ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM

GENERAL PERMIT – FINAL

Permit Number: **AKG523000 – MINOR MODIFICATION**

Offshore Seafood Processors Wastewater Discharge General Permit

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

AUTHORIZATION TO DISCHARGE UNDER THE ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM FOR

Offshore Seafood Processors Wastewater Discharge General Permit

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

The permittee(s), as described in Part 1.5 of this Alaska Pollutant Discharge Elimination System (APDES) general permit, are authorized to discharge pollutants, as described in Part 1.1 and Part 1.2, to waters of the United States (U.S.) in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein. The permittee is an owner or operator as defined in 18 AAC 83.

Discharge Name	Outfall Number
Seafood Waste and Wastewater and Commingled “Other Wastewaters” Outfall(s)	001 - To be Determined
Treated Sanitary Wastewater Outfall(s)	002 - To be Determined
Graywater Wastewater Outfall(s)	003 - To be Determined
Non-commingled “Other Wastewaters” Outfall(s)	004 - To be Determined

This permit shall become effective **January 1, 2019.**

This permit and the authorization to discharge shall expire at midnight, **December 31, 2023 ~~2024~~**.

Each permittee shall reapply for an authorization to discharge on or before **October 1, 2023 ~~2024~~**, 90 days prior to expiration, if the permittee intends to continue discharging from the vessel beyond the term of the permit.

Signature	January 7, 2019 Date
Gene McCabe	Program Manager

A COPY OF THE GENERAL PERMIT AND WRITTEN AUTHORIZATION SHALL BE KEPT ON THE VESSEL WHERE THE DISCHARGE OCCURS AND AT THE OFFICE OF THE RESPONSIBLE PARTY.

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Attachment G: Notice of Termination Form

SCHEDULE OF SUBMISSIONS

The Schedule of Submissions summarizes some of the required submissions and activities the permittee shall complete and/or submit to the Alaska Department of Environmental Conservation (DEC or the Department) Division of Water during the term of this permit. The permittee is responsible for all submissions and activities even if they are not summarized below. Dates included as deadlines within this permit shall be post marked, submitted electronically, or faxed in by the due date.

Table 1**: Schedule of Submissions**

Permit Part	Submittal or Completion	Frequency	Due Date	Submit to DEC Water Div. Compliance or Permitting Section
1.6	Notice of Intent (NOI) for a new permittee	1/Permit Cycle	90 days prior to commencement of discharge	Permitting
1.5.3	NOI for a permittee with existing coverage under AKG520000	1/Permit Cycle	January 1, 2019	Permitting
1.5.4	NOI for a permittee with existing coverage under AKG523000	1/Permit Cycle	January 1, 2019	Permitting
1.5.6	Modified NOI	As Needed	Update NOI as needed if management changes occur and prior to processing line/discharge location changes	Permitting
1.11	Reapplication NOI	1/Permit Cycle	90 days prior to the expiration date of the permit.	Permitting
3.3.6.5.4	Summary Report of Non-compliance from daily Waste Conveyance System Inspection logs	Yearly	Submit with the Annual Report	Compliance
3.3.6.3	Summary Report of Non-compliance daily Grinder/Waste Treatment Inspection logs	Yearly	Submit with the Annual Report	Compliance
2.1.4.1	Pre-operational Waste Treatment and Discharge System Check	Yearly	Submit with the Annual Report	Compliance

2.1.1.5	Discharge Monitoring Report (DMR)	Monthly	Must be submitted electronically through the NetDMR system, submitted quarterly on or before the 28th day of the new quarter	NetDMR
3.3	Annual Report	Yearly	Due annually on March 15. The Annual Report shall contain the previous year's required reporting from January 1 to December 31.	Compliance
2.3.4.8	Seafloor Survey Report	As Required	If required, submitted with the Annual Report	Compliance
3.1.2 and 3.2.3	Certification of Quality Assurance Project Plan (QAPP) and Best Management Practices (BMP) Plan	1/ Permit Cycle	Within 60 days of the effective date of authorization to discharge	Compliance
3.3.6.5.5	Summary Report of Non-Compliance occurrences from Daily Sea Surface Monitoring logs	Yearly	Submit with the Annual Report	Compliance

(If viewing this document electronically many of the permit references are hyperlinked to the appropriate sections of the permit)

To submit Permitting documents use: **(note, electronic reporting may be exclusively required during the permit cycle)**: By Email: DEC.Water.WQPermit@alaska.gov By Fax: 907-269-4604 If submitting by hard copy, please **MAIL COMPLETED PERMITTING SUBMISSIONS TO** State of Alaska Department of Environmental Conservation Division of Water Wastewater Discharge Authorizations Program Seafood and Aquacultural Permitting 555 Cordova Street Anchorage, AK 99501	To submit Compliance documents use: **(note, electronic reporting may be exclusively required during the permit cycle)**: By Email: dec-wqreporting@alaska.gov By Fax: 907-269-4604 If submitting by hard copy, please **MAIL COMPLETED COMPLIANCE SUBMISSIONS TO** State of Alaska Department of Environmental Conservation Division of Water Compliance Program 555 Cordova Street Anchorage, AK 99501

1.0 PERMIT AUTHORIZATION

1.1 Eligible Categories of Dischargers

Subject to meeting the conditions of this permit, the following categories of dischargers are eligible for coverage to discharge the pollutants set out in Part 1.2 after receiving an Alaska Department of Environmental Conservation (Department or DEC) Alaska Pollutant Discharge Elimination System (APDES) written authorization, including an assigned authorization number:

1.1.1 **Offshore Seafood Processing Vessels discharging between shore (0.0 nautical miles (nm) at MLLW) and 0.25 nm from shore.** Stationary seafood processing vessels that discharge seafood processing waste and other wastewater pollutants to waters of the U.S. between shore and 0.25 nm from Alaska's shores as delineated by mean lower low water (MLLW) and are engaged in the processing of fresh, frozen, canned, smoked, salted, or pickled seafood; the processing of unwashed mince; or the processing of meal and other secondary by-products. See also 2.1.3.3 for additional restrictions.

1.1.2 **Offshore Seafood Processing Vessels discharging between 0.25 and 1.0 nautical miles (nm) from shore.** In-transit or stationary seafood processing vessels that discharge seafood processing waste and other wastewater pollutants to waters of the U.S. between 0.25 nm to 1.0 nm from Alaska's shores as delineated by MLLW and are engaged in the processing of fresh, frozen, canned, smoked, salted, or pickled seafood; the processing of unwashed mince; or the processing of meal and other secondary by-products.

1.1.3 **Offshore Seafood Processing Vessels discharging between 1.0 nm from shore and 3.0 nm from shore or baseline.** In-transit or stationary seafood processing vessels that discharge seafood processing waste and other wastewater pollutants to waters of the U.S. between 1.0 nm to 3.0 nm from Alaska's shores as delineated by MLLW or baseline and are engaged in the processing of fresh, frozen, canned, smoked, salted, or pickled seafood; the processing of seafood mince or paste; or the processing of meal and other secondary by-products.

1.1.4 **Inland Water Seafood Waste Discharge Vessels.** In-transit vessels (not processors) that discharge a seafood processor's seafood processing waste and wastewater pollutants to inland waters of the U.S. behind the baseline, between:

1.1.4.1 0.25 nm and 1.0 nm from Alaska's shore as delineated by MLLW. The following waste streams can be discharged by in-transit vessels: fresh, frozen, canned, smoked, salted, or pickled seafood; the processing of unwashed mince; or the processing of meal and other secondary by-products.

1.1.4.2 1.0 nm and 3.0 nm from Alaska's shore as delineated by MLLW. The following waste streams can be discharged by in-transit vessels: fresh, frozen, canned, smoked, salted or pickled seafood; the processing of seafood mince or paste; or the processing of meal and other secondary by-products.

1.2 Discharges Covered

This permit authorizes the discharge of pollutants to waters of the U.S. subject to the limitations and conditions set forth herein, including:

1.2.1 Seafood processing waste and process wastewaters, which includes the water, waste fluids, heads, organs, flesh, fins, bones, skin, chitinous shells, and stickwater produced by the conversion of seafood from a raw form to a marketable form.

1.2.1.1 Treatment of waste solids. A permittee shall treat seafood waste to 0.5 inch or smaller in any dimension prior to discharge. The 0.5 inch discharge solid size limitation does not apply to (1) the calcareous shells of scallops, clams, oysters, and abalones; (2) the calcareous shells of sea urchins; or (3) incidental catches of prohibited and by-catch species that are neither retained nor processed.

1.2.1.2 A permittee shall discharge seafood processing waste into hydrodynamically energetic waters with a high capacity of dilution and dispersion.

1.2.2 Wash down water, which includes disinfectants added to wash-down water to meet the Food and Drug Administration's sanitary conditions by facilitating waste removal while processing or sanitizing seafood processing areas where the permittee follows the manufacturer's recommended use and disposal recommendations.

1.2.3 Discharge of a permittee's "Other Wastewaters" generated as part of the normal seafood processing operation, including non-process wastewaters as defined in Appendix C, and ice and water used to transfer seafood (catch transfer water) to the vessel.

1.2.4 Discharge of a vessel's treated sanitary wastewater from a certified and operable Type II Marine Sanitation Device (MSD), and a vessel's graywater.

1.2.5 Discharge of another vessel's fish hold wastewater, including catch transfer water, live tank water, refrigerated seawater or brine conveyed to the seafood processing vessel.

1.2.6 New Discharge Coverage

A new permittee is only eligible for coverage under this permit after DEC determines they will meet permit conditions.

1.3 Discharges Not Covered

The discharge of any pollutant to waters of the U.S. that are not expressly authorized by the permit are not covered. Unauthorized discharges include, but are not limited to:

1.3.1 Discharge of any waste or waste streams, including spills, garbage, and other unintentional or non-routine discharges of pollutants that are not part of the normal operation of the facility as disclosed in the NOI, and specifically authorized by the permit.

1.3.2 Discharge of any unused food additives (e.g., salts, artificial sweeteners, sugars, etc.) or seafood processing chemicals (e.g., sulfates, phosphates, acids, bases, etc.) that have not been used in the vessel's seafood processing production line.

1.3.3 The discharge of expired, spoiled, interim, or finished seafood processing by-products.

1.4 Areas Excluded from Authorization under this Permit

Except as meeting requirements found in Part 1.8, this permit does not authorize the discharge of pollutants to Excluded Areas listed in Parts 1.4.1 – 1.4.6 (See Appendix F and Appendix G as well as DEC's Seafood Wastewater or Alaska Protected Water Maps for graphical representations of these areas).

While an effort was made to list all known Excluded Areas at time of permit issuance, there may be additional areas in specific categories that are not listed below. Or, there may be species or areas removed or added to the list post the effective date of this permit that may change the excluded area list. The permittee is responsible for identifying if the proposed discharge is to an excluded area receiving water through the NOI process. A partial list of excluded waters is included as Appendix F and additional information on Excluded Area(s) can be found in Appendix G.

1.4.1 All water areas within **1.0 nm** of:

1.4.1.1 **State Designated Game Refuges and Sanctuaries**. Including, but not limited to: Anchorage Coastal, Cape Newenham, Creamer's Field, Goose Bay, Mendenhall Wetlands, Minto Flats, Palmer Hay Flats, Susitna Flats, Trading Bay, Yakataga, Izembek, McNeil River, Stan Price, and Walrus Islands.

1.4.1.2 **State Designated Critical Habitat Areas.** Including, but not limited to: Anchor River/Fritz Creek, Chilkat River, Cinder River, Clam Gulch, Copper River Delta, Dude Creek, Egegik, Fox River Flats, Homer Airport, Kachemak Bay, Kalgin Island, Pilot Point, Port Heiden, Port Moller, Redoubt Bay, Tugidak Island, and Willow Mountain.

1.4.1.3 **Federal Designated Critical Habitat.** Southwest Distinct Population Segment of the Northern Sea Otter (Enhydra lutris kenyoni)- Including, but not limited to areas designated for the Southwest Distinct Population segment of the northern sea otter (*Enhydra lutris kenyoni*), Southwest Alaska Distinct Population Segment. The areas are listed and depicted in 50 CFR Part 17 and at http://alaska.fws.gov/fisheries/mmm/seaotters/criticalhabitat.htm.

Spectacled Eider and Steller's Eider- Including, but not limited to: areas designated for the spectacled eider and Steller's eider, during breeding season (May through August) Steller's and spectacled eider nesting critical habitat units are located on the Yukon- Kuskokwim Delta and North Slope. Molting habitat (July through October) for Steller's eiders includes Izembek Lagoon, Nelson Lagoon and Seal Islands. Molting habitat for spectacled eider includes Ledyard Bay and Norton Sound. Wintering habitat (locations used by 126 or more birds October through March 30) for Steller's eider includes Nelson Lagoon, Izembek Lagoon, Cold Bay, Chignik Lagoon and several other locations along the Aleutian Islands. Wintering habitat for spectacled eider is in the Bering Sea between St. Lawrence and St. Matthews Islands and the Eastern Norton Sound Unit. Critical habitat for Steller's eiders and spectacled eiders are listed and depicted, respectively, at https://ecos.fws.gov/ecp0/profile/speciesProfile?spcode=B090 and https://ecos.fws.gov/ecp0/profile/speciesProfile?spcode=B08Z.

