Part 3.2.3. The Department may include a variance within the permit authorization provided ADF&G has been consulted on the variance and the permittee agrees to any additional monitoring required under Part 3.3.

3.2.5 A permittee authorized to discharge within three nautical miles of Sledge Island or east of Cape Nome from 165°10’00” west longitude (see Appendix D, Coverage Area) must maintain a minimum distance of 1,000 feet from any large flock of spectacled eiders during discharge.

3.3 Site-Specific Requirements

The Department, on a case-by-case basis, may include additional site-specific requirements for any operation, provided that the requirements do not relieve the permittee of any other stipulations under this permit. The Department will detail any site-specific requirements in the permit authorization.

4.0 RECORDING AND REPORTING REQUIREMENTS

4.1 Daily Records

4.1.1 The permittee must maintain daily monitoring records that include the following:

4.1.1.1 Results of turbidity monitoring, as required under Parts 2.2 and 2.4;

4.1.1.2 Coordinates (i.e., latitude and longitude), water depth, and substrate type (i.e. clay, silt, sand, gravel, cobbles) for each discharge location where turbidity monitoring occurs;

4.1.1.3 The results of any site-specific monitoring required under Part 3.3; and

4.1.1.4 The results of any additional monitoring by the permittee, as described in Appendix A, Part 3.3.

4.1.2 The permittee must maintain daily operational records that include the following:

4.1.2.1 Arrival and departure time, and outfall coordinates for each dredge site or dredge track;

4.1.2.2 Total hours of discharge;

4.1.2.3 Average cubic yards of material processed per hour;

4.1.2.4 Average discharge rate in gallons per minute during operation; and

4.1.2.5 Average depth of excavation into substrate;

4.2 Annual Report Requirements

An Annual Report must be submitted to the DEC Compliance Program at the address in Appendix A, Part 1.1.2 and received or postmarked no later than January 31 of the next calendar year. The Annual Report must include the following:

4.2.1 Permittee name;

4.2.2 APDES authorization number;

4.2.3 The period of operation or alternatively, a statement that no mining or discharge to the receiving water occurred during the year;

4.2.4 Total cubic yards processed;

4.2.5 Total acreage dredged;

4.2.6 Copies or summaries of daily records required under Part 4.1;

4.2.7 Any effluent limitation exceedances under Part 2.0 and actions taken to return to compliance;

4.2.8 Any spills reported under Part 4.4 and actions taken to clean up the spill; and

4.2.9 A signed certification statement as required by Appendix A, Parts 1.12.3 and 1.12.5.

4.3 Monthly Report Requirements

At the Department's discretion, a permittee with a new or expanding operation may be required to submit monthly discharge monitoring reports for a minimum of one season of operation. Monthly reporting requirements may be discontinued upon the permittee reasonably demonstrating an ability to meet permit limits and upon receipt of written approval from the Department.

4.4 Spill Reporting

All spills containing fuel, oil, or other hazardous substances must be reported upon discovery to the DEC spill response team at 1-907-451-2121 within normal business hours or 1-800-478-9300 outside normal business hours.

4.5 Standard Conditions Applicable to Recording and Reporting

The permittee must adhere to all standard recording and reporting requirements contained in Appendix A, Standard Conditions, including the following:

4.5.1 Retention of Records, Part 1.11.2;

4.5.2 Records Contents, Part 1.11.3;

4.5.3 Signature Requirement and Penalties, Part 1.12;

4.5.4 Special Reporting Obligations, Part 2.0; and

4.5.5 Monitoring, Recording, and Reporting Requirements, Part 3.0.

APPENDIX A

STANDARD CONDITIONS

APDES PERMIT

NONDOMESTIC DISCHARGES

September 2011

TABLE OF CONTENTS

1.0 Standard Conditions Applicable to All Permits A-1

1.1 Contact Information and Addresses A-1
1.2 Duty to Comply A-1
1.3 Duty to Reapply A-2
1.4 Need to Halt or Reduce Activity Not a Defense A-2
1.5 Duty to Mitigate A-2
1.6 Proper Operation and Maintenance A-2
1.7 Permit Actions A-2
1.8 Property Rights A-2
1.9 Duty to Provide Information A-2
1.10 Inspection and Entry A-3
1.11 Monitoring and Records A-3
1.12 Signature Requirement and Penalties A-4
1.13 Proprietary or Confidential Information A-5
1.14 Oil and Hazardous Substance Liability A-5
1.15 Cultural and Paleontological Resources A-6
1.16 Fee A-6
1.17 Other Legal Obligations A-6

2.0 Special Reporting Obligations A-6

2.1 Planned Changes A-6
2.2 Anticipated Noncompliance A-6
2.3 Transfers A-7
2.4 Compliance Schedules A-7
2.5 Corrective Information A-7
2.6 Bypass of Treatment Facilities A-7
2.7 Upset Conditions A-8
2.8 Existing Manufacturing, Commercial, Mining, and Silvicultural Discharges A-8

3.0 Monitoring, Recording, and Reporting Requirements A-9

3.1 Representative Sampling A-9
3.2 Reporting of Monitoring Results A-9
3.3 Additional Monitoring by Permittee A-9
3.4 Twenty-four Hour Reporting A-9
3.5 Other Noncompliance Reporting A-10

4.0 Penalties for Violations of Permit Conditions A-10

4.1 Civil Action A-10
4.2 Injunctive Relief A-11
4.3 Criminal Action A-11
4.4 Other Fines A-11

Appendix A of the permit contains standard regulatory language that must be included in all APDES permits. These requirements are based on the regulations and cannot be challenged in the context of an individual APDES permit action. The standard regulatory language covers requirements such as monitoring, recording, reporting requirements, compliance responsibilities, and other general requirements. Appendix A, Standard Conditions is an integral and enforceable part of the permit. Failure to comply with a Standard Condition in this Appendix constitutes a violation of the permit and is subject to enforcement.

