THE STATE of ALASKA
GOVERNOR SEAN PARNELL

Department of Environmental Conservation

DIVISION OF WATER
Wastewater Discharge Authorization Program

555 Cordova St
Anchorage, Alaska 99501-2617
Main: 907.269.6285
Fax: 907.334.2415

8/25/2014

Company: Aurora Energy, LLC
ATTN: David Fish
100 Cushman Street, Suite 210
Fairbanks AK 99701-4674

Facility:
Conger Property Coal Ash Landfill
Conger Street
Fairbanks AK 99701

Permit Number: AKR10EV72

This email/letter acknowledges that you have submitted a Notice of Intent form to be covered under the APDES General Permit for Stormwater Discharges for Construction General Permit Activity (Construction General Permit). The permittee is authorized to discharge storm water under the terms and conditions of this permit seven (7) calendar days after acknowledgment of receipt of the permittee's completed NOI is posted on ADEC's Storm Water Permit Search website (http://www.dec.state.ak.us/Applications/Water/WaterPermitSearch/Search.aspx). Coverage under this permit begins seven-days from the "Date Issued" on the Water Permit Search.

As stated above, this letter acknowledges receipt of a Notice of Intent. However, it is not an ADEC determination of the validity of the information you provided. Your eligibility for coverage under the Permit is based on the validity of the certification you provided. Your signature on the Notice of Intent certifies that you have read, understood, and are implementing all of the applicable requirements. An important aspect of this certification requires that you correctly determine whether you are eligible for coverage under this permit.

As you know, the Construction General Permit requires you to have developed and begun implementing a Stormwater Pollution Prevention Plan (SWPPP) and outlines important inspection and record keeping requirements. You must also comply with any additional location-specific requirements applicable to Alaska. A copy of the Construction General Permit must be kept with your SWPPP. An electronic copy of the Permit and additional guidance materials can be viewed and downloaded at http://www.dec.state.ak.us/water/wnpspc/stormwater/index.htm.

For tracking purposes, the following number has been assigned to your Notice of Intent Form: AKR10EV72.

If you have general questions regarding the stormwater program or your responsibilities under the Construction General Permit, please call (907) 269-6285. Thank you for using the ADEC eNOI system.

For Agency Use
Permit # AKR10EV72

Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity Under an APDES Construction General Permit

Submission of this Notice of Intent (NOI) constitutes notice that the party identified in Section I of this form requests authorization to discharge pursuant to the APDES Construction General Permit (CGP). Submission of this NOI also constitutes notice that the party identified in Section I of this form meets the eligibility requirements of the CGP for the project identified in Section II of this form. Permit coverage is required prior to commencement of construction activity until you are eligible to terminate coverage as detailed in the CGP. To obtain authorization, you must submit a complete and accurate NOI form. Refer to the instructions at the end of this form.

I. Single/Multiple NOI Project

Is this NOI for a project with a single NOI? ☑ Yes ☐ No

If "No," then you project has multiple NOIs, will the fee be paid with this NOI? ☐ Yes ☐ No ☐ Not Applicable

If "No," then enter the name of the operator paying the fee:

II. Operator Information

Organization: Aurora Energy, LLC

Contact Person: David Fish

Mailing Address:

Street (PO Box): 100 Cushman Street, Suite 210

City: Fairbanks State: AK Zip: 99701-4674

Phone: 907-457-0230 Fax(optional):

Email: dfish@usibelli.com

III. Billing Contact Information

Organization: Aurora Energy, LLC

Contact Person: David Fish

Mailing Address:

[ ] Check if same as Operator Information.

Street (PO Box): 100 Cushman Street, Suite 210

City: Fairbanks State: AK Zip: 99701-4674

Phone: 907-457-0230 Fax(optional):

Email: dfish@usibelli.com

IV. Project/Site Information

Project/Site Name: Conger Property Coal Ash Landfill

Project Street/Location: Conger Street

City: Fairbanks State: AK Zip: 99701

Borough or similar government subdivision: Fairbanks North Star

Latitude: 64.814679 Longitude: -147.802811

Determined By: ☐ GPS ☐ USGS topographic map ☑ Other: Google Earth

If you used a USGS topographic map, what was the scale?	
Estimated Project Start Date: 08/29/2014	Estimated Project Completion Date: 12/31/2019
Estimated Area to be Disturbed (to the nearest quarter acre): 6	
Have storm water discharges from your project/site been covered previously under an EPA or DEC issued permit?	☐ Yes ☑ No
If "Yes", provide the Tracking Number for the coverage under a previous EPA or DEC permit:	
If "Yes," have you updated your SWPPP according to the 2011 Alaska Construction General Permit?	☑ Yes ☐ No