1.4.1.4 **National Parks, Preserves, or Monuments**. Including, but not limited to: Admiralty, Aniakchak, Bering Land Bridge, Cape Krusenstern, Denali, Gates of the Arctic, Glacier Bay, Katmai, Kenai Fjords, Kobuk Valley, Lake Clark, Misty Fjords, Noatak, Wrangell-St. Elias, and Yukon-Charley Rivers.

1.4.1.5 **National Wilderness Areas.** Including, but not limited to: Aleutian Islands, Andreafsky, Becharof, Bering Sea, Bogoslof, Chamisso, Chuck River, Coronation Island, Denali, Endicott River, Forrester Island, Gates of the Arctic, Glacier Bay, Hazy Islands, Innoko, Izembek, Karta River, Katmai, Kenai, Kobuk Valley, Kootznoowoo, Koyukuk, Kuiu, Lake Clark, Maurille Islands, Misty Fjords National Monument, Mollie Beattie, Noatak, Nunivak, Petersburg Creek-Duncan Salt Chuck, Pleasant/Lemusurier/Inian Islands, Russell Fjord, Saint Lazaria, Selawik, Semidi, Simeonof, South Baranof, South Etolin, South Prince of Wales, Stikine-LeConte, Tebenkof Bay, Togiak, Tracy Arm-Fords Terror, Tuxedni, Unimak, Warren Island, West Chichagof-Yakobi, and Wrangell-Saint Elias. See http://www.wilderness.net/ for interactive maps of wilderness areas.

1.4.1.6 **National Wildlife Refuges**. Including, but not limited to: Alaska Maritime, Alaska Peninsula, Arctic, Becharof, Innoko, Izembek, Kanuti, Kenai, Kodiak, Koyukuk, Nowitna, Selawik, Tetlin, Togiak, Yukon Delta, and Yukon Flats.

1.4.1.7 **Nesting Areas.** The nesting area of a colony of one thousand or more of the following seabirds during May 1 through September 30: auklets, cormorants, fulmars, guillemots, kittiwakes, murres, petrels, puffins and/or terns and other local aggregations of seabirds, including non-colony nesting birds such as eiders and murrelets. See http://alaska.fws.gov/mbsp/mbm/northpacificseabirds/colonies/default.htm for interactive maps of north pacific seabird colonies.

1.4.2 All water areas within **3.0 nm** of:

1.4.2.1 **A rookery or major haulout of the Steller's sea lion.** The Distinct Population Segment of Western Steller's sea lion (DPS Western Steller sea lion populations) west of Cape Suckling, AK, west of Longitude of 144°W that has been designated as "critical habitat" by the National Marine Fisheries Service (NMFS).

1.4.2.1 **A rookery or terrestrial haulout of the Pacific walrus** that has been designated as "special use area" by the U.S. Fish and Wildlife Service (USFWS). Including but not limited to Round Island (Walrus Islands), Cape Pierce (Togiak National Wildlife Refuge (NWR)), Cape Newenham (Togiak NWR), and Cape Seniavin (Near Port Moller). See http://www.fws.gov/alaska/fisheries/mmm/walrus/wmain.htm for more information on Pacific walrus.

1.4.2.1.1 In 2009, a request to establish a walrus protection zone at the southwest shore of Hagemeister Island (Togiak NWR) was proposed to the North Pacific Fishery Management Council. If a protection zone is established during the life of this permit for Hagemeister Island, waters within 3.0 nm of the Hagemeister Islands shore protection zone will be incorporated as an excluded area. See http://www.fws.gov/alaska/fisheries/mmm/walrus/esa.htm and http://www.fws.gov/alaska/fisheries/mmm/walrus/pdf/76_fr_7634_walrus_finding.pdf for more information.

1.4.3 **Special Water Resource**

1.4.3.1 Orca Inlet. No discharge of uncooked seafood processing pollutants may occur during the months of November, December, January, February and March.

1.4.3.2 Norton Sound Critical Habitat. No discharge of pollutants to waters in the Norton Sound Critical Habitat Area may occur from June 24 to October 31.

1.4.3.3 Kodiak Harbor, St. Paul Harbor, Gibson Cove, Near Island Channel, Women's Bay, and Woody Island Channel.

1.4.3.4 Within 300 feet of Living Substrate. Including areas such as submerged aquatic vegetation, kelp, sponge and coral beds, or eelgrass existing within 300 feet of the proposed seafood processing waste effluent discharge point, in shallow coastal waters (generally less than 10 fathoms (60 feet) at MLLW).

1.4.3.5 The territorial seas surrounding St. Paul Island and St. George Island (The Pribilof Islands).

1.4.3.6 The Aleutian Islands Coral Habitat Protection Areas. See https://alaskafisheries.noaa.gov/sites/default/files/aihca.pdf for more information.

1.4.4 **At Risk Waterbodies.** Discharges to marine or estuarine areas with water depths of less than 10 fathoms (60 feet) measured at MLLW that have or are likely to have less than 0.33 knots average current within 300 feet of the discharge point of seafood processing waste, including but not limited to: sheltered water bodies such as bays, harbors, inlets, coves, and lagoons; and semi-enclosed water basins with depths deeper than the bordering or enclosed sills of less than 10 fathoms (e.g., Lost Harbor, Akun Island, Captains Bay and Udagak Bay- Unalaska Island, Herring Bay – Cannon Island, near Sitka). Permittees shall identify on their NOI if they are proposing to discharge to an "At Risk Waterbody", and may be limited to the amounts of seafood processing solids that are allowed to be discharged, dependent on meeting permit conditions.

1.4.5 **Degraded Water Resource.** Any discharges to a water body included in DEC's most recent EPA-approved *Final Integrated Water Quality Monitoring Assessment Report* of waters which are impaired or water quality-limited. See http://www.dec.state.ak.us/water/wqsar/waterbody/integratedreport.htm for the most recent integrated report.

1.4.6 **Areas Covered by Other APDES Permits.** The permit does not authorize the discharge of pollutants to receiving waters covered by other general or individual APDES permits.

1.5 Requesting Authorization

In order to be authorized to discharge any of the pollutants set out in Part 1.2 to waters of the U.S., a permittee shall apply for coverage with the submittal of a complete NOI. The permittee as described herein is an owner or operator as defined in 18 AAC 83.990(45). This permit does not authorize any discharges from a seafood processor where the permittee (1) has not submitted a NOI and received written authorization from DEC to discharge under this permit or (2) has not been notified in writing by DEC that they are covered under this permit (Part 1.10.1).

1.5.1 A permittee shall submit a NOI electronically or by hard copy. Permittees shall submit a complete NOI (Attachment A) and required attachments 90 days prior to the start of discharge, except as provided for in Part 1.10.

1.5.2 The AKG523000 NOI form (Attachment A and Attachment A-1, and Attachment A-2 (if needed)) containing all required information must be used or the permittee may submit electronically via the Water Online Application System.

1.5.2.1 **For Electronic Submission** – Submit the AKG523000 NOI using electronic NOI (eNOI) via the Water Online Application System at http://dec.alaska.gov/water/oasys/index.html (if available) to request authorization.

Electronic Reporting (E-Reporting) Rule

The permittee is responsible for electronically submitting DMRs and other reports in accordance with 40 CFR Part 127. The start dates for e-reporting are provided in 40 CFR Part 127.16. DEC has established a website at http://dec.alaska.gov/water/Compliance/EReportingRule.htm that contains general information. As DEC implements the E-Reporting Rule, more information will be posted on this webpage. The permittee will be further notified by DEC in the future about how to implement the conditions in 40 CFR Part 127.

1.5.2.2 **For Hard Copy Submission** – Submit the AKG523000 NOI form (Attachment A) with required attachments, along with an electronic version (in the following formats: Adobe pdf, Word, Excel and appropriate shape files) shall be submitted to:

State of Alaska
Department of Environmental Conservation
Division of Water
Wastewater Discharge Authorization Program
Seafood and Aquacultural Permitting Section
555 Cordova Street
Anchorage, AK 99501
Telephone (907) 269-6285
Fax (907) 269-7508
Email: DEC.Water.WQPermit@alaska.gov

1.5.3 **Permittees with Administratively Continued AKG520000 Permit Coverage.** This permit supersedes the AKG520000 general permit authorization for seafood processing vessels discharging between shore and 0.5 nm. Permittees with AKG520000 administratively continued coverage (Appendix D – Table D1) are required to submit a complete AKG523000 NOI application by January 1, 2019, the effective date of the permit. Permittees with AKG520000 administratively continued coverage who do not submit a complete NOI application by January 1, 2019 are allowing their permit coverage(s) to expire. Permit authorization is not granted to a vessel unless the permittee has submitted a complete NOI application package, as specified, and received written authorization from DEC to discharge under the permit, or has been notified in writing by DEC that they are covered under this permit.

1.5.4 **Permittees with Administratively Continued AKG523000 Permit Coverage.** Permittees with administratively continued AKG523000 authorization listed in Appendix D are required to submit a complete NOI application by January 1, 2019, the effective date of the permit, to continue coverage under this permit. Permittees with coverage who do not submit a complete NOI application by January 1, 2019 are allowing their permit coverage(s) to expire. The AKG523000 general permit authorization will not be granted to a vessel unless the permittee has submitted a complete NOI application package, and received written authorization from DEC to discharge under this permit, or has been notified in writing by DEC that they are covered under this permit as provided for in 18 AAC 83.210(h).

1.5.5 The submittal of a timely (Part 1.5.1) and complete NOI to the Department shall be in accordance with the requirements listed herein. The AKG523000 NOI form (Attachment A and Attachment A-1, and Attachment A-2 (if needed)) containing all required information shall be used, or the applicant may apply electronically via the Water Online Application System. A permittee may only discharge the pollutants authorized under this permit upon receipt of a written APDES Authorization and the assignment of a site-specific APDES Permit Authorization number. An updated Authorization will be issued prior to a permittee being authorized to discharge under a modified NOI. The permittee shall retain a copy of the APDES Authorization and this permit, as well as applicable inspection and monitoring records on the vessel. Maintenance of records may be kept electronically, except those requiring hard signature (See Standard Conditions - Appendix A).

1.5.6 A permittee with current coverage is required to submit a modified NOI when:

1.5.6.1 A permittee's current NOI on file requires changes (e.g., new or changed ownership, management information, permittee, authorized representative name or title, address, telephone numbers).

1.5.6.2 Any material change is proposed including, but not limited to: a change in the processing vessel's location(s), discharge totals, production levels, changes to waste and waste treatment systems, the permittee is seeking modified a mixing zone or zone of deposit (ZOD) or changes in processes. The material changes from the original NOI shall be clearly indicated on the new NOI.

1.5.6.3 An updated NOI is requested by the Department.

1.5.7 Permittees who receive a request to submit an updated NOI shall submit it to the Department within 60 days from date of the request. If not received, the Department may deem the current NOI on file incomplete and permit coverage may be terminated.

1.5.8 A permittee who fails to submit a timely and complete NOI and/or obtain coverage under the permit and who discharges seafood processing waste to waters of the U.S. covered by this permit will be in violation of the Clean Water Act for discharging without an APDES permit.

1.5.9 An operator of a processing vessel that discharges less than 1,000 pounds of seafood processing waste per day and less than 30,000 pounds of seafood processing waste per calendar year between shore and 3.0 nm from shore or baseline is not required to obtain coverage under this permit.

1.6 Requirements to Submit a Complete Notice of Intent (Attachment A)

A complete NOI shall include the information required in this Part. If information is missing, the NOI will be deemed incomplete and permit authorization will not be granted.

1.6.1 Permit Information

The NOI shall include any APDES or NPDES number(s) currently or previously assigned to the vessel and the DEC Environmental Health seafood processor permit number.

1.6.2 Permittee Information

1.6.2.1 The operator of a seafood processing vessel will be the permitted discharger (permittee).

1.6.2.2 The NOI shall include the name, complete address, and telephone number of the vessel operator. The NOI shall include a fax number and/or email address(es) if available.

1.6.3 Billing Contact Information

The NOI shall include the company name, complete address, and telephone number of the permittee's billing contact, and the name and title of the billing contact representative. The NOI shall include a fax number and/or email address if available. If the billing information is the same as the permittee information, the applicant can check the box on the NOI indicating that it is the same.

1.6.4 Owner Information

The NOI shall include the name, the complete address, and telephone number of the actual owner of the seafood processing vessel (not leasee name). The NOI shall include a fax number and/or email address if available. If the owner information is the same as the permittee information, the applicant can check the box on the NOI indicating that it is the same.

1.6.5 Vessel Name and Address Information

1.6.5.1 The NOI shall include the current seafood processing vessel name and any previous name(s) of the vessel during the last five years.

1.6.5.2 The NOI shall include the U.S. Coast Guard (USCG) vessel number, USCG vessel classification, and the vessel length, width, and draft.

1.6.6 Processor Classification

The NOI shall include the classification(s) (in-transit and/or stationary) of the Seafood Processor and proposed seafood processing waste and wastewater discharge location(s). Permittees may classify their vessel as both in-transit and stationary, but must clearly identify on Attachment A-1 what classification the vessel will be while operating per discharge location or area-of-operation.