1.0 Standard Conditions Applicable to All Permits

1.1 Contact Information and Addresses

1.1.1 Permitting Program

Permit related documents and plans required under the permit and Appendix A are to be sent to the following address:

State of Alaska
Department of Environmental Conservation
Division of Water
Wastewater Discharge Authorization Program
610 University Avenue
Fairbanks, Alaska 99709-3643
Telephone (907) 451-2142
Fax (907) 451-2187
Email: dec.water.wqpermit@alaska.gov
Website: dec.alaska.gov/water/wwdp

1.1.2 Compliance Program

Compliance related documents, including Annual Reports, required under the permit and Appendix A are to be sent to the following address:

State of Alaska
Department of Environmental Conservation
Division of Water
Compliance Program
555 Cordova Street
Anchorage, Alaska 99501
Telephone Nationwide (877) 569-4114
Anchorage Area / International (907) 269-4114
Fax (907) 269-4604
Email: dec-wqreporting@alaska.gov

1.2 Duty to Comply

A permittee shall comply with all conditions of the permittee's APDES permit. Any permit noncompliance constitutes a violation of 33 U.S.C 1251-1387 (Clean Water Act) and state law and is grounds for enforcement action including termination, revocation and reissuance, or modification of a permit, or denial of a permit renewal application. A permittee shall comply with effluent standards or prohibitions established under 33 U.S.C. 1317(a) for toxic pollutants within the time provided in the regulations that establish those effluent standards or prohibitions even if the permit has not yet been modified to incorporate the requirement.

1.3 Duty to Reapply

If a permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee must apply for and obtain a new permit. In accordance with 18 AAC 83.105(b), a permittee with a currently effective permit shall reapply by submitting a new application at least 180 days before the existing permit expires, unless the Department has granted the permittee permission to submit an application on a later date. However, the Department will not grant permission for an application to be submitted after the expiration date of the existing permit.

1.4 Need to Halt or Reduce Activity Not a Defense

In an enforcement action, a permittee may not assert as a defense that compliance with the conditions of the permit would have made it necessary for the permittee to halt or reduce the permitted activity.

1.5 Duty to Mitigate

A permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

1.6 Proper Operation and Maintenance

1.6.1 A permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances that the permittee installs or uses to achieve compliance with the conditions of the permit. The permittee's duty to operate and maintain properly includes using adequate laboratory controls and appropriate quality assurance procedures. However, a permittee is not required to operate back-up or auxiliary facilities or similar systems that a permittee installs unless operation of those facilities is necessary to achieve compliance with the conditions of the permit.

1.6.2 Operation and maintenance records shall be retained and made available at the site.

1.7 Permit Actions

A permit may be modified, revoked and reissued, or terminated for cause as provided in 18 AAC 83.130. If a permittee files a request to modify, revoke and reissue, or terminate a permit, or gives notice of planned changes or anticipated noncompliance, the filing or notice does not stay any permit condition.

1.8 Property Rights

A permit does not convey any property rights or exclusive privilege.

1.9 Duty to Provide Information

A permittee shall, within a reasonable time, provide to the Department any information that the Department requests to determine whether a permittee is in compliance with the permit, or whether cause exists to modify, revoke and reissue, or terminate the permit. A permittee shall also provide to the Department, upon request, copies of any records the permittee is required to keep under the permit.

1.10 Inspection and Entry

A permittee shall allow the Department, or an authorized representative, including a contractor acting as a representative of the Department, at reasonable times and on presentation of credentials establishing authority and any other documents required by law, to:

1.10.1 Enter the premises where a permittee's regulated facility or activity is located or conducted, or where permit conditions require records to be kept;

1.10.2 Have access to and copy any records that permit conditions require the permittee to keep;

1.10.3 Inspect any facilities, equipment, including monitoring and control equipment, practices, or operations regulated or required under a permit; and

1.10.4 Sample or monitor any substances or parameters at any location for the purpose of assuring permit compliance or as otherwise authorized by 33 U.S.C. 1251-1387 (Clean Water Act).

1.11 Monitoring and Records

A permittee must comply with the following monitoring and recordkeeping conditions:

1.11.1 Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

1.11.2 The permittee shall retain records in Alaska of all monitoring information for at least three years, or longer at the Department's request at any time, from the date of the sample, measurement, report, or application. Monitoring records required to be kept include:

1.11.2.1 All calibration and maintenance records,

1.11.2.2 All original strip chart recordings or other forms of data approved by the Department for continuous monitoring instrumentation,

1.11.2.3 All reports required by a permit,

1.11.2.4 Records of all data used to complete the application for a permit,

1.11.2.5 Field logbooks or visual monitoring logbooks,

1.11.2.6 Quality assurance chain of custody forms,

1.11.2.7 Copies of discharge monitoring reports, and

1.11.2.8 A copy of this APDES permit.

1.11.3 Records of monitoring information must include:

1.11.3.1 The date, exact place, and time of any sampling or measurement;

1.11.3.2 The name(s) of any individual(s) who performed the sampling or measurement(s);

1.11.3.3 The date(s) and time any analysis was performed;

1.11.3.4 The name(s) of any individual(s) who performed any analysis;

1.11.3.5 Any analytical technique or method used; and

1.11.3.6 The results of the analysis.

1.11.4 Monitoring Procedures

Analyses of pollutants must be conducted using test procedures approved under 40 CFR Part 136, adopted by reference at 18 AAC 83.010, for pollutants with approved test procedures, and using test procedures specified in the permit for pollutants without approved methods.

