SCANNED 9/17/12

RECEIVED
SEP 17 2012
DEC
Division of Water Quality
Wastewater Discharge Program

**Ekuk Fisheries LLC**
**2442 N W Market Street #625 Seattle WA 98107**
**Phone(206) 547-1074, Fax (206)547-1259**

Shawn Stokes
Alaska Department of Environmental Conservation
Division of Water
555 Cordova Street, Anchorage AK 99501

RE: Ekuk Fisheries LLC 2013 NOI

Dear Mr. Stokes

Per your request Ekuk Fisheries LLC is submitting an updated NOI. In your email dated September 6th you stated that the last NOI you had on file was from 2006, and the estimated amount of waste was 800,000 pounds per year. You also stated there was a mention of a 2008 NOI being submitted, but that you couldn't find it. I have a copy of the 2008 NOI. I have copied the copy and it is included in this correspondence to replace the lost 2008 NOI for your files. As you will see in the 2008 NOI I requested a maximum of 2,000,000 pounds of waste. That is the same level I requested in the 2013 NOI. The 2,000,000 pound estimate is well above any preceding yearly waste production but well below the historical level of the facility prior to Ekuk Fisheries operating it, and well below the General Permit level. In addition, I have included the 2012 Annual Report, that is due 2/14/2013. I thought as long as I was working on the NOI I may as well kill two birds with one stone.

The updated and completed NOI is enclosed and includes, the BMP letter, Duplicate waiver requests from 2006, 2007, and 2008 NOI submittals, a location map showing the context of the location in coastal Alaska, and a bathymetric chart depicting the facility, the outfall, and the corresponding water depths.

Thank you and best regards,

Joseph M Kelso
Owner and General Manager
Ekuk Fisheries LLC

# NOTICE OF INTENT

**to be covered under**
**APDES GENERAL PERMIT AK-G52-0000**
**for**
**SEAFOOD PROCESSORS IN ALASKA**
(See Part IV.C. of the Permit, reissued 2001)

**Please submit this NOI to:**

Department of Environmental Conservation
Division of Water

555 Cordova Street
Anchorage, AK 99501

Submittal of this document constitutes notice that the party identified in Section 1 intends to be covered by the APDES general permit authorizing discharges from seafood processing activities in Alaska and obligates the permittee to comply with the terms and conditions of the permit.

Please fill in all information. Attach supplemental information sheets as appropriate.

**SECTION 1 - PERMIT INFORMATION**

| | |
|---|---|
| APDES PERMIT NO. AK-G52 - 0037 | ADEC Number (Seafood Processor License) AK-1268 |

**SECTION 2 - OPERATOR INFORMATION** (Part IV.C.2)

| | |
|---|---|
| Company Name Ekuk Fisheries LLC | |
| Address 2442 N W Market Street #625 | Phone 206-547-1074 |
| City/State/Zip Seattle Washington 98107 | FAX 206-547-1259 |
| Representative/Title Joseph M. Kelso Owner/General Manager | E-mail kjoe15@qwestoffice.net |

**SECTION 3 - OWNER INFORMATION** (Part IV.C.3)

| | |
|---|---|
| Owner Name Joe Kelso | |
| Address 2442 N W Market Street #625 | Phone 206-547-1074 |
| City/State/Zip Seattle Washington 98107 | FAX 206-547-1259 |
| Representative/Title Joseph M. Kelso Owner/General Manager | E-mail kjoe15@qwestoffice.net |

**SECTION 4 - FACILITY or VESSEL INFORMATION** (Part IV.C.4)

| | | |
|---|---|---|
| Facility/Vessel Name Ekuk Cannery | | No of Employees 120 |
| Address 202 Cannery Drive | | Phone 907-236-2051-seasonal |
| City/State/Zip Ekuk Alaska 99576 | | FAX 907-236-1496-seasonal |
| Latitude and Longitude of Discharge(s) 58.49 N; 158.33 W | | |
| Previous facility/vessel name(s) Yardarm Knot Fishereis-Ekuk Facility | | |
| Type of vessel N/A | USCG no. N/A | Vessel length N/A |