The NOI shall include the classification within the following categories:

1.6.6.1 Stationary offshore processing vessel discharging from shore to 1.0 nm from shore at MLLW.

1.6.6.2 Offshore processing vessel discharging while in transit in waters between 0.25 nm to 1.0 nm from shore at MLLW.

1.6.6.3 Stationary offshore processing vessel discharging between 1.0 nm to 3.0 nm from shore at MLLW, or baseline.

1.6.6.4 Offshore processing vessel discharging while in transit in waters between 1.0 nm to 3.0 nm from shore at MLLW, or baseline.

1.6.6.5 Inland water seafood waste discharge vessel discharging while in transit to inland waters between 0.25 nm to 1.0 nm from shore at MLLW.

1.6.6.6 Inland water seafood waste discharge vessel discharging while in transit to inland waters between 1.0 nm to 3.0 nm from shore at MLLW.

1.6.7 **Production Capacity Information**

The NOI shall include the production capacity of the processing vessel based upon historical operations and design capacity. Production data includes:

1.6.7.1 A description of each product line, including whether the vessel includes the capability to process by-products;

1.6.7.2 The type of raw product processed on each product or by-product line;

1.6.7.3 The process(es) applied to the raw product;

1.6.7.4 The vessel's 24-hour design capacity (pounds) of each product line and by-product line; and

1.6.7.5 The vessel's 24-hour estimated or measured maximum seafood processing wastewater discharge flow rate and volumes for each discharge outfall.

1.6.8 **Description of Discharges**

The NOI shall include information concerning all discharges from the seafood processing vessel.

1.6.8.1 Seafood processing wastes discharges

1.6.8.1.1 For each grinder:

1.6.8.1.1.1 The name and type(s) of grinder used to treat seafood processing waste.

1.6.8.1.1.2 Each grinder's output design specification size (such as 1/2" or 3/8" dimension)

1.6.8.1.1.3 The grinder design capacity (pounds per hour).

1.6.8.1.2 Other treatment methods used to achieve permit waste size limitations.

1.6.8.2 The depth of each outfall terminus, below or above the sea surface, in feet.

1.6.8.3 Type of raw product or cooked product to be processed at each discharge location or within an area-of-operation.

1.6.8.4 Processes to be applied to raw product at each discharge location or within an area-of-operation.

1.6.8.5 Projected maximum daily amount of raw product to be processed at each discharge location or within an area-of-operation.

1.6.8.6 Projected maximum daily amount of each finished product to be produced at each discharge location or within an area-of-operation.

1.6.8.7 Projected maximum daily amount of seafood processing waste and wastewater to be discharged at each discharge location or within an area-of-operation.

1.6.8.8 Projected total amount of seafood processing waste to be discharged at each discharge location or within an area-of-operation.

1.6.9 **Sanitary Wastewater**

The type of MSD, the date of USCG approval and certification of the MSD, MSD installation date, MSD capacity (gallons per day (gpd)), and maximum and average number of people utilizing the MSD. Identify any waste streams that combine with the MSD effluent prior to discharge.

1.6.10 **Graywater**

The estimated or measured average daily volume of graywater to be discharged in gpd. Identify any waste streams that combine with the graywater discharge effluent prior to discharge.

1.6.11 **Other Wastewater**

The estimated or measured annual volume of discharge, including all incidental discharges resulting from normal seafood processing operation, from each outfall including the following contributing streams: process disinfectants, cooling water, boiler water, cooking water, refrigeration condensate, refrigerated seawater, transfer water, live tank water, air scrubber water, drinking water backwash, and freshwater pressure relief water.

1.6.12 **Receiving Water Information**

1.6.12.1 The receiving water name where the processor is discharging. This can be the name of the specific receiving water for a stationary processor discharge location, or an in-transit area-of-operation.

1.6.12.2 The name(s) of any larger, adjacent water body(ies).

1.6.12.3 The name and type of any Excluded Area water(s) (see Part 1.4) located within 3.0 nm. Excluded Area water resources shall be avoided while processing (Part 1.4).

1.6.12.4 The Global Positioning System (GPS) coordinates (latitude and longitude) of each proposed discharge location and/or area-of-operation. The coordinates shall be provided in decimal degrees (North American Datum (NAD) 1983 or World Geodetic System (WGS) 1984 datum). The accuracy of coordinates shall be at least within ±50 feet (17 meters).

1.6.12.4.1 Identify if each proposed discharge location or area-of-operation overlaps with other discharge locations or areas-of-operation that the permittee or the permittee's responsible party has applied for or been approved for.

1.6.12.5 A legible area map of each proposed discharge location and/or each area-of-operation, within 1.0 nm of the discharge location. The map(s) shall be based upon an official map of the U.S. Geologic Survey (USGS) of a scale of resolution from 1:20,000 to 1:65,000.

1.6.12.5.1 A bathymetric chart can be used in place of a separate USGS area map if it provides both the latitude and longitude in decimal degrees of each of the discharge location(s) and/or area(s)-of-operation, shows the general area of processing, and the depth of the seafloor within 1.0 nm of the discharge location.

1.6.12.5.2 DEC acknowledges that the coordinates provided are estimates and actual coordinates will not be known until the vessel arrives at the proposed location. Yet when actual discharge occurs, the accuracy of the vessel's actual processing and discharging location needs to occur within a 0.5 nm radius/track of the discharge location and/or area-of-operation proposed in the NOI. Unless specifically approved in the vessel's authorization, discharge shall not occur closer than 0.25 nm from shore measured at MLLW.

1.6.12.6 The depth(s) of the receiving water at each proposed discharge location and/or the range of depth of the receiving water in an area-of-operation, reported at MLLW according to published NOAA bathymetric charts.

1.6.12.7 Any permittee known existing uses (e.g., fresh water withdrawal location(s), set netting or aquacultural locations, etc.) within one mile distance of the proposed discharge shall be identified.

1.6.12.8 The proposed distance from shore at MLLW/Ordinary High Water Mark (OHWM), or from baseline in nautical miles.

1.6.12.9 Estimated dates of discharge at each proposed discharge location and/or area-of-operation.

1.6.12.9.1 Due to the dynamic nature of Alaskan fisheries, DEC acknowledges that dates are estimates only and are subject to change. For example, dates may change in response to management plan decisions by the appropriate commercial fishery agency.

1.6.12.10 Average current speed within 300 feet of each proposed discharge location and/or area-of-operation.

1.6.12.10.1 Submit supporting documents, such as NOAA tidal current predictions, used for the determination of average current speed with the NOI. NOAA tidal current predictions for many Alaska locations can be found at https://tidesandcurrents.noaa.gov/noaacurrents/Stations?g=693.

1.6.12.11 Mixing Zone

1.6.12.11.1 The maximum mixing zone size the Department will authorize is the general permit defined standard mixing zone, a circle with a 100 foot radius centered at the outfall pipe or discharge pipe terminus, extending from the seafloor to the sea surface. See Part 2.3.1 for the Mixing Zone Authorization requirements.

1.6.12.12 Zone of Deposit

1.6.12.12.1 A ZOD request only applies to a stationary vessel's discharge of seafood processing waste to marine waters less than -120 feet in depth. The maximum ZOD area allowed for each single marine discharge location is 1.0-acre (43,560 square feet). This is a permit limitation. The written authorization from the Department may designate a ZOD smaller than 1.0-acre. See Part 2.3.3 for ZOD Requirements, Part 2.3.4 for Seafloor Survey requirements, and Fact Sheet Part 4.3.1.5 for new ZOD location analysis.

1.6.12.12.1.1 Indicate on the NOI whether a seafloor survey is anticipated for each discharge location occurring between shore and 3.0 nm from shore or baseline in waters less than -120 feet in depth because a seafood processing waste discharge is proposed to occur for more than 7 consecutive days in a calendar year, or greater than 168 hours cumulatively in a calendar year, or greater than 10 million pounds are discharged to a single discharge location or by multiple vessels from the same responsible party.

1.6.13 **Refueling Capability**

Information about whether a seafood processing vessel has the capability to refuel fishing vessels and, if so, the capacity of its refueling tank.

1.6.14 **Additional Supporting Documentation with the NOI**

1.6.14.1 **Area Map and Bathymetric Chart**. A legible area map and a bathymetric chart of the receiving water(s) within 3.0 nm of all discharge locations or area(s)-of-operation (Part 1.6.12.5). Include mapping overlay of all Excluded Areas (Part 1.4).

1.6.14.2 **Line Drawing.** The permittee shall submit a line drawing of the water flow through the seafood processor with a water balance, showing operations contributing wastewater to the effluent (wastewater discharge) and treatment units (such as the grinding system). Similar processes, operations, or production areas may be indicated as a single unit, and labeled to correspond to the more detailed identification under Part 1.6.14.3. The water balance shall show the flow of water through the vessel and treatment system, between units (processing area), including treatment units, and shall include intake and discharge points. If a water balance cannot be determined, the permittee may provide documentation to the Department to support the inability to determine and a pictorial description of the nature and amount of any sources of water and any collection and treatment measures.

1.6.14.3 **Outfall Narrative**. The permittee shall submit an outfall narrative identifying each type of process, operation, or production area that contributes wastewater to the effluent to each outfall. Processes, operation, or production areas may be described in general terms. The narrative should include a description of the treatment each wastewater discharge stream (e.g., treatment for seafood processing waste and other wastewaters waste streams, sanitary wastewater, graywater wastewater) receives, including the ultimate disposal of any solid or fluid wastes other than by discharge to the receiving water (e.g., discharged sanitary waste to an onshore facility's domestic waste treatment system).

1.6.15 **Signatory Requirements**

The NOI or e-NOI shall be dated, and signed in accordance with Appendix A, Part 1.12, Signatory Requirement.

1.7 Department Review of the Notice of Intent and Issuance of a Permit Authorization

1.7.1 Upon completion of the NOI review, the Department will either:

1.7.1.1 Prepare and transmit a written authorization specifying authorized discharge locations and/or area(s)-of-operation, authorized mixing zone(s), a stationary vessel's authorized ZODs, and the maximum amount of seafood waste that can be discharged at a single location or area-of-operation when appropriate.

1.7.1.2 Find the NOI incomplete and notify the permittee of needed revisions or updates to the NOI submittal.

1.7.1.3 Deny coverage under the general permit and require a permittee to submit an APDES individual permit application.

1.7.2 Public Notice - The following draft authorizations under the permit will be public noticed in accordance with 18 AAC 83.120 requirements:

1.7.2.1 New proposed discharges into waters of Excluded Areas listed in Parts 1.4.1 -1.4.5.

1.8 Requests to Discharge in Excluded Area(s)

1.8.1 A permittee may request to discharge to Excluded Area(s) listed in Part 1.4.1 – 1.4.5. In order to obtain an authorization to discharge in one or more of these Excluded Area(s), a permittee shall submit a timely and complete request for discharge to an Excluded Area in accordance with the requirements listed in this Part. Pre-existing, vessel discharge siting may be considered justification for approval.

1.8.2 Application Requirement to Discharge to Excluded Areas Listed in Parts 1.4.1 - 1.4.5

1.8.2.1 If a permittee requests to discharge to an Excluded Area(s) location not listed in Appendix D-4 the permittee shall submit a timely and complete request to the Department including the NOI Form (Attachment A), NOI Spreadsheet (Attachment A-1), and the Excluded Areas Information (Attachment A-2).

1.8.2.2 Existing permittee's vessel locations that discharge to an Excluded Area listed in Part 1.4 that propose to make material changes on the vessel, including but not limited to changes in the seasonality of operation, significant increases in amount of pollutants discharged (greater than a 25% increase in the four-year annual average amount (weight) waste discharged), or changes in the discharge location shall submit updated information 60 days prior to implementing the change. Public notice will be required for all changes under this part.

1.8.3 Department Review Process for a Permittee Proposing to Discharge to an Excluded Area

1.8.3.1 Discharges within or near Excluded Areas may be authorized pending evaluation of comments received during the public notice period. Based on public or agency input, the Department may place restrictions in the authorization.

1.8.3.2 The Department will consider agency and public comments prior to issuing an authorization. If the agency with management authority does not respond within the 30 day public notice period, the Department may grant coverage.

1.8.4 Excluded Area Site-Specific Conditions

1.8.4.1 If the Department receives public comment, including water quality related information, from the public or agency with management authority, the Department may include additional site-specific requirements on a written authorization provided that the requirements do not relieve, except as allowed, the permittee of any other requirements of this permit.

1.8.4.2 Discharge Authorizations shall include the following conditions, as applicable, for vessel discharges located within Excluded Areas (Part 1.4):

1.8.4.2.1 Permittees shall have an individual on the vessel trained and capable of identifying the listed endangered and threatened species (e.g., spectacled eiders, Steller's eiders, Northern sea otters, sea lions, etc.). Provide reports of sightings(s), including injured or dead animals with the required Sea Surface Monitoring Report.

1.8.4.2.2 Permittees shall minimize the discharge of bilge water within the critical habitat area unless it is for safety reasons. If bilge water shall be discharged for safety reasons, use oil/water separators or similar treatment technology on the outgoing bilge line.

1.8.4.2.3 Permittees that transfer fuel in or within 1.0 nm of the critical habitat area shall comply with all federal and state regulations for the prevention of, preparedness for, and response to oil discharges requirements. Permittees shall have written procedures in their BMP Plan for spill response, store adequate oil and fuel clean-up equipment on-board and at fuel transfer locations.

1.8.4.2.4 Sea Otter Critical Habitat. When moving to an approved discharge location and/or area(s)-of-operation in or near sea otter critical habitat, the permittee should follow recommended vessel strike avoidance measures to reduce the risk of collisions with sea otters.