1.12 Signature Requirement and Penalties

1.12.1 Any application, report, or information submitted to the Department in compliance with a permit requirement must be signed and certified in accordance with 18 AAC 83.385. Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, or other document filed or required to be maintained under a permit, or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be subject to penalties under 33 U.S.C. 1319(c)(4), AS 12.55.035(c)(1)(B), (c)(2) and (c)(3), and AS 46.03.790(g).

1.12.2 In accordance with 18 AAC 83.385, an APDES permit application must be signed as follows:

1.12.2.1 For a corporation, a responsible corporate officer shall sign the application; in this subsection, a responsible corporate officer means:

1.12.2.1.1 A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or

1.12.2.1.2 The manager of one of more manufacturing, production, or operating facilities, if

1.12.2.1.2.1 The manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental statutes and regulations;

1.12.2.1.2.2 The manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and

1.12.2.1.2.3 Authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

1.12.2.2 For a partnership or sole proprietorship, by the general partner or the proprietor, respectively, shall sign the application.

1.12.2.3 For a municipality, state, federal, or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of an agency means:

1.12.2.3.1 The chief executive officer of the agency; or

1.12.2.3.2 A senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

1.12.3 Any report required by an APDES permit, and a submittal with any other information requested by the Department, must be signed by a person described in Appendix A, Part 1.12.2, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1.12.3.1 The authorization is made in writing by a person described in Appendix A, Part 1.12.2;

1.12.3.2 The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, including the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility; or an individual or position having overall responsibility for environmental matters for the company; and

1.12.3.3 The written authorization is submitted to the Department to the Permitting Program address in Appendix A, Part 1.1.1.

1.12.4 If an authorization under Appendix A, Part 1.12.3 is no longer effective because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Appendix A, Part 1.12.3 must be submitted to the Department before or together with any report, information, or application to be signed by an authorized representative.

1.12.5 Any person signing a document under Appendix A, Part 1.12.2 or Part 1.12.3 shall certify as follows:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

1.13 Proprietary or Confidential Information

1.13.1 A permit applicant or permittee may assert a claim of confidentiality for proprietary or confidential business information by stamping the words “confidential business information” on each page of a submission containing proprietary or confidential business information. The Department will treat the stamped submissions as confidential if the information satisfies the test in 40 CFR §2.208, adopted by reference at 18 AAC 83.010, and is not otherwise required to be made public by state law.

1.13.2 A claim of confidentiality under Appendix A, Part 1.13.1 may not be asserted for the name and address of any permit applicant or permittee, a permit application, a permit, effluent data, sewage sludge data, and information required by APDES or NPDES application forms provided by the Department, whether submitted on the forms themselves or in any attachments used to supply information required by the forms.

1.13.3 A permittee’s claim of confidentiality authorized under Appendix A, Part 1.13.1 is not waived if the Department provides the proprietary or confidential business information to the EPA or to other agencies participating in the permitting process. The Department will supply any information obtained or used in the administration of the state APDES program to the EPA upon request under 40 CFR §123.41, as revised as of July 1, 2005. When providing information submitted to the Department with a claim of confidentiality to the EPA, the Department will notify the EPA of the confidentiality claim. If the Department provides the EPA information that is not claimed to be confidential, the EPA may make the information available to the public without further notice.

1.14 Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any action or relieve a permittee

from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under state laws addressing oil and hazardous substances.

1.15 Cultural and Paleontological Resources

If cultural or paleontological resources are discovered because of this disposal activity, work that would disturb such resources is to be stopped, and the Office of History and Archaeology, a Division of Parks and Outdoor Recreation of the Alaska Department of Natural Resources (http://www.dnr.state.ak.us/parks/oha/), is to be notified immediately at (907) 269-8721.

1.16 Fee

A permittee must pay the appropriate permit fee described in 18 AAC 72.

1.17 Other Legal Obligations

This permit does not relieve the permittee from the duty to obtain any other necessary permits from the Department or from other local, state, or federal agencies and to comply with the requirements contained in any such permits. All activities conducted and all plan approvals implemented by the permittee pursuant to the terms of this permit shall comply with all applicable local, state, and federal laws and regulations.

2.0 Special Reporting Obligations

2.1 Planned Changes

2.1.1 The permittee shall give notice to the Department as soon as possible of any planned physical alteration or addition to the permitted facility if:

2.1.1.1 The alteration or addition may make the facility a “new source” under one or more of the criteria in 18 AAC 83.990(44); or

2.1.1.2 The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged if those pollutants are not subject to effluent limitations in the permit or to notification requirements under 18 AAC 83.610.

2.1.2 If the proposed changes are subject to plan review, then the plans must be submitted at least 30 days before implementation of changes (see 18 AAC 15.020 and 18 AAC 72 for plan review requirements). Written approval is not required for an emergency repair or routine maintenance.

2.1.3 Written notice must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.2 Anticipated Noncompliance

2.2.1 A permittee shall give seven days’ notice to the Department before commencing any planned change in the permitted facility or activity that may result in noncompliance with permit requirements.

2.2.2 Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.3 Transfers

2.3.1 A permittee may not transfer a permit for a facility or activity to any person except after notice to the Department in accordance with 18 AAC 83.150. The Department may modify or revoke and reissue the permit to change the name of the permittee and incorporate such other requirements under 33 U.S.C. 1251-1387 (Clean Water Act) or state law.