**SECTION 5 - FACILITY CLASSIFICATION** (Part IV.C.5; Check each that applies)

| | |
|---|---|
| ☐ | Offshore floating seafood processor: operating and discharging between 1 and 3 nautical mile from shore at MLLW |
| ☐ | Nearshore floating seafood processor: operating and discharging from one (1) to one half (0.5) nautical mile from shore at MLLW |
| ✓ | Shore-based seafood processor: operating and discharging less than one half (0.5) nautical mile from shore at MLLW (Includes vessels that meet discharge location criteria) |

## SECTION 6 - PROJECTED PRODUCTION INFORMATION (Part IV.C.6; Check all that apply)

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | Whole | | Head-on & Gutted | ✓ | Headed & Gutted | | Fillets | | Cured, salted or smoked |
| | Canned | | Fish meal | | Surimi, fish paste | | Mince, dry/ washed | | Mince, wet/ unwashed |
| ✓ | Roe | | Crab: whole, pieces | | Shrimp, scallops, clams, oysters, snails, urchins, cucumbers (circle appropriate items ) | | | | Other (identify): |

| Catch Processed (by type, e.g., cod, pollock, salmon) | Finished Product (by type, e.g., fillets, surimi, canned) | 24-hour Design Capacity in lbs of processing raw product | Location (Lat/Long or ADF&G areas) | Anticipated Processing Activity -- Number of days per month | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
| Salmon | H&G | 500,000 | 58.49N, 158.33W | | | | | | 10 | 22 | | | | | |
| | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | |
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## SECTION 7 - RECEIVING WATER INFORMATION (Part IV.C.7)

Name(s) of waterbody(ies) receiving discharges of the facility Nushagak Bay

Name of any larger, adjacent receiving waterbody(ies) Bristol Bay

List any areas within three (3) nautical miles of operation which are excluded from coverage under the General Permit (e.g., Parks, Preserves, Refuges, Critical Habitats etc.)

Nature of Receiving Water: Discharge is to marine water ☐ Discharge is to fresh water ☐ Discharge is to estuary or tidal tributary ☑

**Attention:** Nearshore and Shore-based Processors must submit a bathymetric map of the receiving water within one (1) nautical mile of the discharge showing the location of the facility and all discharge point(s)

## SECTION 8 - DESCRIPTION of DISCHARGES (Part IV.C.8)

**Sanitary Wastes**

| | | | |
|---|---|---|---|
| | Package Treatment Plant | | Municipal System |
| X | On-site septic system | | Community Septic system |
| | USCG Approved System (MSD) Type: | | Capacity (gals/day): |

**Seafood Processing Wastes**

| | | |
|---|---|---|
| Outfall depth: 23 ft. | Outfall distance from shore: 300 ft. | Water depth at outfall: 23 ft. |

Vessels indicate the range of water column depths at which vessel discharges processing wastes: to ft.

Grinder - Type/Name: Autio and Vaughn Grinds seafood wastes to: 1/2 inch width

**Other Wastewaters** (Check all that apply)

| | | | |
|---|---|---|---|
| | Process disinfectants | | Transfer water |
| | Cooling water | | Gray water |
| | Boiler water | | Live tank water |
| | Cooking water | | Air scrubber water |
| ✓ | Refrigerated seawater | | Other (name): |

**Projected Maximum Quantity in lbs of Process Waste Solids that are Discharged**

| Specific Species Processed | TOTAL DAILY Amount of Solids Discharged | TOTAL ANNUAL Amount of Solids Discharged |
|---|---|---|
| Sockeye Salmon | 150,000 lbs. | 2,000,000 lbs. |
| | lbs. | lbs. |
| | lbs. | lbs. |

## SECTION 9 - REFUELING CAPABILITY and PROXIMITY TO FUELING STATIONS (Part VI.C.9)

Does your facility/vessel refuel fishing vessels? Yes ☐ No ✓
If yes, what is the capacity of your refueling tanks?