V. SWPPP (Storm Water Pollution Prevention Plan)

Has the SWPPP been prepared in advance of filing this NOI?	☑ Yes ☐ No
For projects of 5 or more acres has a SWPPP been submitted to DEC as required per Part 2.1.3 of the 2011 CGP?	☑ Yes ☐ Not Applicable
Location of SWPPP for Viewing:	☑ Address in Section II ☐ Address in Section IV ☐ Other

If other:	SWPPP Street:		
	City:	State: AK	Zip:
	SWPPP Contact Information (if different than that in Section I):		
	Name: David Fish		
	Phone: 907-457-0230	Fax(optional):	
	Email: dfish@usibelli.com		

VI. Discharge Information

Identify the name(s) of waterbodies to which you discharge:

Jurisdictional Wetlands adjacent to Channel A, a tributary of the Tanana River

Is this discharge consistent with the assumptions and requirements of applicable EPA approved or established TMDL(s)?	☑ Yes ☐ No

VII. Treatment Chemicals

Will you use control measures such as polymers, flocculants or other treatment chemicals at your construction site?	☐ Yes ☑ No

NOTE: If you are unsure at the filing of the NOI, check "No" and then if you use treatment chemicals file an NOI Modification form indicating "Yes".

If "Yes," indicate the following polymers, flocculants or other treatment chemicals that will be used at your construction site:	☐ Alum	☐ Gypsum
	☐ Polyacrylamide (PAM)	☐ Polyaluminum Chloride
	☐ Other:	

VIII. Certification Information

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.

Printed Name: David Fish Title: Environmental Manager

Signature: David Fish Date: 8/25/2014 Email: dfish@usibelli.com

NOI Preparer (Complete if NOI was prepared by someone other than the certifier)

Prepared By: Edmond C Packee

Organization: Travis/Peterson Environmental Consulting

Phone: 907-455-7225 Email: eddie@tpeci.com

IX. Document Attachments

Documents attached with this application:

Conger SWPPP (final).pdf

Who Must File an NOI Form:
Operators of construction sites where one or more acres are disturbed, smaller sites that are part of a larger common plan of development or sale where there is a cumulative disturbance of at least one acre, or any other site specifically designated by the Director, must submit an NOI to obtain coverage under an APDES construction general permit. Each person, firm, public organization, or any other entity that meets either of the following criteria must file this form: (1) they have operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or (2) they have day-to-day operational control of those activities at the project necessary to ensure compliance with SWPPP requirements or other permit conditions.

Completing the Form
Obtain and read a copy of the APDES Construction General Permit. Type or print, in the appropriate areas only. "NA" can be entered in areas that are not applicable. If you have any questions about how or when to use this form, contact the DEC Storm Water Program at (907) 269-6285 or online at http://www.dec.state.ak.us/water/wnpspc/stormwater/.

Section I. Single/Multiple NOI Project:

Indicate whether or not this is a single NOI project. If not, indicate if the fee will be paid with this NOI or another associated with this project. Provide the name of the operator that will be paying the fee.

Section II. Operator Information:
Provide the name of the contact person, and the legal name of the firm, public organization, or any other entity that operates the project described in this application. An operator of a project is a legal entity that controls at least a portion of site operations and is not necessarily the site manager. Also provide the operator's mailing address, telephone number, fax number (optional) and e-mail address (to be notified via e-mail of NOI approval when available). Correspondence for the NOI will be sent to this address.

Section III. Billing Contact Information
Provide the name of the contact person, and the legal name of the firm, public organization, or any other entity that is responsible for accounts payable for this project. Also provide the billing contact's mailing address, telephone number, fax number (optional) and email address. Correspondence for billing purposes will be sent to this address. If the billing contact is that same as the operator, check the box and continue to Section IV Project/Site Information.

Section IV. Project/Site Information:
Enter the official or legal name and complete street address, including city, state, zip code, and county or similar government subdivision of the project or site. If the project or site lacks a street address, indicate the general location of the site (e.g., Intersection of State Highways 61 and 34). Complete site information must be provided for permit coverage to be granted.