1.8.4.2.5 Discharge to excluded area locations may only be used when necessary for the protection of the vessel and crew during adverse weather or sea conditions, or when no other feasible discharge location and/or area-of-operation outside the Excluded Area is available. The reasons for discharging in an excluded area must be included with the Annual Report (Part 3.3).

1.8.4.2.6 Area Specific Requirements

1.8.4.2.6.1 **Pilot Point Critical Habitat Area (Ugashik Bay).** Because it is a known concentration area for overwintering Steller's eiders, seafood waste discharges within 1.0 nm of the Pilot Point Critical Habitat Area (Ugashik Bay) shall not begin earlier than June 15 and shall cease on or before July 31 each calendar year.

1.8.4.2.6.2 **Kodiak Island- Sharatin Bay Locations.** A monitoring study must be developed by the permittee and approved by DEC prior to the discharge of seafood processing waste at these locations in order to characterize the impacts to the benthos from the vessel's seafood processing waste. Each monitoring study must be submitted to DEC for review and approval at least 90 days before discharging at these locations.

1.8.4.2.6.3 **Norton Sound - Norton Sound Spectacled Eider Critical Habitat Unit.** Discharges within 1.0 nm of shore must only be used when necessary for the protection of the vessel and crew during adverse weather or sea conditions. Discharges to NSCHA are not authorized June 24 – October 31.

1.8.4.2.6.3.1 A seafloor survey shall be conducted at each location where seafood processing waste discharge occurs in accordance with Permit Part 2.3.4, Seafloor Survey Requirements. A request to not perform Seafloor Surveys will not be granted for those vessels operating within Excluded Areas, except for safety and health reasons. The survey shall be conducted within 60 days of the completion of processing in the area (weather and ice conditions permitting).

1.8.4.2.6.3.2 Permittees shall submit a specific report applicable to discharges to Excluded Areas with the Annual Report (Permit Part 3.3) to DEC, and a separate report to the agency with management authority, that documents the following information:

1.8.4.2.6.3.2.1 Amount of seafood processed per day.
1.8.4.2.6.3.2.2 Amount of seafood processing waste discharged per day.
1.8.4.2.6.3.2.3 Sea surface monitoring that describes survey methods and results, including dates, times, locations, and number of individuals of listed species observed.
1.8.4.2.6.3.2.4 Actual dates of processing in the Excluded Area.
1.8.4.2.6.3.2.5 Seafloor survey results, if required.
1.8.4.2.6.3.2.6 The reason for a discharge of bilge water in the critical habitat area and the method of treatment of bilge water used during any bilge water discharge.
1.8.4.2.6.3.2.7 Any other relevant information.

1.8.4.2.6.3.3 If a discharge from a marine sanitation device (MSD) or a graywater discharge occurs while processing within the excluded area, the following conditions and limits apply:

1.8.4.2.6.3.3.1 All sanitary wastewater must be routed through a U.S. Coast Guard certified MSD.
1.8.4.2.6.3.3.2 Daily volume of MSD and/or graywater discharged to Excluded Areas must be recorded.
1.8.4.2.6.3.3.3 Each MSD discharge and graywater discharge must be monitored prior to discharge. If the MSD discharge and graywater discharge are combined prior to discharge, the total combined discharge must be monitored.
1.8.4.2.6.3.3.4 Each MSD and graywater discharge must be monitored twice each calendar week while processing.
1.8.4.2.6.3.3.5 These samples must be collected at least 24 hours apart.
1.8.4.2.6.3.3.6 The samples must be analyzed for fecal coliform and enterococcus bacteria according to approved methods.

1.9 Transfer of Authorization or Changes in Operations

1.9.1 Authorization under this permit is not transferable if a vessel changes locations from those listed on the NOI and written authorization.

1.9.1.1 Authorization under this permit is specific to the vessel discharge location and/or area(s)-of-operation identified in the NOI. If a permittee moves to a new location not listed in the APDES authorization, the permittee shall apply for coverage for a new discharge location(s) and/or area(s)-of-operation by submitting a new NOI (Attachment A – NOI). The permittee is not authorized to discharge at the new location until the permittee receives a new written authorization.

1.9.2 Authorization to discharge under this permit may be transferred to another permittee if:

1.9.2.1 The new permittee notifies the Department in writing of the proposed transfer along with submitting a complete Name Change / Transfer of Ownership form. The new permittee either confirms in writing that the type of discharge, number of outfalls, and other information given on the original NOI remains correct, or the new permittee submits a modified NOI.

1.9.2.2 Neither the current permittee, nor the new permittee has received notification of the Department's intent to terminate coverage under this permit within 30 days of the permittee's Transfer request.

1.9.3 The Department may continue coverage for the new permittee under this permit or may require the new permittee to apply for and obtain a different discharge permit authorization.

1.9.4 The new permittee is responsible for payment of any applicable permit fees.

1.10 Permit Authorization Conditions and Revocation

1.10.1 A permittee seeking coverage with the submittal of a NOI is only covered by this permit after the receipt of a written authorization from DEC and the assignment of an APDES Permit Authorization Number.

1.10.1.1 The permittee will be authorized to discharge at only those discharge locations and/or area-of-operations listed on the written authorization.

1.10.2 If a permit authorization is approved and a permittee submits a NOI that proposes a discharge that may significantly alter pollutant loading, discharge locations and/or area(s)-of-operation, or an Annual Report that shows the discharge is not complying with WQS or permit conditions, DEC may condition the authorization with restricted discharge dates or discharge amounts in order to limit the discharge.

1.10.3 If a permit authorization is approved, DEC can modify or deny continued coverage by written notice to the permittee.

1.10.4 DEC may notify a permittee that they are covered by this permit, even if the permittee has not submitted a NOI.

1.10.5 DEC may require any permittee applying for, or covered by, a general permit to apply for and obtain an individual permit.

1.10.6 If a permittee submits an individual permit application, at the Department's discretion, DEC may issue a general permit authorization in lieu of issuing an individual permit.

1.10.7 A permittee automatically covered by this permit may request to be excluded from coverage by applying to the Department for an individual permit. The request shall be made by submitting APDES individual permit application forms with reasons supporting the request.

1.11 Continuation of an Expired General Permit.

1.11.1 If this permit is not reissued prior to the expiration date, it will be administratively continued and remain in force and effect for discharges that were authorized prior to expiration.

1.11.1.1 A permittee who wishes to remain covered by administrative continuation of this permit shall submit a timely and complete NOI to the Department 90 days prior to the expiration of the permit requesting authorization for coverage under a reissued permit.

1.11.1.2 Following a permittee's timely and appropriate submittal of a complete NOI, the Department may:

1.11.1.2.1 Reissue the general permit and provide continued coverage.

1.11.1.2.2 Issue an administrative continuation letter to the permittee.

1.11.1.2.3 Make a formal decision to not reissue this general permit or not to cover a particular discharger previously authorized by the general permit, at which time DEC will identify a reasonable time period for covered dischargers to seek coverage under an alternative APDES permit. Coverage under this permit will cease at the end of this time period.

1.11.2 The permittee is required to abide by all limitations, monitoring, and reporting included herein if the permit enters administrative continuation until such time a permit is reissued authorizing the discharge or a Notice of Termination (NOT) is submitted by the permittee.

1.11.3 If the permit is administratively continued, the permittee shall be required to reinitiate all of the originally required monitoring schedules established in the permit.

1.12 Termination of Permit Coverage.

1.12.1 Permittee Requested Termination - To terminate permit coverage, a permittee shall submit a complete and accurate NOT. The signed NOT form (Attachment G) should be submitted to DEC at the address listed in Table 1 or by other DEC approved electronic methods. Note, DEC will not terminate a permit authorization if the permittee is subject to an enforcement action under the subject authorization.

1.12.2 If a permittee submits a NOT without meeting one or more of the conditions identified in Part 1.12.3, then the permittee's NOT is not valid. The permittee is responsible for meeting the terms of this permit until their authorization is terminated.

1.12.3 When to Submit a NOT - A permittee shall request permit coverage termination by submitting a DEC NOT form if any of the following conditions have been met:

1.12.3.1 All discharges have permanently ceased.

1.12.3.2 The entire discharge is routed to a properly operating and permitted wastewater treatment facility with an established industrial source pretreatment program, meeting all pre-treatment requirements.

1.12.3.3 The permittee has obtained coverage under an individual or alternative general permit for all discharges required to be covered by an APDES permit.

1.12.4 Any permittee who has not requested termination of permit coverage and where the authorization was not terminated by the Department, remains responsible for meeting all permit requirements, including monitoring and reporting, until the authorization is terminated.

2.0 LIMITATIONS AND REQUIREMENTS

2.1 General Effluent Limitations and Requirements

The following limitations and requirements apply to a processor/vessel discharging between shore and 3.0 nm from shore measured at MLLW or baseline.

2.1.1 Monitoring and Reporting Requirements

2.1.1.1 Sampling is to be representative of the waste stream flow. When seafood processing is for short or intermittent periods, samples are to be taken while seafood processing waste and wastewaters, and / or "Other Wastewaters" discharge is occurring.

2.1.1.2 Where sampling is required, unless otherwise noted, the permittee shall use Department approved standard analytical methods found in 40 CFR Part 136 (most current version), adopted by reference at 18 AAC 83.010 (most current version) and those found in 18 AAC 70 that can analyze the sample parameters using a method detection limit (MDL) less than the effluent limit. The permittee shall identify on the DMR or cover letter if the sample arrived outside required analytical method hold times.

2.1.1.3 Seafood processing waste effluent monitoring is only required in those months that seafood processing waste discharge occurs on the processing vessel for at least 24 total hours during the calendar month.

2.1.1.4 Seafood processing waste effluent monitoring is required for all in-transit vessels discharging to inland waters.

2.1.1.5 Electronic Reporting

2.1.1.5.1 E-Reporting Rule - Phase I (DMRs). The permittee must submit a DMR for each month by the 28th day of the start to a new quarter (Quarters shall be defined as January- March, April – June, July – September, October – December). DMRs shall be submitted electronically through NetDMR per Phase I of the E-Reporting Rule (40 CFR 127). For access to the NetDMR Portal, go to https://cdxnodengn.epa.gov/oeca-netdmr-web/action/login. DMRs submitted in compliance with the E-Reporting Rule are not required to be submitted as described in Appendix A – Standard Conditions unless requested or approved by the Department. Any DMR data required by the Permit that cannot be reported in a NetDMR field (e.g. mixing zone receiving water data, etc…), shall be included as an attachment to the NetDMR submittal. DEC has established an e-Reporting Information website at http://dec.alaska.gov/water/Compliance/EReportingRule.htm which contains general information about this new reporting format. Training modules and webinars for NetDMR can be found at https://netdmr.zendesk.com/home.

2.1.1.5.2 E-Reporting Rule - Phase II (Other Reports). Phase II of the E-Reporting rule will integrate electronic reporting for all other reports required by the Permit (e.g., Annual Reports and Certifications) and implementation is expected to begin during the permit cycle. Permittees should monitor DEC's E-Reporting website (http://dec.alaska.gov/water/Compliance/EReportingRule.htm) for updates on Phase II of the E-Reporting Rule and will be notified when they must begin submitting all other reports electronically. Until such time, other reports required by the Permit may be submitted in accordance with Appendix A – Standard Conditions.

2.1.1.6 Discharge Monitoring Reports (DMRs)

2.1.1.6.1 Where sampling is required, monitoring data shall be recorded each month through NetDMR for each outfall, as required. Submittal of DMRs is required quarterly by the 28th day of the start to a new quarter (Quarters shall be defined as January- March, April – June, July – September, October – December).

2.1.1.6.2 During months the vessel is not discharging wastewater, the required DMRs shall be marked "no discharge" and submitted to DEC. Alternatively, if the discharge is seasonal, the permittee may indicate on the last DMR for the season, the time period when there will be no discharge and DMRs will not be required to be submitted for those months of no discharge.

2.1.1.6.3 For purposes of reporting on the DMR for a single sample, if a value is less than the MDL, the permittee shall report on the DMR "less than (<) {numeric value of the MDL}" and if a value is less than the minimum level (ML), the permittee shall report "less than (<) {numeric value of the ML}."

2.1.1.6.4 If the permittee monitors any pollutant more frequently than the permit requires using standard analytical methods approved in 40 CFR Part 136 (most current version), adopted by reference at 18 AAC 83.010 (most current version) and those found in 18 AAC 70, or as specified in this permit, the results of that additional monitoring must be included in the calculation and reporting of the data is required to be reported on the DMR required by Appendix A, Part 3.2. All limitations that require averaging of measurements must be calculated using an arithmetic mean unless the Department specifies another method in the permit. Upon request by the Department, the permittee must submit the results of any other monitoring regardless of the test method used.

2.1.1.6.5 Each outfall shall be monitored separately, and where required, a separate DMR shall be submitted for each outfall.

2.1.1.6.6 A summary report of DMRs or other pollutants monitored, based on associated seafood processing line(s), wastewater streams or sanitary wastewater stream shall be submitted with the Annual Report (Part 3.3) and using Attachment E-1 and E-2, and all sampling procedures and monitoring shall follow the permittees established QAPP protocols (Part 3.1).