If no, what is the location and distance to the nearest refueling station? 1 Mile

## SECTION 10 - SUBMITTALS (Part IV.C.10; to be attached to this NOI) * shore-based & near-shore processors only

| | |
|---|---|
| ✓ | Letter certifying that the facility has developed and operates in accordance with a Best Management Practices Plan |
| ✓ | Location Map showing the location of the facility in the context of the coastal area of Alaska * |
| ✓ | Bathymetric Map of Receiving Water showing facility, outfall and water depths within one mile of the discharge * |
| ✓ | Waiver Request (for seafloor survey, discharging to excluded areas (Part III.A,B,C), if applicable |

## SECTION 11- SIGNATURE and CERTIFICATION (Part IV.C.11)

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.

| | |
|---|---|
| Signature Principal or Partner | Title/Company Owner-Ekuk Fisheries LLC |
| Print Name Joseph M Kelso | Date 9/7/2012 |

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Shawn Stokes
Alaska Department of Environmental Conservation
Division of Water
555 Cordova Street, Anchorage AK 99501

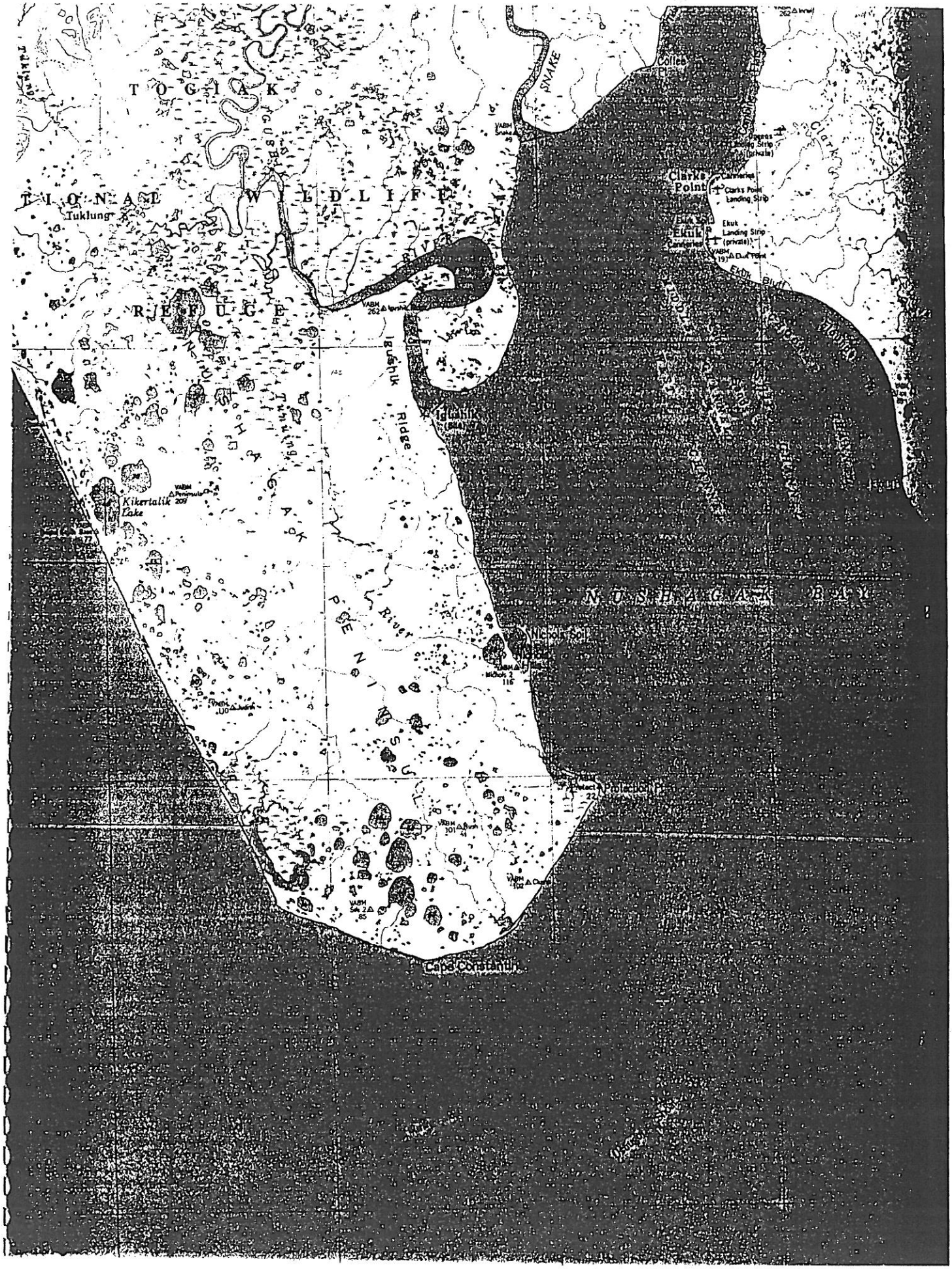
RE: Ekuk Fisheries LLC Best Management Practices Plan Certification Letter