The applicant must also provide the latitude and longitude of the facility either in degrees, minutes, seconds; degrees, minutes, decimal; or decimal format. The latitude and longitude of your facility can be determined in several different ways, including through the use of global positioning system (GPS) receivers, U.S. Geological Survey (U.S.G.S.) topographic or quadrangle maps, and EPA's web-based siting tools, among others. Refer to www.epa.gov/npdes/stormwater/cgp for further guidance on the use of these methodologies. For consistency, DEC requests that measurements be taken from the approximate center of the construction site. Applicants must specify which method they used to determine latitude and longitude. If a U.S.G.S. topographic map is used, applicants are required to specify the scale of the map used.

Enter the estimated construction start and completion dates using four digits for the year (i.e., 05/27/2009).

Enter the estimated area to be disturbed including but not limited to: grubbing, excavation, grading, and utilities and infrastructure installation. Indicate to the nearest quarter acre. Note: 1 acre = 43,560 sq. ft.

Indicate whether or not the project/site has been previously covered by an EPA or DEC permit. If "Yes" provide the tracking number of the permit or authorization that the project/site was covered under.

If this is a project that was covered under a previous EPA or DEC construction general permit indicate whether or not the SWPPP has been updated in accordance with the 2011 Alaska Construction General Permit.

Section V. SWPPP (Storm Water Pollution Prevention Plan) Information:
Indicate whether or not the SWPPP was prepared in advance of filing the NOI form. Check the appropriate box for the location where the SWPPP may be viewed. Provide the name, fax number (optional), and e-mail address of the contact person if different than that listed in Section I of the NOI form.

Section VI. Discharge Information:
Enter the name(s) of receiving water bodies to which the project's storm water will discharge. These should be the first bodies of water that the discharge will reach. (Note: If you discharge to more than one water body, please indicate all such waters in the space provided and attach a separate sheet if necessary.) For example, if the discharge leaves your site and travels through a roadside swale or a storm sewer and then enters a stream that flows to a river, the stream would be the receiving water body. Waters of the U.S. include lakes, streams, creeks, rivers, wetlands, impoundments, estuaries, bays, oceans, and other surface bodies of water within the confines of the U.S. and U.S. coastal waters. Waters of the U.S. do not include man-made structures created solely for the purpose of wastewater treatment. U.S.G.S. topographical maps may be used to make this determination. If the map does not provide a name, use a format such as "unnamed tributary to Cross Creek". If you discharge into a municipal separate storm sewer system (MS4), you must identify the water body into which that portion of the storm sewer discharges. That information should be readily available from the operator of the MS4.

Indicate whether your storm water discharges from construction activities will be consistent with the assumptions and requirements of applicable EPA approved or established total maximum daily load(s)(TMDL(s)). To answer this question, refer to www.epa.gov/npdes/stormwater/cgp for state- and regional-specific TMDL information related to the construction general permit. You may also have to contact DEC. If there are no applicable TMDLs or no related requirements, please check the "yes" box in the NOI form.

Section VII. Treatment Chemicals:
Indicate whether or not polymers, flocculants, or other treatment chemicals will be used. If you are unsure at the filing of the NOI, check "No" and then if you use them file an NOI Modification form indicating "Yes".

Check the box next to any treatment chemical that will be used. If "Other" is checked, list the treatment chemicals in the space provided

Section VIII. Certification Information:
The NOIs, must be signed as follows:

(1) For a corporation, a responsible corporate officer shall sign the NOI, a responsible corporate officer means:

(A) 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

(B) the manager of one or more manufacturing, production, or operating facilities, if

(i) 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;

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

(iii) authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) For a partnership or sole proprietorship, the general partner or the proprietor, respectively; or

(3) for a municipality, state, 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

(A) the chief executive officer of the agency; or

(B) a senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

Include the name, title, and email address of the person signing the form and the date of signing. An unsigned or undated NOI form will not be considered valid application for permit coverage. If the NOI was prepared by someone other than the certifier (for example, if the NOI was prepared by the facility SWPPP contact or a consultant for the certifier's signature), include the name, organization, telephone number and email address of the NOI preparer.

Where to File NOI form

DEC encourages you to complete the NOI form electronically via the Internet. DEC's Online Application System (OASys) can be found at https://myalaska.state.ak.us/dec/water/OASys/Login.aspx.Filing electronically is the fastest way to obtain permit coverage and help ensure that your NOI is complete. If you choose not to file electronically, you must send the NOI to the address listed below.

If you file by mail, please submit the original form with a signature in ink. DEC will not accept a photocopied signature. Remember to retain a copy for your records.

NOIs sent by mail:

Alaska Dept. of Environmental Conservation
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501
Phone: (907) 269-6285