2.1.2 Discharge Limitations

2.1.2.1 Permittees may not discharge, alone or in combination with other dischargers, any substances or wastes which:

2.1.2.1.1 Causes the receiving water to be unfit or unsafe for an existing use.

2.1.2.1.2 Causes a film, sheen, or discoloration on the surface of the water or adjoining shorelines, unless authorized by a mixing zone – the outside boundary of the mixing zone shall be virtually free from floating oils.

2.1.2.1.3 Causes leaching of toxic or deleterious substances.

2.1.2.1.4 Causes a sludge, solid, or emulsion to be deposited beneath or upon the surface of the water, within the water column, on the seafloor, or upon adjoining shorelines unless authorized by a mixing zone or ZOD.

2.1.2.1.5 Creates a nuisance condition to designated uses beyond the boundary of an authorized mixing zone or ZOD.

2.1.3 Seafood Processing Waste Limitations

2.1.3.1 Limitations Based on Weight and Distance from Shore

2.1.3.1.1 The maximum amount (by weight) of seafood processing waste discharge authorized may be limited by the conditions at each proposed discharge location or area-of-operation.

2.1.3.1.1.1 Stationary vessels discharging between shore to 1.0 nm from shore at MLLW are limited to the seafood processing waste amount requested in the AKG523000 NOI, or the amount listed in the APDES authorization, whichever is less, with a maximum seafood processing waste discharge limit of 3.3 million pounds per discharge location.

2.1.3.1.1.2 Stationary vessels discharging between 1.0 nm to 3.0 nm from shore at MLLW, or baseline are limited to the seafood processing waste amount requested in the AKG523000 NOI, or the amount listed in the APDES authorization, whichever is less, for each discharge location.

2.1.3.1.1.3 In-transit vessels discharging between 0.25 nm to 3.0 nm from shore at MLLW, or baseline are limited to the seafood processing waste amount requested in the AKG523000 NOI, or the amount listed in the APDES authorization, whichever is less, for each area-of-operation.

2.1.3.1.2 The Department will determine whether to limit the amount of seafood processing waste requested on the NOI to be discharged. The written APDES authorization will include any specific limitations or conditions.

2.1.3.2 Limitations Based on Discharge Solid Size

2.1.3.2.1 All permittees shall reduce the size of all seafood processing waste and wastewaters to 1.27 cm (0.5 inch) or smaller in any dimension prior to discharge. The 1.27 cm (0.5 inch) size requirement does not apply to:

2.1.3.2.1.1 The calcareous shells of scallops, clams, oysters and abalones, or

2.1.3.2.1.2 The calcareous shells of sea urchins.

2.1.3.2.2 Process wastewater shall be routed through the vessel's seafood processing wastewater treatment systems.

2.1.3.2.3 Non-process wastewaters are not required to be discharged through the seafood processing waste treatment (grinders) system, but must meet requirements in Part 2.1.5 if discharging directly to waters of the U.S.

2.1.3.2.4 Scupper and floor drain wastes. The permittee shall implement methods used to deter seafood processing wastes from entering scuppers and floor drains and include a description in the BMP Plan (Part 3.2).

2.1.3.3 Limitations Based on Distance from Shore

2.1.3.3.1 Discharge shall not occur closer than 0.25 nm from shore measured at MLLW, unless:

2.1.3.3.1.1 Stationary processing vessels can demonstrate previously installed and existing permanent infrastructure is present at the time of general permit issuance to anchor at that location; or

2.1.3.3.1.2 Stationary processing vessels can demonstrate that discharges are necessary for the protection of the vessel and crew during adverse weather or sea conditions.

2.1.3.3.1.2.1 A permittee shall request authorization for all locations closer than 0.25 nm from shore in their Notice of Intent (Part 1.6). Discharges at those locations will be prohibited unless the permittee demonstrates circumstances in Part 2.1.3.3.1.1 or Part 2.1.3.3.1.2.

2.1.3.3.1.2.2 Discharges within 0.25 nm of shore must be documented in a vessel log, including the daily discharge coordinates, daily amount of discharge, and the circumstances requiring discharge in that area. The log shall be submitted with the Annual Report (Part 3.3).

2.1.3.3.2 Discharges of stickwater and washed mince and/or paste effluent are prohibited in the shore to 1.0 nm area from shore.

2.1.3.3.3 Discharges of all other by-product effluent are prohibited in the shore to 0.5 nm area from shore.

2.1.3.4 Limitations Based on Type of Processing Vessel (Stationary discharge location(s) or in-transit area(s)-of-operation). Each area shall:

2.1.3.4.1 Be identified in the NOI.

2.1.3.4.2 Be a minimum depth of -60 feet MLLW.

2.1.3.4.2.1 A permittee may apply for a reduction to the required discharge depth requirements, if complying with this depth requirement is prohibitive due to extreme site-specific circumstances (e.g., tidal flat in Bristol Bay).

2.1.3.4.2.2 The Department shall evaluate each depth reduction request individually.

2.1.3.4.3 Specific stationary vessel requirements for each discharge location.

2.1.3.4.3.1 A discharge location refers to a circular area with a radius equal to 0.5 nm where the vessel intends to anchor and discharge.

2.1.3.4.3.2 Identify if each discharge location and accompanying mixing zone overlaps with the permittee's own applied for or previously approved discharge locations.

2.1.3.4.3.2.1 If a permittee discharges at an overlapping discharge location (with their own approved location), the permittee will be required to perform seafloor monitoring in compliance with Part 2.3.4 at the overlapping discharge location. Other monitoring may be required as requested by the Department, including if the Department identifies overlapping areas with another Responsible Party's authorized location.

2.1.3.4.4 Specific in-transit vessel requirements for each area-of-operation.

2.1.3.4.4.1 <u>Point-to-Point Area-of-Operation</u>. A permittee may propose an area-of-operation where a vessel is discharging from point-to-point, identifying two points that form a single line that the vessel discharge will occur along. Each point-to-point discharge's authorized outer boundary shall be in compliance with Part 2.1.3.3 and Part 2.1.3.4.

2.1.3.4.4.2 <u>Circular or Rectangular Area-of-Operation</u>. A permittee may propose an area-of-operation that composes a circular or rectangular area which will identify where the vessel discharges may occur. The maximum size of each area–of-operation for Inland Water Seafood Waste Discharge Vessels shall not be greater than 2.0 square nautical miles. The area-of-operation's outer boundary shall be in compliance with Part 2.1.3.3 and Part 2.1.3.4.

2.1.3.4.4.3 Identify if each area-of-operation and accompanying mixing zone overlaps with the permittee's own applied for or previously approved area-of-operation.

2.1.4 Seafood Processing Waste System Inspection Requirements

2.1.4.1 <u>Outfall Inspection.</u> A permittee shall discharge seafood processing wastes at or below the sea surface. A pre-operational check of the waste treatment and discharge systems must be performed at the beginning of each processing season to ensure operability. A log of the pre-operational check shall be kept on board the vessel and submitted with the Annual Report.

2.1.4.2 Severed, Failed or Damaged System. A permittee shall cease discharging from a severed, failed, or leaking discharge system ten days past discovery of the severance, failure or damage, unless repairs to the discharge system have been completed. Seafood product that has been accepted after the identification of the severance, failure, or damage may not be processed such that it results in a discharge from the damaged system(s). Any failure of the discharge system shall be reported to DEC in accordance with Appendix A, Part 3.4 (Twenty-four Hour Reporting), except reporting of grind size.

2.1.4.3 Seafood Processing Waste Treatment Inspection**.** A permittee shall conduct a daily visual inspection of the waste conveyance system, including a close observation of the sump or other places of effluent collection for the removal of gloves, earplugs, rubber bands, or other equipment used during the processing of seafood that may inadvertently be entrained in the wastewater. Discharge of such items is prohibited. Logs of daily inspections shall be kept on the vessel, or be made available electronically upon request. An example *Seafood Waste Size and Waste Conveyance Inspection Log* is provided as Attachment B to the permit.

2.1.4.3.1 The recording method, form and schedule of the required inspection shall be documented in the BMP Plan (Part 3.2).Verification of inspection(s) shall be included in the Annual Report (Part 3.3).

2.1.4.4 Grinder System Inspection. A permittee shall conduct a daily inspection of the treatment system to confirm that the treatment system is operating properly as designed to reduce the size of the seafood residues to 0.5 inches or smaller in any dimension. This will require inspecting the size of the residues by taking a representative sample of the discharge and ensuring the permit limitations are being met. See Appendix I for the monitoring and analysis protocol. A log of daily inspections shall be kept on the vessel, or be made available electronically upon request. An example *Seafood Waste Size and Waste Conveyance Inspection Log* is provided as Attachment B to the permit. Logs must be submitted with the Annual Report (Part 3.3).

2.1.4.5 Digital Photographs. A permittee shall capture digital photographs of the grinder system or other method of treatment in operation while seafood processing waste discharge is occurring. At a minimum, photographs shall be captured at least once per month while seafood processing waste discharge is occurring. Photographs shall include the sampling port while taking a daily sample and a representative discharge sample from the treatment system showing seafood waste size. A measuring device, such as a ruler, will be included in the picture for scaling purposes. Pictures shall be of sufficient clarity and detail to support the observations and shall represent what was observed. Photographs shall include a digital date and time stamp that corresponds to when the photo was taken. A photograph log with the name of the person taking the photograph and photograph description shall also be made. Photographs and the photograph log shall be submitted in electronic/digital format with the Annual Report (Part 3.3).

2.1.4.6 Non-Compliance Summary Inspection Report. The permittee shall submit a summary report of non-compliance inspection information gathered during the calendar year. The report shall include a table format documenting the duration of each non-compliance event, the corrective actions taken to resolve the non-compliance issue found during the seafood processing waste treatment system inspection, as well as digital photographs required in Part 2.1.4.5 to DEC as part of the Annual Report (Part 3.3).

2.1.4.6.1 Signatory Requirements. The summary inspection report shall be signed by a principal officer or a duly appointed representative of the permittee (Appendix A, Part 1.12, Signature Requirement and Penalties).

2.1.5 "Other Wastewaters"

A permittee shall not discharge any wastewaters that exceed WQS except in compliance with a mixing zone or ZOD authorized by the permit. Any incidental foam and scum discharged must be minimized to the extent practicable. BMPs shall be developed and implemented to control foam and scum (Part 3.2.7.5.15). Non-process wastewaters that do not come in contact with seafood (for example, non-contact cooling water) are not required to be discharged through the seafood processing waste-handling system, but are required to be monitored as found in Parts 2.2 and 2.3.

2.1.5.1 A permittee shall route all incidental seafood processing waste and wastewaters through a conveyance system to the seafood processing waste treatment system prior to discharge.

2.1.5.2 Permittees shall not discharge "Other Wastewaters" that contain seafood processing waste pollutants greater in size than 1.27 cm (0.5 inch) in any dimension.

2.1.5.3 For a vessel's "Other Wastewaters" that comes into contact with seafood waste not sent through the seafood processing waste treatment system, the permittees shall remove seafood processing waste solids prior to discharge to waters of the U.S. Seafood waste solids discharged shall be less than 1.27 cm (0.5 inch) in any dimension. This shall include the discharge of live tank water, catch transfer water and/or fish hold wastewaters that often contain large solid pieces of seafood (e.g., small fish, fish heads, and internal organs).

2.1.5.3.1 The removed seafood processing waste solids must be disposed of through the seafood processing waste treatment system.

2.1.5.3.2 If safety and/or stability impediments occur prohibiting the removal of waste solids prior to discharge of "Other Wastewaters", the permittee must provide documentation to the Department that the routing required in Part 2.1.5.3 would interfere with the safety and stability of the vessel and the safety of the crew and passengers. The permittee shall maintain a log onsite of occurrences of safety and/or stability impediments and shall submit documentation with the Annual Report (Part 3.3).

2.1.5.4 Daily sampling of "Other Wastewaters" that comes into contact with seafood waste is required for seafood processing waste solids size (1.27 cm or 0.5 inch in any dimension) compliance. Sampling procedures followed shall comply with the size sampling procedures found in Appendix I.

2.1.5.5 The temperature of wastewater discharges originating from "Other Wastewater" outfall(s) shall not exceed WQS prior to discharge, or the WQS shall be met at the boundary of an authorized mixing zone.

2.1.6 Nuisance Discharge

The discharge of seafood processing wastes shall not create an attractive nuisance situation whereby fish or wildlife are attracted to waste disposal or storage areas in a manner that creates a threat to fish or wildlife or to human health and safety. BMPs shall be developed and implemented to avoid creating attractive nuisance situations (Part 3.2).

2.1.7 Utilization

The permittee must fully utilize to the extent practicable all treatment processes available on board their vessel, including but not limited to the production of fishmeal and fish oil seafood products.

2.2 Effluent Monitoring and Analysis Requirements

2.2.1 **Applicability**. A permittee shall conduct monitoring of the following waste streams in accordance with the monitoring frequencies established in this part, including Permit Table 2, Table 3, Table 4, Table 5, and Table 6. The permittee shall develop and implement a QAPP to ensure that effluent samples collected meet permit requirements found in Permit Parts 2.2.7, 2.2.8, and 2.2.9, and shall collect effluent samples at a time that is within twelve hours of receiving water monitoring performed as required in Permit Part 2.3.2. The effluent and receiving water samples shall be collected during times of comparative production rates and flow.

2.2.1.1 **Outfall(s) 001.** The seafood processing waste and wastewaters and/or commingled "Other Wastewaters" outfall(s) and/or discharge pipe(s).