2.3.2 Written notice must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.4 Compliance Schedules

2.4.1 A permittee must submit progress or compliance reports on interim and final requirements in any compliance schedule of a permit no later than 14 days following the scheduled date of each requirement.

2.4.2 Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.5 Corrective Information

2.5.1 If a permittee becomes aware that it failed to submit a relevant fact in a permit application or submitted incorrect information in a permit application or in any report to the Department, the permittee shall promptly submit the relevant fact or the correct information.

2.5.2 Information must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.6 Bypass of Treatment Facilities

2.6.1 Prohibition of Bypass

Bypass is prohibited. The Department may take enforcement action against a permittee for any bypass, unless:

2.6.1.1 The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

2.6.1.2 There were no feasible alternatives to the bypass, including use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. However, this condition is not satisfied if the permittee, in the exercise of reasonable engineering judgment, should have installed adequate back-up equipment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

2.6.1.3 The permittee provides notice to the Department of a bypass event in the manner, as appropriate, under Appendix A, Part 2.6.2.

2.6.2 Notice of bypass

2.6.2.1 For an anticipated bypass, the permittee submits notice at least 10 days before the date of the bypass. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the conditions of Appendix A, Parts 2.6.1.1 and 2.6.1.2.

2.6.2.2 For an unanticipated bypass, the permittee submits 24-hour notice, as required in 18 AAC 83.410(f) and Appendix A, Part 3.4, Twenty-four Hour Reporting.

2.6.2.3 Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.6.3 Notwithstanding Appendix A, Part 2.6.1, a permittee may allow a bypass that:

2.6.3.1 Does not cause an effluent limitation to be exceeded, and

2.6.3.2 Is for essential maintenance to assure efficient operation.

2.7 Upset Conditions

2.7.1 In any enforcement action for noncompliance with technology-based permit effluent limitations, a permittee may claim upset as an affirmative defense. A permittee seeking to establish the occurrence of an upset has the burden of proof to show that the requirements of Appendix A, Part 2.7.2 are met.

2.7.2 To establish the affirmative defense of upset, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:

2.7.2.1 An upset occurred and the permittee can identify the cause or causes of the upset;

2.7.2.2 The permitted facility was at the time being properly operated;

2.7.2.3 The permittee submitted 24-hour notice of the upset, as required in 18 AAC 83.410(f) and Appendix A, Part 3.4, Twenty-four Hour Reporting; and

2.7.2.4 The permittee complied with any mitigation measures required under 18 AAC 83.405(e) and Appendix A, Part 1.5, Duty to Mitigate.

2.7.3 Any determination made in administrative review of a claim that noncompliance was caused by upset, before an action for noncompliance is commenced, is not final administrative action subject to judicial review.

2.8 Existing Manufacturing, Commercial, Mining, and Silvicultural Discharges

2.8.1 In addition to the reporting requirements under 18 AAC 83.410, an existing manufacturing, commercial, mining, and silvicultural discharger shall notify the Department as soon as that discharger knows or has reason to believe that any activity has occurred or will occur that would result in:

2.8.1.1 The discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

2.8.1.1.1 One hundred micrograms per liter (100 µg/L);

2.8.1.1.2 Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile, 500 micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol, and one milligram per liter (1 mg/L) for antimony;

2.8.1.1.3 Five times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g); or

2.8.1.1.4 The level established by the Department in accordance with 18 AAC 83.445.

2.8.1.2 Any discharge, on a non-routine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

2.8.1.2.1 Five hundred micrograms per liter (500 µg/L);

2.8.1.2.2 One milligram per liter (1 mg/L) for antimony;

2.8.1.2.3 Ten times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g); or

2.8.1.2.4 The level established by the Department in accordance with 18 AAC 83.445.

3.0 Monitoring, Recording, and Reporting Requirements

3.1 Representative Sampling

A permittee must collect effluent samples from the effluent stream after the last treatment unit before discharge into the receiving waters. Samples and measurements must be representative of the volume and nature of the monitored activity or discharge.

3.2 Reporting of Monitoring Results

The permittee shall summarize monitoring results on the annual report form or approved equivalent. The permittee shall submit its annual report at the interval specified in the permit. The permittee shall sign and certify all annual reports and other reports in accordance with the requirements of Appendix A, Part 1.12, Signatory Requirement and Penalties. The permittee shall submit the legible originals of these documents to the ADEC Compliance and Enforcement Program at the address in Appendix A, Part 1.1.2.

3.3 Additional Monitoring by Permittee

If the permittee monitors any pollutant more frequently than the permit requires using test procedures approved in 40 CFR Part 136, adopted by reference at 18 AAC 83.010, or as specified in this permit, the results of that additional monitoring must be included in the calculation and reporting of the data submitted in the DMR or annual report required by Appendix A, Part 3.2. All limitations that require averaging of measurements must be calculated using an arithmetic means unless the Department specifies another method in the permit. Upon request by the Department, the permittee must submit the results of any other sampling and monitoring regardless of the test method used.