Dear Mr. Stokes

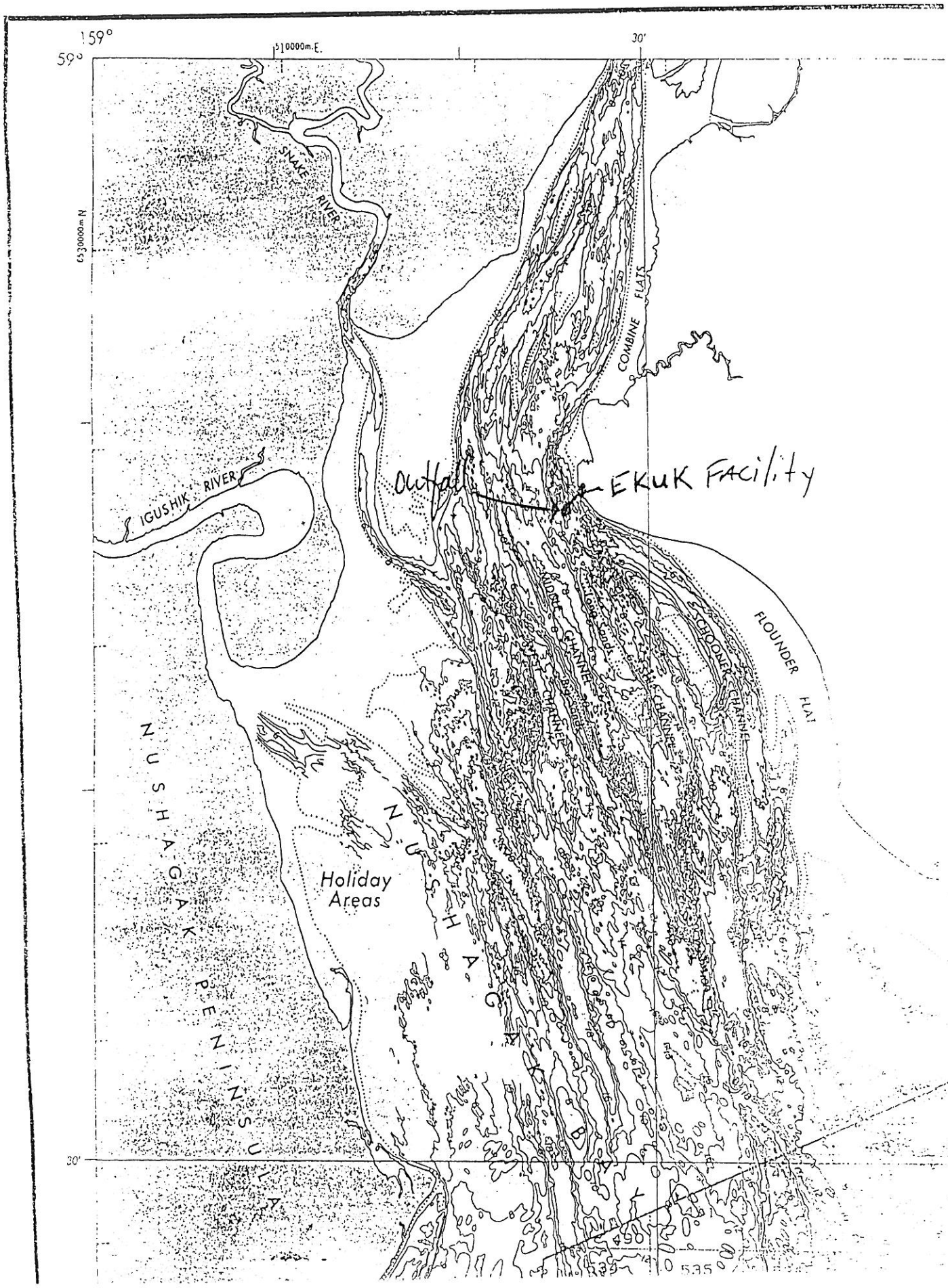
This correspondence is intended to satisfy the requirement under section 10 of the Notice of Intent form to certify that the facility has developed and operates in accordance with a Best Management Practices Plan.