2.2.1.2 **Outfall(s) 002.** The marine sanitation device (MSD) outfall(s) or discharge pipe.

2.2.1.3 **Outfall(s) 003.** The graywater outfall(s) or discharge pipe.

2.2.1.4 **Outfall(s) 004.** The non-commingled "Other Wastewaters" outfall(s) or discharge pipe.

2.2.2 Monitoring results shall be recorded on a monthly DMR and submitted quarterly (Permit Part 2.1.1.6). Copies shall be kept on the vessel and made available upon request. A summary report of pollutants monitored and monitoring data shall be submitted with the Annual Report (Permit Part 3.3).

2.2.3 The permittee is required to perform sampling in Table 3, Table 4, and Table 5 where the vessel has the equipment and trained staff to perform the sample analysis onboard, or where the discharge location is located within 20 nautical miles of:

2.2.3.1 A town with a qualified lab,

2.2.3.2 A town with an airport with regular air service to transport the required sample(s) within holding times.

2.2.4 The QAPP-monitoring plan shall address when samples should be taken and shipped so that they can be analyzed by a laboratory within required hold times, including requiring procedures for re-scheduling sampling in case of flight delays.

2.2.5 DEC may grant a waiver from required monitoring in Table 3, Table 4, and Table 5 if the permittee can demonstrate they have historically been unable to perform sampling onboard by demonstrating through multiple (3 or more) shipping attempts that the samples cannot arrive within required hold times. Waivers from monitoring require an annual reapplication to provide for changes in operations or if DEC is able to determine that similar vessels are able to conduct monitoring.

2.2.6 For each discharge location identified in the Annual Report, the permittee is required to identify if the vessel was able to perform sampling required in Table 3, Table 4, and Table 5.

2.2.7 **Seafood Processing Waste, Wastewaters and Commingled "Other Wastewaters" Outfall(s) 001 Monitoring and Analysis**.

2.2.7.1 Table 2 and Table 3 present the monitoring requirements for each outfall discharging seafood processing waste and wastewaters and/or commingled "Other Wastewaters". Samples shall be collected while seafood processing and discharge are occurring, and the samples shall be representative of the effluent discharged prior to discharge. Samples shall be taken after the last treatment unit prior to discharge to waters of the U.S. Commingled "Other Wastewaters" monitoring is only required when seafood processing is occurring on the vessel and seafood processing waste and wastewaters are being commingled with "Other Wastewaters".

2.2.7.2 A permittee shall have sufficient laboratory analysis equipment on the processing vessel and sample collection and analysis shall be conducted in accordance with the QAPP Monitoring Plan (Part 3.1).

2.2.7.3 **Sample Labeling.** Samples required under this Part shall be labeled as follows:

2.2.7.3.1 **Outfall 001 – Seafood Waste and Wastewaters (WW) and/or "Other Wastewaters" (WW)**. If multiple discharge outfalls exist under this category the samples shall be labeled as: Outfall 001A – Seafood WW1; Outfall 001B – Seafood WW2; Outfall 001C – Commingled "Other Wastewaters", etc.

Table 2: Outfall(s) 001 Seafood Processing Waste and/or Commingled "Other Wastewaters" Effluent Monitoring

Parameter	Units	Average Monthly Limit	Minimum Daily Limit	Maximum Daily Limit	Sample Location	Sample Frequency	Sample Type
Flow Rate - Daily Discharge for each discharge outfall on the day sampled	million gallons per day (mgd)	report	---	---	effluent	daily	measured/ estimated
Amount of waste discharged [a]	pounds/day	report	---	---	n/a	daily	calculated
Hours of Seafood Processing	hours/day	report	---	---	n/a	daily	calculated
Size of Seafood Waste Discharged	cm	report	---	1.27 cm (0.5 inch)	effluent	daily	grab
Total Residual Chlorine (TRC) [b, c]	mg/L	report	---	---	effluent	monthly	grab
pH	S.U.	report	---	---	effluent	monthly	grab
Temperature	°C	report	---	---	effluent	monthly	grab
Total Ammonia	mg-N/L	report	---	---	effluent	monthly	grab
Color	Color unit	report	---	---	effluent	monthly	grab
Dissolved Oxygen	mg/L	report	---	---	effluent	monthly	grab

Notes

a. Amount of waste discharged = raw product minus finished product
b. Monitoring for chlorine is not required if chlorine is not used as a disinfectant, nor introduced elsewhere in the seafood processing area.
c. Effluent limits for total residual chlorine are not quantifiable using EPA-approved standard analytical methods. The permittee will be in compliance with the effluent limits for chlorine provided the TRC levels are below the compliance evaluation level of 0.10 mg/L.

Table 3: Outfall(s) 001 Seafood Processing Waste and/or Commingled "Other Wastewaters" Conventional Pollutant Effluent Monitoring				
Parameter	**Units**	**Sample Location**	**Sample Frequency**	**Sample Type**
Oil and grease	mg/L	effluent	monthly	grab
BOD_5	mg/L	effluent	monthly	grab
Total Suspended Solids	mg/L	effluent	monthly	grab

2.2.8 Sanitary Wastes and Graywater Discharges (Outfalls 002 and 003)

2.2.8.1 Permittees shall monitor sanitary effluent discharges as specified in Table 4. Each outfall that discharges sanitary effluent must be monitored separately.

2.2.8.2 Permittees shall monitor graywater effluent discharges as specified in Table 5. Each outfall that discharges graywater must be monitored separately, and a permittee shall institute BMP Plan requirements for Graywater as found in Part 3.2.7.5.13.

2.2.8.3 Samples shall be representative of the MSD effluent and graywater effluent discharged. Samples shall be taken after the last treatment unit prior to discharge to waters of the U.S.

2.2.8.4 A permittee may only discharge treated sanitary effluent to waters of the U.S. if routed through a certified and operable Type II MSD and operates in accordance with U.S. Coast Guard regulations (33 CFR Part 159). Nonfunctioning and undersized systems are prohibited. BMPs shall be developed and implemented for the proper operation of the MSD and shall be included as part of the BMP Plan. (Part 3.2).

2.2.8.5 **Sample Labeling**. Samples required under this Part shall be labeled as follows:

2.2.8.5.1 **Outfall 002 – Sanitary WW**. If multiple discharge outfalls exist under this category the samples shall be labeled as: Outfall 002A – Sanitary WW1; Outfall 002B – Sanitary WW2, etc.

2.2.8.5.2 **Outfall 003 – Graywater WW**. If multiple discharge outfalls exist under this category the samples shall be labeled as: Outfall 003A – Graywater1; Outfall 003B – Graywater2, etc.

Table 4: Outfall 002 MSD System Effluent Monitoring				
Parameter	**Units**	**Sample Location**	**Sample Frequency**	**Sample Type**
Flow Rate	gallons per day (gpd)	effluent	monthly	measured or estimated
Total Residual Chlorine [a, b]	mg/L	effluent	monthly	grab
Fecal Coliform (FC) Bacteria	FC/100 mL	effluent	monthly	grab
Enterococci Bacteria	#/100 mL	effluent	monthly	grab

Notes

a. Monitoring for chlorine is not required if chlorine is not used as a disinfectant, nor introduced elsewhere in the seafood processing area.

b. Effluent limits for total residual chlorine are not quantifiable using EPA-approved standard analytical methods. The permittee will be in compliance with the effluent limits for chlorine provided the TRC levels are below the compliance evaluation level of 0.10 mg/L.

Table 5: Outfall 003 Graywater System Effluent Monitoring				
Parameter	**Units**	**Sample Location**	**Sample Frequency**	**Sample Type**
Flow Rate	gallons per day (gpd)	effluent	monthly	measured or estimated
Fecal Coliform (FC) Bacteria	FC/100 mL	effluent	monthly	grab
Enterococci Bacteria	#/100 mL	effluent	monthly	grab
Total Residual Chlorine [a, b]	mg/L	effluent	monthly	grab
pH	S.U.	effluent	monthly	grab
Temperature	°C	effluent	monthly	grab

Notes
a. Monitoring for chlorine is not required if chlorine is not used as a disinfectant, nor introduced elsewhere in the seafood processing area.
b. Effluent limits for total residual chlorine are not quantifiable using EPA-approved standard analytical methods. The permittee will be in compliance with the effluent limits for chlorine provided the TRC levels are below the compliance evaluation level of 0.10 mg/L.

2.2.9 Non-commingled "Other Wastewaters" Discharges (Outfall(s) 004)

2.2.9.1 During the second calendar year of the permit, January 1 through December 31, 2020, a permittee shall conduct a monitoring study of non-commingled "Other Wastewaters" discharge. The permittee shall monitor "Other Wastewaters" not being commingled with seafood processing waste and/or wastewaters as specified in Table 6. Each outfall that discharges non-commingled "Other Wastewaters" shall be monitored separately.

2.2.9.2 The monitoring study results shall be compiled per Part 2.1.1.6.6 and submitted with the Annual Report (Part 3.3).

2.2.9.3 A permittee shall have sufficient laboratory analysis equipment on the processing vessel and sample collection and analysis shall be conducted in accordance with the QAPP Monitoring Plan (Part 3.1).

2.2.9.4 **Sample Labeling**. Samples required under this Part shall be labeled as follows:

2.2.9.4.1 **Outfall 004 – "Other Wastewaters".** If multiple discharge outfalls exist under this category the samples shall be labeled as: Outfall 004A – Cooling Water WW1; Outfall 004B – Scrubber Water WW2; Outfall 004C – Boiler Water WW3, etc.

Table 6: Outfall(s) 004 Non-commingled "Other Wastewaters" Effluent Monitoring					
Parameter [c]	**Units**	**Average Monthly Limit**	**Sample Location**	**Sample Frequency**	**Sample Type**
Flow Rate - Daily Discharge for each discharge outfall on the day sampled	million gallons per day (mgd)	report	effluent	monthly	measured/ estimated
Total Residual Chlorine (TRC) [a, b]	mg/L	report	effluent	monthly	grab
pH	S.U.	report	effluent	monthly	grab
Temperature	°C	report	effluent	monthly	grab
Total Ammonia	mg-N/L	report	effluent	monthly	grab
Color	Color unit	report	effluent	monthly	grab
Dissolved Oxygen	mg/L	report	effluent	monthly	grab

Notes
a. Monitoring for chlorine is not required if chlorine is not used as a disinfectant, nor introduced elsewhere in the seafood processing area.
b. Effluent limits for total residual chlorine are not quantifiable using EPA-approved standard analytical methods. The permittee will be in compliance with the effluent limits for chlorine provided the TRC levels are below the compliance evaluation level of 0.10 mg/L.

2.3 Receiving Water Requirements

2.3.1 Mixing Zone Authorization

2.3.1.1 In accordance with 18 AAC 70.240, as revised through June 26, 2003, permittees may request, and DEC may authorize, a mixing zone.

2.3.1.2 The Department's APDES authorization will specify whether a mixing zone has been authorized, the maximum size of an authorized mixing zone(s), and the water quality criteria that may be exceeded within an authorized mixing zone for each individual outfall.

2.3.1.2.1 The standard mixing zone size that will be authorized is the general permit defined standard mixing size, a circle with a 100 foot radius centered on the outfall terminus extending from the seafloor to the sea surface. A smaller mixing zone may be authorized in the written authorization.

2.3.1.2.2 A permittee shall meet all WQS, as applicable:

2.3.1.2.2.1 At the boundary of an authorized mixing zone.

2.3.1.2.2.2 In the receiving water at the point of discharge, if a mixing zone is not authorized.

2.3.1.2.3 Within an authorized mixing zone, the Department may authorize exceedances of the water quality criteria of 18 AAC 70.020(b) for dissolved gas, oil and grease (O&G – polar), pH, temperature, color, turbidity, residues, fecal coliform and enterococci bacteria, and total residual chlorine.

2.3.1.3 The permittee shall identify in their NOI if they are aware if the water from inside a mixing zone is used, or intended to be used as a water supply for aquaculture, human consumption, seafood processing, industrial uses or contact recreation. These uses are defined in 18 AAC 70.

2.3.2 Receiving Water Quality Monitoring Requirements

2.3.2.1 **Applicability.** A stationary vessel permittee shall conduct monitoring of the receiving water where a seafood processing waste discharge is occurring in accordance with the monitoring frequencies established in this part, including Permit Table 7, Table 8 (Conventional Pollutant Monitoring), and Table 9 (Bacterial Monitoring). In-transit processing vessels and inland water seafood waste discharge vessels are not required to perform receiving water monitoring, except Sea Surface monitoring (Part 2.3.5).

2.3.2.2 Receiving Water Monitoring (both Boundary of the Mixing Zone and Ambient Receiving Water) shall be conducted at a time that is **within twelve hours of effluent monitoring** performed for Permit Part 2.2. Samples shall be collected during times of comparative production rates and flow and while seafood processing and discharge is occurring.

2.3.2.3 Monitoring for parameters found in Table 7, Table 8 and Table 9 is required quarterly and samples are required to be collected at **two depths** per sampling location and at **two sampling locations** per receiving water monitoring event. For each quarterly sampling date, a minimum of four samples shall be collected and analyzed.

2.3.2.3.1 If operating less than three quarters per year, a minimum of two receiving water monitoring events for parameters found in Table 7, Table 8 and Table 9 are required to be collected per year. These sampling events shall be collected a minimum of four weeks apart.