3.4 Twenty-four Hour Reporting

A permittee shall report any noncompliance event that may endanger health or the environment as follows:

3.4.1 A report must be made:

3.4.1.1 Orally within 24 hours after the permittee becomes aware of the circumstances, and

3.4.1.2 In writing within five days after the permittee becomes aware of the circumstances.

3.4.2 A report must include the following information:

3.4.2.1 A description of the noncompliance and its causes, including the estimated volume or weight and specific details of the noncompliance;

3.4.2.2 The period of noncompliance, including exact dates and times;

3.4.2.3 If the noncompliance has not been corrected, a statement regarding the anticipated time the noncompliance is expected to continue; and

3.4.2.4 Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

3.4.3 An event that must be reported within 24 hours includes:

3.4.3.1 An unanticipated bypass that exceeds any effluent limitation in the permit (see Appendix A, Part 2.6, Bypass of Treatment Facilities).

3.4.3.2 An upset that exceeds any effluent limitation in the permit (see Appendix A, Part 2.7, Upset Conditions).

3.4.3.3 A violation of a maximum daily discharge limitation for any of the pollutants listed in the permit as requiring 24-hour reporting.

3.4.4 The Department may waive the written report on a case-by-case basis for reports under Appendix A, Part 3.4 if the oral report has been received within 24 hours of the permittee becoming aware of the noncompliance event.

3.4.5 The permittee may satisfy the written reporting submission requirements of Appendix A, Part 3.4 by submitting the written report via e-mail, if the following conditions are met:

3.4.5.1 The Noncompliance Notification Form or equivalent form is used to report the noncompliance;

3.4.5.2 The written report includes all the information required under Appendix A, Part 3.4.2;

3.4.5.3 The written report is properly certified and signed in accordance with Appendix A, Parts 1.12.3 and 1.12.5.;

3.4.5.4 The written report is scanned as a PDF (portable document format) document and transmitted to the Department as an attachment to the e-mail; and

3.4.5.5 The permittee retains in the facility file the original signed and certified written report and a printed copy of the conveying email.

3.4.6 The e-mail and PDF written report will satisfy the written report submission requirements of this permit provided the e-mail is received by the Department within five days after the time the permittee becomes aware of the noncompliance event and the e-mail and written report satisfy the criteria of Part 3.4.5. The e-mail address to report noncompliance is: dec-wqreporting@alaska.gov

3.5 Other Noncompliance Reporting

A permittee shall report all instances of noncompliance not required to be reported under Appendix A, Parts 2.4 (Compliance Schedules), 3.3 (Additional Monitoring by Permittee), and 3.4 (Twenty-four Hour Reporting) at the time the permittee submits monitoring reports under Appendix A, Part 3.2. (Reporting of Monitoring Results). A report of noncompliance under this part must contain the information listed in Appendix A, Part 3.4.2 and be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

4.0 Penalties for Violations of Permit Conditions

Alaska laws allow the State to pursue both civil and criminal actions concurrently. The following is a summary of Alaska law. Permittees should read the applicable statutes for further substantive and procedural details.

4.1 Civil Action

Under AS 46.03.760(e), a person who violates or causes or permits to be violated a regulation, a lawful

order of the Department, or a permit, approval, or acceptance, or term or condition of a permit, approval or acceptance issued under the program authorized by AS 46.03.020 (12) is liable, in a civil action, to the State for a sum to be assessed by the court of not less than $500 nor more than $100,000 for the initial violation, nor more than $10,000 for each day after that on which the violation continues, and that shall reflect, when applicable:

4.1.1 Reasonable compensation in the nature of liquated damages for any adverse environmental effects caused by the violation, that shall be determined by the court according to the toxicity, degradability, and dispersal characteristics of the substance discharged, the sensitivity of the receiving environment, and the degree to which the discharge degrades existing environmental quality;

4.1.2 Reasonable costs incurred by the State in detection, investigation, and attempted correction of the violation;

4.1.3 The economic savings realized by the person in not complying with the requirements for which a violation is charged; and

4.1.4 The need for an enhanced civil penalty to deter future noncompliance.

4.2 Injunctive Relief

4.2.1 Under AS 46.03.820, the Department can order an activity presenting an imminent or present danger to public health or that would be likely to result in irreversible damage to the environment be discontinued. Upon receipt of such an order, the activity must be immediately discontinued.

4.2.2 Under AS 46.03.765, the Department can bring an action in Alaska Superior Court seeking to enjoin ongoing or threatened violations for Department-issued permits and Department statutes and regulations.

4.3 Criminal Action

Under AS 46.03.790(h), a person is guilty of a Class A misdemeanor if the person negligently:

4.3.1 Violates a regulation adopted by the Department under AS 46.03.020(12);

4.3.2 Violates a permit issued under the program authorized by AS 46.03.020(12);

4.3.3 Fails to provide information or provides false information required by a regulation adopted under AS 46.03.020(12);

4.3.4 Makes a false statement, representation, or certification in an application, notice, record, report, permit, or other document filed, maintained, or used for purposes of compliance with a permit issued under or a regulation adopted under AS 46.03.020(12); or

4.3.5 Renders inaccurate a monitoring device or method required to be maintained by a permit issued or under a regulation adopted under AS 46.03.020(12).

4.4 Other Fines

Upon conviction of a violation of a regulation adopted under AS 46.03.020(12), a defendant who is not an organization may be sentenced to pay a fine of not more than $10,000 for each separate violation (AS 46.03.790(g)). A defendant that is an organization may be sentenced to pay a fine not exceeding the greater of: (1) $200,00; (2) three times the pecuniary gain realized by the defendant as a result of the offense; or (3) three times the pecuniary damage or loss caused by the defendant to another, or the property of another, as a result of the offense (AS 12.55.035(c)(B), (c)(2), and (c)(3)).