Thank you and best regards,

Joseph M Kelso
Owner and General Manager
Ekuk Fisheries LLC


TOGIAK
NATIONAL WILDLIFE
Tuklung
REFUGE
SNAKE
Clarks Point
Clarks Point Landing Strip
Ekuk
Ekuk Landing Strip (private)
Igtalik
Kikertalik Lake
Nushagak River
Nushagak Bay
Nushagak Peninsula
Nicholson
Protection Pt
Cape Constantine

UNITED STATES



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555 Cordova Street, Anchorage AK 99501

RE: Waiver request for Seafloor Survey

Dear Sir or Madam:

Ekuk Fisheries is requesting a waiver for waste discharge due to the geographical location of the facility. Our situation is similar to a number of facilities that operate in the estuaries of Bristol Bay in that to extend our outfall line to a depth of 60 feet MLLW is impossible. The distance of the extension would be in excess of 2 miles across a bottomless mudflat, and through the heart of the Nushagak Fishing District, which will obstruct the driftnet harvest. The facility is located at Ekuk Alaska, which is on the eastern shore of Nushagak Bay, 17 miles South of Dillingham. It is spread out for about 2 miles along a narrow gravel spit that extends from the Ekuk Bluff in the shape of a "hook". It lays approximately 58.814986A North Latitude and 158.557684A West Longitude. (Sec. 12, T016S, R056W, Seward Meridian.) Ekuk is in the Bristol Bay recording district. Nushagak Bay is one of a number of smaller bodies of water that are part of Bristol Bay. As you may or may not know, Bristol Bay is a very large and shallow body of water which experiences some of the most extreme tidal activity in the world. The tidal activity occurs four times per day every day of the year and causes strong ocean currents that run hard first in one direction and then in the opposite creating a constant flushing effect. As an example, in June of this year the ebb tide flow will exceed 3 knots and high tide flow will also run at three knots, with 20 minutes of slackwater between them. Attempting to anchor the required amount of outfall line in that strong of a current and tide rip would be dangerous, difficult if not futile.

While the impracticality of extending the outfall line to a 60 foot MLLW depth exists, we are not requesting a waiver to avoid our responsibility of being good stewards of the facility and its environment. Though our monitoring efforts and BMPs we continually operate the facility from a proactive stance with regard to the environment, and our impact on it.

Sincerely,

Joseph M Kelso
Owner and General Manager
Ekuk Fisheries LLC

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Division of Water
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RE: Waiver request for Seafloor Survey

Dear Sir or Madam:

Ekuk Fisheries is requesting a waiver for omission of a seafloor survey. The facility is located at Ekuk Alaska. Ekuk is on the eastern shore of Nushagak Bay, 17 miles South of Dillingham. It is spread out for about 2 miles along a narrow gravel spit that extends from the Ekuk Bluff in the shape of a "hook". It lays approximately 58.814986A North Latitude and 158.557684A West Longitude. (Sec. 12, T016S, R056W, Seward Meridian.) Ekuk is in the Bristol Bay recording district. Nushagak Bay is one of a number of smaller bodies of water that are part of Bristol Bay. As you may or may not know, Bristol Bay is a very large and shallow body of water which experiences some of the most extreme tidal activity in the world. The tidal activity occurs four times per day every day of the year and causes strong ocean currents that run hard first in one direction and then in the opposite. Due to the extreme conditions caused by the tides and currents, coupled with the fact that the seafloor consists entirely of silt, the resulting turbidity reduces a diver's visibility to essentially zero.

While the impracticality of a dive survey exists, we are not requesting a waiver to avoid our responsibility of being good stewards of the facility and its environment. Though our monitoring efforts and BMPs we continually operate the facility from a proactive stance with regard to the environment, and our impact on it.

Sincerely,

Joseph M Kelso
Owner and General Manager
Ekuk Fisheries LLC