2.3.2.3.2 **Monitoring Locations**

2.3.2.3.2.1 **Boundary of the Mixing Zone Sample (BMZ**) - The first location shall be at the 100 foot mixing zone boundary or at the boundary of a smaller authorized mixing zone, down current and likely influenced by an effluent discharge. This sample shall be labeled **"BMZ"** referencing the sample was taken at the boundary of the mixing zone.

2.3.2.3.2.2 **Ambient Receiving Water Sample (ARW)** – The second location shall be at a representative location in the ambient receiving water not under the influence of the vessel's discharge (outside and beyond the 100 foot or smaller authorized mixing zone boundary). This sample shall be labeled **"ARW"** referencing the sample was taken in the ambient receiving water.

2.3.2.3.3 **Monitoring Depths** - At each of the monitoring locations identified in Permit Parts 2.3.2.3.2.1 and 2.3.2.3.2.2, samples will be collected at two depths.

2.3.2.3.3.1 **Surface Sample**. The first samples shall be at a depth of approximately three feet. This sample shall be labeled either "**BMZ - Surface**" or "**ARW - Surface**" referencing both the location and depth the sample was taken. The depth the sample was taken shall be recorded.

2.3.2.3.3.2 **Mid-Depth Sample**. The second samples shall be collected at mid-depth . This mid-depth sample shall be labeled either "**BMZ – Mid-Depth**" or "**ARW - Mid-Depth**" at MLLW. The depth the sample was taken shall be recorded. For example, if the anchoring location water depth is -120 feet, the mid-depth sample would be taken at -60 feet.

2.3.2.4 The monitoring discharge location and sampling locations shall be marked on a map, clearly identified by coordinates in decimal degrees. The accuracy of coordinates shall be at least within ±50 feet.

2.3.2.5 Monitoring results shall be reported on a monthly DMR and submitted quarterly (Permit Part 2.1.1.6). Copies shall be kept on the vessel and made available upon request. A summary report of pollutants monitored and monitoring data shall be submitted on form Attachment E with the Annual Report (Permit Part 3.3).

2.3.2.5.1 If samples cannot be collected due to weather or other adverse conditions, the circumstances which delayed the sample collection shall be documented and submitted with the monitoring data.

2.3.2.6 The permittee is required to perform sampling in Table 8 and Table 9 where the vessel has the equipment and trained staff to perform the sample analysis onboard, or where the discharge location is located within 20 nautical miles of:

2.3.2.6.1 A town with a qualified lab,

2.3.2.6.2 A town with an airport with regular air service to transport the required sample(s) within holding times.

2.3.2.7 The QAPP-monitoring plan shall address when samples should be taken and shipped so that they can be analyzed by a laboratory within required hold times, including requiring procedures for rescheduling sampling in case of flight delay.

2.3.2.8 DEC may grant a waiver from required monitoring in Table 8 and Table 9 if the permittee can demonstrate they have historically been unable to perform sampling onboard by demonstrating through multiple (3 or more) shipping attempts that the samples cannot arrive within required hold times. Waivers from monitoring require an annual reapplication to provide for changes in operations or if DEC is able to determine that similar vessels are able to conduct monitoring.

2.3.2.9 Table 7 samples are required to be analyzed as soon as reasonably possible after sample collection, except the parameters ammonia, salinity, and settleable solids if properly preserved. A permittee shall have appropriate laboratory equipment on the processing vessel and sample collection and analysis shall be conducted in accordance with the QAPP (Part 3.1).

2.3.2.10 Table 8 and Table 9 summarize the list of sampling parameters that will likely require analysis at a contract laboratory instead of on-board analysis.

Table 7: Receiving Water Monitoring

Parameter	Units	Sample Location	Sample Frequency [b]	Sample Type
pH	S.U.	Per Part 2.3.2.3	1/Quarter [a]	Grab
Temperature	°C	Per Part 2.3.2.3	1/Quarter [a]	Grab
Total Ammonia	mg-N/L	Per Part 2.3.2.3	1/Quarter [a]	Grab
Color	Color unit	Per Part 2.3.2.3	1/Quarter [a]	Grab
Turbidity	NTU	Per Part 2.3.2.3	1/Quarter [a]	Grab
Settleable Solids	ml/L	Per Part 2.3.2.3	1/Quarter [a]	Grab
Dissolved Oxygen	mg/L	Per Part 2.3.2.3	1/Quarter [a]	Grab
Salinity	parts per thousand	Per Part 2.3.2.3	1/Quarter [a]	Grab

Notes:

a. Quarter shall be defined as Jan. – March, April – June, July – Sept, Oct. – Dec. If the permittee does not operate in all four quarters, a minimum of two receiving water samples are required to be collected per year when seafood waste discharging occurs.

b. Effluent samples are required to be collected within twelve hours of the receiving water quality samples (Permit Part 2.2).

Table 8: Conventional Pollutant Receiving Water Monitoring				
Parameter	**Units**	**Sample Location**	**Sample Frequency [b]**	**Sample Type**
BOD_5	mg/L	Per Part 2.3.2.3	1/Quarter [a]	Grab
Total Suspended Solids	mg/L	Per Part 2.3.2.3	1/Quarter [a]	Grab
Oil and grease	mg/L	Per Part 2.3.2.3	1/Quarter [a]	Grab

Notes:

a. Quarter shall be defined as Jan. – March, April – June, July – Sept, Oct. – Dec. If the permittee does not operate in all four quarters, a minimum of two receiving water samples are required to be collected per year when seafood waste discharging occurs.
b. Effluent samples are required to be collected within twelve hours of the receiving water quality samples (Permit Part 2.2).

Table 9: Bacterial Receiving Water Monitoring				
Parameter	**Units**	**Sample Location**	**Sample Frequency [b]**	**Sample Type**
Fecal Coliform (FC) Bacteria	FC/100 mL	Per Part 2.3.2.3	1/Quarter [a]	Grab
Enterococci Bacteria	#/100 mL	Per Part 2.3.2.3	1/Quarter [a]	Grab

Notes:

a. Quarter shall be defined as Jan. – March, April – June, July – Sept, Oct. – Dec. If the permittee does not operate in all four quarters, a minimum of two receiving water samples are required to be collected per year when seafood waste discharging occurs.
b. Effluent samples are required to be collected within twelve hours of the receiving water quality samples (Permit Part 2.2).

2.3.3 Zone of Deposit Allowance

2.3.3.1 The Department may authorize a ZOD at each stationary seafood processing waste discharge location between shore and 3.0 nm from shore at MLLW in marine and estuarine waters less than -120 feet in depth. The Department will review the NOI information and may authorize the deposit of substances on the bottom of marine waters within the limits set by the Department.

2.3.3.2 The APDES authorization will specify whether a ZOD is authorized. The maximum ZOD area allowed for each single discharge location is 1.0-acre (43,560 square feet). The written authorization from the Department may designate a ZOD smaller than 1.0-acre.

2.3.3.3 A permittee shall meet all WQS, as applicable:

2.3.3.3.1 At every point outside an authorized ZOD, as applicable, or

2.3.3.3.2 In the receiving water at the point of discharge, if a ZOD is not authorized.

2.3.4 Seafloor Survey Monitoring Requirements

2.3.4.1 **Applicability**. A stationary vessel discharging seafood processing waste between shore and 3.0 nm from shore or baseline to depths of less than -120 feet MLLW shall conduct a seafloor survey whenever any of the following criteria are met:

2.3.4.1.1 Seafood processing occurs at a single discharge location for seven or more consecutive days in a calendar year, or

2.3.4.1.2 Seafood processing occurs at a single discharge location for greater than 168 hours cumulatively in a calendar year, or

2.3.4.1.3 Greater than 10 million pounds are discharged to a single discharge location.

2.3.4.2 Multiple vessels may be authorized at a single discharge location at the discretion of the Department. The Department will consider and restrict discharges after evaluating site-specific conditions, including location, cumulative amounts of discharge, flushing in the waterbody, etc.

2.3.4.2.1 A seafloor survey is required if multiple vessels from the same responsible party discharge to a single discharge location and the cumulative discharge amount is greater than 10 million pounds.

2.3.4.3 Per vessel authorized, a permittee of a stationary processor shall determine if a seafloor survey is required by recording (Attachment E-1):

2.3.4.3.1 The date and hour of arrival and departure from each discharge location;

2.3.4.3.2 The daily latitude and longitude (in decimal degrees) of each discharge location;

2.3.4.3.3 The depth of discharge at each single discharge location;

2.3.4.3.4 The total number of hours of seafood processing that occurs while processing at each single discharge location per processing vessel;

2.3.4.3.5 The total number of pounds of seafood processing waste discharged at each discharge location per processing vessel; and

2.3.4.3.6 The total number of pounds of seafood processing waste discharged by all the permittee's vessels per discharge location and per water body.

2.3.4.4 **Purpose.** The purpose of a seafloor survey is to determine compliance with water quality criteria for residues in marine waters and document the boundaries of continuous and discontinuous coverage of seafood processing waste on the seafloor.

2.3.4.5 **Objective.** The seafloor survey shall determine the depth, total area, outer boundary (ies) of continuous coverage, and the outer boundary (ies) of discontinuous coverage of seafood processing waste. The survey will use a deposition which is 0.5 inches or thicker on the seafloor and covering more than 10% of the bottom within a 3 foot square sample plot as the minimum detection level.

2.3.4.6 **Survey Protocol.** The DEC seafloor survey protocol required to be used is found in Appendix E. A permittee can request a modification to the survey protocol to accommodate various survey methods per Appendix E. The changes to the survey protocol will only be effective if DEC determines that it is appropriate, and after a new authorization is issued by the Department approving the proposed survey protocol.

2.3.4.6.1 **Quality Assurance Project Plan (QAPP).** Each permittee authorized by the permit shall develop a QAPP for a discharge location that requires a seafloor survey (Part 2.3.4.1). The QAPP shall ensure that adequate documentation is available to allow reconstruction of the seafloor survey from field records and notes, dive plans, and still and video photography. The QAPP shall include a detailed description of the methods and procedures for conducting the seafloor survey as identified in Appendix E including, but not limited to, establishing survey location controls in the water, measuring seafood processing waste thickness, determining percent seafood processing waste cover (continuous vs. discontinuous cover) photographic procedures, and measuring water depth and tide stage. The seafloor survey report shall include a copy of the QAPP and a statement that the QAPP has been implemented.

2.3.4.7 Schedule. The survey shall be conducted as soon as practicable after cessation of discharge but no later than 60 days after cessation of discharge at each required single discharge location. If surveys cannot be conducted within the 60 day timeline due to weather, availability of dive services (provided there is documented evidence that dive services were requested greater than three (3) months in advance of when the survey is due to be performed) or other adverse conditions, the circumstances which delayed the survey shall be documented in the final seafloor survey report. After performing the initial survey under Part 2.3.4.1, the schedule in Table 10 applies.

Table 10: Seafloor Monitoring Schedule

Type of Survey	Survey Results	Area to be surveyed	Frequency
Seafloor Survey	Seafloor Survey reporting ≤ 0.75 acres of deposits per discharge location [1]	Actual Discharge Location	Every other year within 60 days of the end of processing season if processing at the same location the following season
Seafloor Survey	Seafloor Survey reporting ≥ 0.75 acres of deposits per discharge location [1]	Actual Discharge Location	Annually within 60 days of the end of processing season until less than 0.75 acres
Repeat of Seafloor Survey	Survey modification request and authorized to discharge a 125% increase of seafood processing waste	Actual Discharge Location	Annually [2]

Notes:
1. The 0.75 acre amount is only applicable to each individual discharge location (Part 2.3.4.1).
2. Survey is only required if the actual amount discharged is equal to or greater than 125% of the previously authorized discharge amount.

2.3.4.7.1 DEC may require continued annual monitoring for those discharge locations found to have greater than 1.0-acre of seafood processing waste deposits (which is a violation of Part 1.6.12.12.1) even if the permittee changes discharge locations.

2.3.4.7.2 DEC may require that the permittee propose new discharge locations when seafloor survey results show continued accumulations of greater than or equal to 0.75 acres of seafood processing waste deposits.

2.3.4.8 **Seafloor Survey Report.** The seafloor survey report shall contain the information required in Appendix E. The permittee shall complete a summary report for all seafloor survey locations required under Part 2.3.4.1 (Attachment D).

2.3.4.8.1 A signed original of the seafloor survey report and summary report(s) as well as electronic versions of the report in Adobe Acrobat or Microsoft Word shall be submitted to DEC with the Annual Report (Part 3.3).

2.3.4.9 **Signatory Requirements**. The seafloor survey report shall be signed by a principal officer or a duly authorized representative of the permittee (Appendix A, Part 1.12, Signature Requirement and Penalties).

2.3.4.10 **Modification of Seafloor Survey Monitoring Requirement**

2.3.4.10.1 A permittee may submit a written request to DEC to reduce the seafloor survey monitoring requirement if the following conditions are satisfied:

2.3.4.10.1.1 The request shall include the results of at least two seafloor surveys conducted at the same actual single discharge location from different operating years, and each survey demonstrates deposits less than 0.75 acres of coverage;

2.3.4.10.1.2 Each survey shall comply with the requirements of this part, including Part 2.3.4.5, the survey objective, and Part 2.3.4.6, the survey protocol (Appendix E);

2.3.4.10.1.3 The request shall include the amount (by weight) of seafood processing waste discharged at the single discharge location for each year of operation at the single discharge location and the production lines in use each year of operation;

2.3.4.10.1.4 The permittee's discharges to the single discharge location have been in compliance with the discharge waste weight limitations specified in the DEC written authorization under Part 1.7.1.1; and

2.3.4.10.2 A permittee shall continue performing seafloor surveys at each single discharge location, if required by Part 2.3.4.1, until DEC provides written approval of reduced seafloor survey monitoring for the discharge location.