APPENDIX B. ACRONYMS

AAC	Alaska Administrative Code
ADF&G	Alaska Department of Fish and Game
APDES	Alaska Pollutant Discharge Elimination System
APMA	Annual Placer Mining Application
BMP	Best Management Practice
CWA	Clean Water Act
DEC	Alaska Department of Environmental Conservation
DNR	Alaska Department of Natural Resources
EPA	U.S. Environmental Protection Agency
NOI	Notice of Intent
NTU	Nephelometric Turbidity Unit
U.S.C.	United States Code

APPENDIX C. DEFINITIONS

Alaska Pollutant Discharge Elimination System (APDES)[a]	Means the state's program, approved by EPA under 33 U.S.C. 1342(b), for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits and imposing and enforcing pretreatment requirements under 33 U.S.C. 1317, 1328, 1342, and 1345.
Anadromous Fish[b]	Means a fish or fish species that spends portions of its life cycle in both fresh and salt waters, entering fresh water from the sea to spawn and includes the anadromous forms of pacific trout and salmon of the genus Oncorhynchus (rainbow and cutthroat trout and chinook, coho, sockeye, chum and pink salmon), Arctic char, Dolly Varden, sheefish, smelts, lamprey, whitefish, and sturgeon.
Application	Means an individual permit application, Annual Placer Mining Application (APMA) , or written Notice of Intent (NOI) pursuant to 18 AAC 205.
Available Evidence[b]	Means all relevant and applicable data and information the applicant has or can obtain, and all relevant and applicable data and information available to the Department from other sources; "available evidence" does not include data and information that the collection or preparation of which, in the department's determination, is not practicable.
Best Management Practices (BMPs)	Means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "waters of the United States". BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, waste disposal, or drainage from mined areas.
Clean Water Act (CWA)[a]	Means the federal law codified at 33 U.S.C. 1251-1387, also referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972.
Department[a]	Means the Alaska Department of Environmental Conservation.
Discharge[a]	When used without qualification, means the discharge of a pollutant.
Effluent[b]	Means the segment of a wastewater stream that follows the final step in a treatment process and precedes discharge of the wastewater stream to the receiving environment.
Effluent limitation or Effluent limit[a]	Means any restriction imposed by the department on quantities, discharge rates, and concentrations of pollutants that are discharged from point sources into waters of the United States, the waters of the contiguous zone, or the ocean.
Expanding Operation	Means any operation increasing in size such as to affect the discharge but operating within the permit area covered by its general permit.
Facility[a]	Means any point source or any other facility or activity, including land or appurtenances, that is subject to regulation under the APDES program.
Intake diameter or Intake area	Means to the intake nozzle as measured across the smallest internal cross-section of the primary inlet.

a) See 18 AAC 83
b) See 18 AAC 70.990

Littoral or Littoral Zone	Means the strip of land along the shoreline between the high and low water levels.
Mixing Zone[b]	Means a volume of water adjacent to a discharge in which wastes discharged mix with the receiving water.
New Operation	Means an operation that has not discharged in the area specified in the Notice of Intent (NOI) prior to the submission of the NOI.
Operation	Means the same as “facility.”
Outfall	Means the discharge point of a wastewater stream into the receiving water
Permittee	Means a company, organization, association, entity, or person who is issued a wastewater permit and is responsible for ensuring compliance, monitoring, and reporting as required by the permit.
Pollutant[a]	Means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under 42 U.S.C. 2011), heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, or agricultural waste discharged into water.
Receiving Water	Means waters such as lakes, rivers, streams, creeks, wetlands, or any other surface waters that receive wastewater discharges.
Silt and Clay	Means soil particles having a diameter of less than 0.002 mm (2 microns).
Sheen[b]	Means an iridescent appearance on the water surface
Turbidity[b]	Means an expression of the optical property that causes light to be scattered and absorbed rather than transmitted in straight lines through a water sample; turbidity in water is caused by the presence of suspended matter such as clay, silt, finely divided organic and inorganic matter, plankton, and other microscopic organisms;
Wastewater	Means all water used in and resulting from the beneficiation process (including but not limited to the water used to move the ore to and through the beneficiation process, the water used to aid in classification, and the water used in gravity separation).
Wastewater Treatment	Means any process to which wastewater is subjected in order to remove or alter its objectionable constituents and make it suitable for subsequent use or acceptable for discharge to the environment.
Waters of the United States or Waters of the U.S.	Has the meaning given in 18 AAC 83.990(77).

a) See 18 AAC 83
b) See 18 AAC 70.990

APPENDIX D. COVERAGE AREA

D.1 Coverage Area Map

The following map outlines the permit coverage area.

Map D1: Coverage Area

D.2 Anadromous Streams and Rivers

The following maps and tables provide the general locations of anadromous streams and rivers that occur within the permit coverage area. Permittees with facilities near a stream or river should consult the Alaska Department of Fish and Game (ADF&G) Anadromous Waters Catalog and Atlas at http://www.adfg.alaska.gov/sf/SARR/AWC/; or contact ADF&G, Division of Habitat at (907) 459-7289.

Map D2: Anadromous Streams – Cape Rodney to Cape Nome

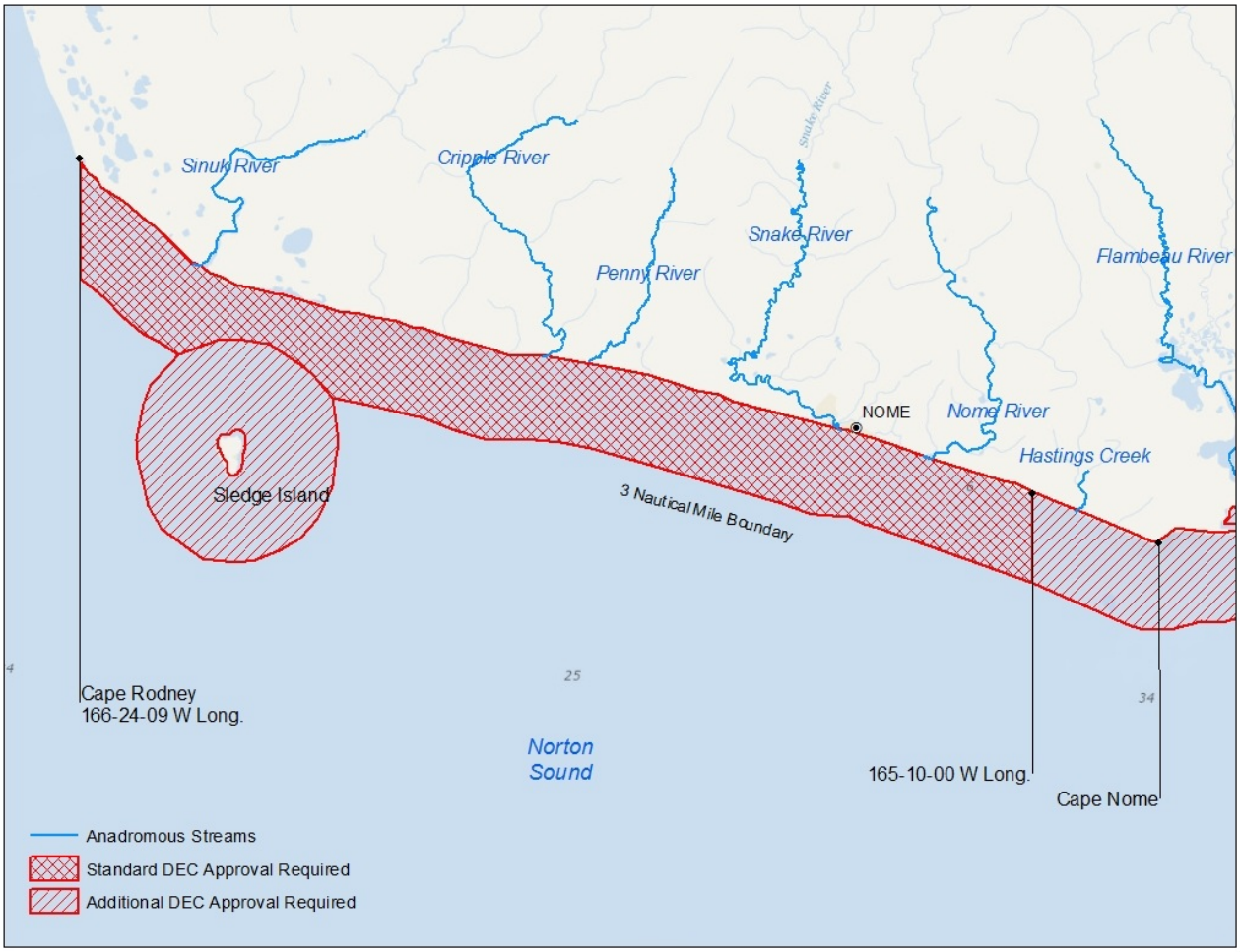

Table D2: Anadromous Waters [a] – Cape Rodney to Cape Nome			
Waterbody Name	**Quad Map [b]**	**Latitude [c]**	**Longitude [c]**
Sinuk River	NOME C-3	64.59075 N	166.25531 W
Cripple River	NOME C-2	64.53945 N	165.80186 W
Penny River	NOME C-2	64.53719 N	165.74248 W
Snake River	NOME B-1	64.49750 N	165.41479 W
Nome River	NOME B-1	64.48283 N	165.30466 W
Hastings Creek	NOME B-1	64.45229 N	165.10866 W

Notes:

a. ADF&G Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes – Arctic Region, Effective June 1, 2012
b. U.S. Geological Survey map quadrangle containing the mouth of the waterbody
c. Approximate coordinates of the mouth of the waterbody in decimal degrees (NAD 1983 datum)

Map D3: Anadromous Streams – Cape Nome to Cape Darby

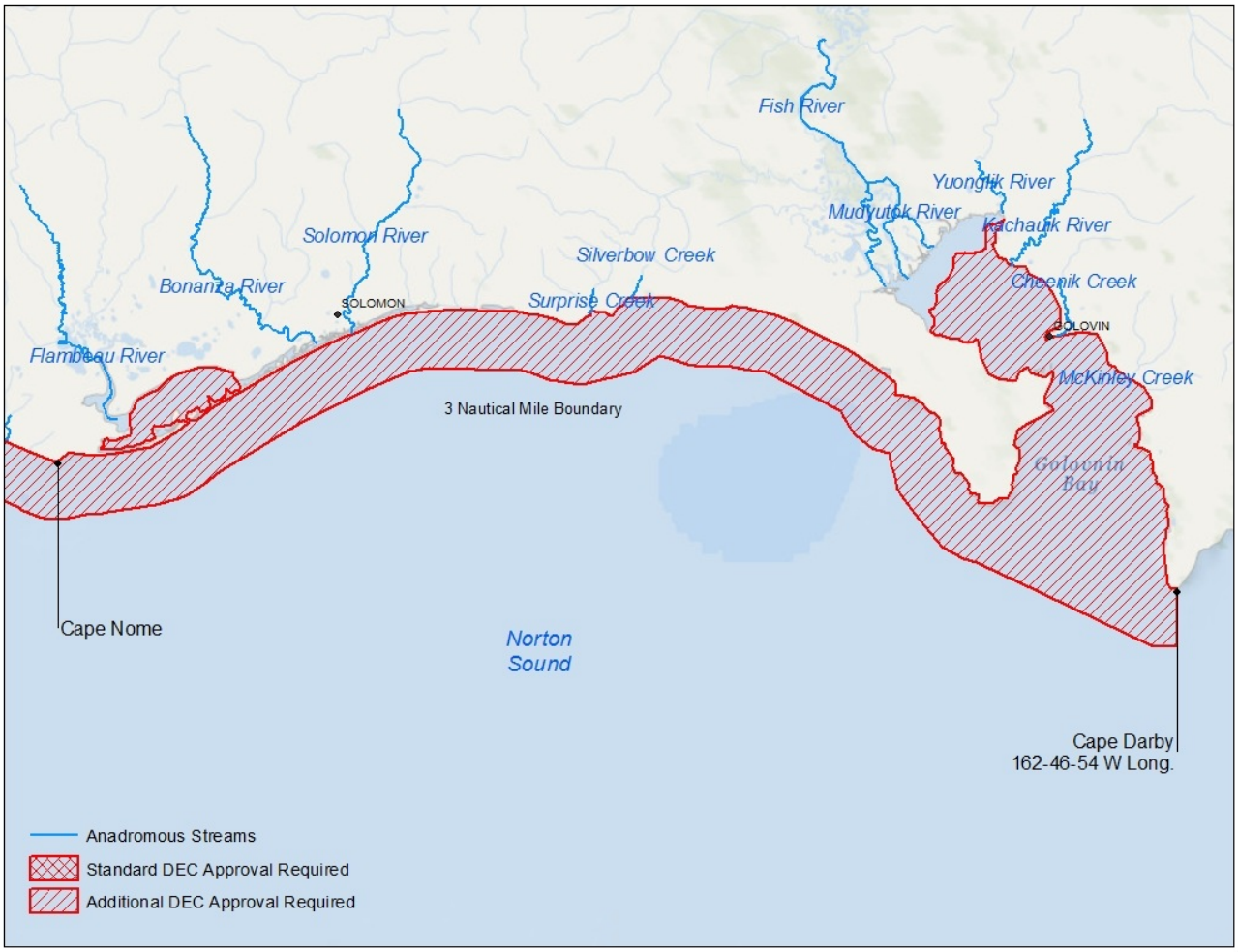

Table D3: Anadromous Waters [a] – Cape Nome to Cape Darby			
Waterbody Name	**Quad Map [b]**	**Latitude [c]**	**Longitude [c]**
Flambeau River	SOLOMON B-6	64.47192 N	164.88227 W
Bonanza River	SOLOMON C-5	64.53716 N	164.48787 W
Solomon River	SOLOMON C-5	64.54609 N	164.42018 W
Surprise Creek	SOLOMON C-4	64.56224 N	163.94738 W
Silverbow Creek	SOLOMON C-4	64.57440 N	163.85985 W
Fish River	SOLOMON C-3	64.58498 N	163.36052 W
Unnamed Stream	SOLOMON C-3	64.59240 N	163.31567 W
Mudyutok River	SOLOMON C-3	64.61935 N	163.26404 W
Yuonglik River	SOLOMON C-3	64.64780 N	163.12927 W
Kachauik River	SOLOMON C-3	64.60258 N	163.11125 W

Table D3: Anadromous Waters [a] – Cape Nome to Cape Darby

Waterbody Name	Quad Map [b]	Latitude [c]	Longitude [c]
Cheenik Creek	SOLOMON C-3	64.54346 N	163.02117 W
McKinley Creek	SOLOMON C-2	64.50713 N	162.88746 W

Notes:

a. ADF&G Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes – Arctic Region, Effective June 1, 2012

b. U.S. Geological Survey map quadrangle containing the mouth of the waterbody

c. Approximate coordinates of the mouth of the waterbody in decimal degrees (NAD 1983 datum)

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APPENDIX E. NOTICE OF INTENT INFORMATION

Norton Sound Large Dredge Placer Miners General Permit No. AKG374000			
PERMITTEE NAME:			**PREVIOUS APDES** PERMIT NUMBER (if any) AKG37 _____
ADDRESS	SUMMER	WINTER	**WATER THAT THE FACILITY DIRECTLY DISCHARGES TO (Receiving Water):**
PHONE			
OPERATOR NAME: ☐ Check if same as Permittee			**PROVIDE A DRAWING OF YOUR OPERATION ON THE BACK OR ATTACHED AND SUBMITTED WITH THE NOI**
ADDRESS	SUMMER	WINTER	
PHONE			
FACILITY NAME:		Average volume of wastewater discharge: _____ gallons per minute	LATITUDE:
Average volume of material processed per hour: _____ cubic yards		Maximum volume of material processed per year: _____ cubic yards	LONGITUDE:
QUAD MAP, TOWNSHIP, RANGE, SECTION:		MERIDIANS: __ Umiat __ Kateel __ Fairbanks __ Seward __ Copper River	
TYPE OF OPERATION:	☐ SUCTION DREDGE Nozzle Diameter: ____ Hose Diameter: ____ Dredge Engine Horsepower: ____	☐ MECHANICAL DREDGE Bucket Volume: ____	
DESCRIPTION OF OPERATION: (Continue on back if necessary.)			
SIGNATURE:		**DATE:**	
PRINTED NAME:			

Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.