2.3.4.10.3 The modification to the seafloor survey monitoring requirement of Part 2.3.4.10 only applies to the single discharge location (within a 0.5 nm radius) identified in a written approval of reduced seafloor survey monitoring from DEC.

2.3.4.10.4 An approved modification of the seafloor survey monitoring requirement of Part 2.3.4 is no longer valid and seafloor surveys shall be conducted as required by Part 2.3.4 if:

2.3.4.10.4.1 The permittee's annual total amount (by weight) of seafood processing waste discharged at the single discharge location increases by more than 25% over the largest annual discharge amount associated with the surveys performed in support of a permittee's modification request; or

2.3.4.10.4.2 A new production line is added.

2.3.5 Sea Surface Monitoring Requirements

2.3.5.1 **Applicability**. A permittee authorized under the permit shall conduct a sea surface monitoring program.

2.3.5.2 **Purpose.** A permittee shall conduct daily sea surface monitoring while discharging to determine compliance with WQS, the permit conditions, and to document observations of, or incidents involving, threatened or endangered species. If no films, sheens, mats or foam are observed, a note of "none" shall be recorded on the daily observation form.

2.3.5.3 **Monitoring.**

2.3.5.3.1 The daily monitoring of the sea surface shall:

2.3.5.3.1.1 Record the total number of days for which observations were made.

2.3.5.3.1.2 Record the daily occurrence and areal extent of contiguous films, sheens, or mats of foam.

2.3.5.3.1.3 Record observations at various phases of the tide cycle.

2.3.5.3.1.4 Record the occurrence and numbers of any species listed under the Endangered Species Act, including the Steller sea lion (*Eumetopias jubatus*), Steller's eider (*Polysticta stelleri*), spectacled eider (*Somateria fisheri*), northern sea otter (*Enhydra lutris kenyoni*), or short-tailed albatross (*Phoebastria albatrus*) within the survey area.

2.3.5.3.1.5 Record incidents of injured or dead Steller's eiders and/or spectacled eiders in the survey area around the seafood processor and the adjacent receiving water. Monitoring of these species will include recording the numbers of injured or dead animals and the probable cause of their injury or death, including collisions with vessel structures or other nearby vessels (for example, lights, poles, guy wires, vessels). Any collisions, or suspected collisions, between Steller's eiders and processing vessels must be immediately reported to the USFWS Anchorage Field Office (1-800-272-4174). Handling of dead or injured eiders is not recommended, guidance on recording injured or dead birds shall be in accordance with the latest USFWS protocol (see Appendix H for the protocol at time of permit issuance).

2.3.5.3.2 The observation site selected shall allow the observer to see the surface of water directly above the outfall terminus.

2.3.5.3.3 The permittee shall develop vessel specific QAPP monitoring instructions for the observer to document the occurrence and estimate size of any extent of any films, sheens, or mats of foam.

2.3.5.3.4 A permittee shall capture digital photographs of the sea surface while processing and discharge are occurring. At a minimum, photographs shall be captured at least once per month. Photographs shall be of sufficient clarity and detail to support the observations, and shall represent what was observed. Photographs shall include a digital date and time stamp. A photograph log with the name of the person taking the photograph and photograph description shall also be made. Photographs and the photograph log shall be submitted in an electronic/digital format with the Annual Report (Part 3.3).

2.3.5.4 **Monitoring Report**

2.3.5.4.1 An example Sea Surface Monitoring Log form is provided as Attachment C.

2.3.5.4.2 A permittee shall submit a report summarizing the information gathered during the calendar year, to DEC with the Annual Report (Part 3.3).

2.3.5.4.3 A permittee shall report any noncompliance to DEC in accordance with Appendix A, Part 3.5, (Other Noncompliance Reporting), and a written summary submitted with the Annual Report (Part 3.3). The summary shall include the duration of the noncompliance and how the noncompliance was resolved.

2.3.5.4.4 Signatory requirements. The monitoring report shall be signed by a principal officer or a duly appointed representative of the permittee (Appendix A, Part 1.12, Signature Requirement and Penalties).

2.3.6 Receiving Water Numeric Criteria and Narrative Standards Limitations

2.3.6.1 A permittee shall meet the most stringent criteria for all WQS:

2.3.6.1.1 At the boundary of an authorized mixing zone;

2.3.6.1.2 At every point outside an allowed ZOD, or

2.3.6.1.3 In the receiving water at the point of discharge if neither a mixing zone or a ZOD is authorized.

2.3.6.2 Table 11 provides the WQS that may be exceeded within an authorized mixing zone and the residues standard that may be exceeded within an allowed ZOD. Table 11 also provides selected portions of the water quality numeric criteria or narrative standard of 18 AAC 70.20(b) for each of the listed WQS.

Table 11: Receiving Water Numeric Criteria and Narrative Standards

Parameter	Numeric Criteria/Narrative Standard for the Receiving Water
Dissolved Gas	The receiving water surface dissolved oxygen shall be greater than 6.0 mg/L for 1 meter depth. Dissolved oxygen shall be greater than 4 mg/L at any point below the surface of the receiving water.
Residues	Floating solids, debris, sludge, deposits, foam, scum or other residues discharged shall not: cause the water to be unfit or unsafe for use; cause a film, sheen, or discoloration on the surface of the water or adjoining shorelines; or cause a sludge, solid or emulsion to be deposited beneath or upon the surface water, within the water column, on the bottom, or upon adjoining shorelines.
Fecal Coliform Bacteria	The fecal coliform median MPN (most probable number) of the receiving water shall not exceed 14 bacteria/100 ml.
Enterococci Bacteria	The geometric mean of the receiving water shall not exceed 35 enterococci CFU/100 ml. Not more than 10% of the samples may exceed 130 enterococci CFU/100 ml.
Oil and Grease (Polar)	The discharge shall not cause a film, sheen, or discoloration on the surface or floor of the waterbody or adjoining shorelines. There shall be no concentrations of animal fats in shoreline or bottom sediments that cause deleterious effects to aquatic life. Substances discharged shall not impart undesirable odor or taste to organisms.
pH	The receiving water pH shall be between 6.5 and 8.5 standard units.
Temperature	The receiving water shall not exceed 15º Celsius. The weekly average temperature of the receiving water shall not increase more than 1º Celsius.
Color	The surface water shall be free of substances that produce objectionable color. The receiving water shall not exceed 15 color units.
Turbidity	The receiving water shall not exceed 25 nephelometric turbidity units (NTU). The discharge may not reduce the depth of the compensation point for photosynthetic activity of the receiving water by more than 10%.
Chlorine, Total Residual	The receiving water 1-hour average shall not exceed 13 µg/l, and the 4 day average shall not exceed 7.5 µg/l.

3.0 OTHER PERMIT REQUIREMENTS

3.1 Quality Assurance Project Plan

3.1.1 A permittee shall develop and implement a QAPP for all effluent and receiving water monitoring including, but not limited to effluent, receiving water, sea surface, and seafloor monitoring required by this permit. Any existing QAPP may be modified for compliance under this Part.

3.1.2 A newly authorized permittee shall submit a letter to the Department certifying the QAPP has been implemented and meets the requirements of this Part within 60 days of the effective date of authorization to discharge under the permit. An example *QAPP Certification Form* is provided as Attachment F to the permit.

3.1.3 A permittee who currently has coverage shall document annual review of their QAPP. The permittee shall re-submit written certification to the Department if the QAPP has been revised since the initial QAPP Certification submittal under Part 3.1.2. The permittee shall review the QAPP whenever process changes or changes in monitoring plans occur and submit a new certification of the QAPP as needed with an updated NOI.

3.1.4 The QAPP shall be designed to assist in planning for the collection and analysis of effluent and receiving water samples in support of the permit and to help explain data anomalies whenever they occur.

3.1.5 A permittee may use a DEC-approved generic QAPP, if one is available, or shall develop a vessel-specific QAPP. Some vessel specific information is required to complete the QAPP when using a generic QAPP.

3.1.6 Throughout all sample collection and analysis activities, a permittee shall use DEC-approved QA/QC and chain-of-custody procedures, as described in the *Requirements for Quality Assurance Project Plans* (EPA/QA/R-5) and *Guidance for Quality Assurance Project Plans* (EPA/QA/G-5). The QAPP shall be prepared in the format specified in these documents.

3.1.7 At a minimum, a QAPP shall include:

3.1.7.1 Details on number of samples, type of sample containers, preservation of samples, holding times, Department approved standard analytical methods found in 40 CFR Part 136, adopted by reference in 18 AAC 83.010 and those found in 18 AAC 70, analytical detection, and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements.

3.1.7.2 Sampling times, dates and shipping requirements to ensure samples arrive within holding times. Instructions for performing repeat sampling (within the required sampling period) if samples do not arrive at the lab within required holding times.

3.1.7.3 Maps or vessel drawings indicating the location of each monitoring point.

3.1.7.4 Qualification and training of monitoring personnel.

3.1.7.5 Name, address, and telephone number of all laboratories used by or proposed to be used by a permittee.

3.1.7.6 A permittee shall amend the QAPP whenever sample collection, sample analysis, or other procedures addressed by the QAPP are modified.

3.1.7.7 Documentation that allows the reconstruction of the seafloor survey, as described in Part 2.3.4.6.1

3.1.8 Copies of the QAPP must be kept on site and made available to DEC upon request.

3.2 Best Management Practices Plan

3.2.1 **Applicability.** The permittee shall develop, implement, and operate in accordance with a BMP Plan.

3.2.2 **Purpose.** Through implementation of a BMP Plan, a permittee must prevent or minimize the generation and discharge of wastes and pollutants from the vessel to the waters of the U.S. Pollution should be prevented or reduced at the source. Potential pollutants should be recycled in an environmentally safe manner whenever feasible. The discharge of pollutants into the environment should be conducted in such a way as to have a minimal environmental impact.

3.2.3 **Implementation.** A newly authorized permittee shall submit a letter to the Department certifying the BMP Plan has been implemented and meets the requirements of this Part (3.2) within 60 days of the effective date of authorization to discharge under the permit. An example *BMP Certification Form* is provided as Attachment F to the permit.

3.2.3.1 A previously permitted permittee shall document annual review of their BMP. The permittee shall resubmit a written certification to the Department if the BMP Plan has been revised since the initial BMP Certification submittal under Part 3.2.3. The permittee shall also review the BMP Plan whenever process changes occur and submit a new certification of the BMP Plan as needed with an updated NOI. Any existing BMP Plan may be modified for compliance with this Part. Under the BMP Plan, the permittee shall ensure the proper operation and maintenance of the vessel and the control of the discharge or potential release of pollutants to the receiving water.

3.2.4 **Objectives.** A permittee shall develop a BMP Plan consistent with the following objectives:

3.2.4.1 The number and quantity of pollutants and the toxicity of the effluents that are generated, discharged, or potentially discharged from the vessel shall be minimized by a permittee to the extent feasible by controlling each discharge or potential pollutant release in the most appropriate manner.

3.2.4.2 Evaluations for the control of discharges and potential releases of pollutants shall include the following:

3.2.4.2.1 Each vessel component or system shall be examined for its pollutant minimization opportunities and its potential for causing a release of significant amounts of pollutants to receiving waters due to the failure or improper operation of equipment. The examination must include all normal operations, including raw material and product storage areas, in-vessel conveyance of product, processing and product handling areas, loading or unloading operations, wastewater treatment areas, sludge and waste disposal areas, scuppers, floor drains, and refueling areas.

3.2.4.2.2 Equipment shall be examined for potential failure and any resulting release of pollutants to receiving waters. Provision shall be made for emergency measures to be taken in such an event.

3.2.4.3 Under the BMP Plan, a permittee shall ensure the proper operation and maintenance of the vessel and the control of the discharge or potential release of pollutants to the receiving water.

3.2.5 **Requirements.** The BMP shall be consistent with the purpose and objectives in Parts 3.2.2 and 3.2.4. The BMP Plan shall be consistent with the general guidance contained in the publication entitled "Guidance Manual for Developing Best Management Practices" (EPA 1993) or its subsequent revisions and "Seafood Processing Handbook for Materials Accounting Audits and Best Management Practices Plans, EPA and Bottomline Performance" (1995).

3.2.6 The BMP Plan shall be documented in narrative form, and shall include any necessary processing plans, vessel or operational drawings, and / or maps. The BMP Plan shall be developed in accordance with good engineering practices.

3.2.7 The written BMP Plan shall include the following:

3.2.7.1 Name and physical location description of the seafood processing vessel and processing lines.

3.2.7.2 Statement of BMP Policy. The BMP Plan shall include a statement of management commitment to provide the necessary financial, staff, equipment, and training resources to develop and implement the BMP Plan on a continuing basis.

3.2.7.3 Materials accounting of the inputs (raw seafood products, chemicals, etc.), processes, and outputs (seafood processing wastes, chemicals, etc.) of the vessel's waste and wastewater.

Materials accounting is used to trace inflow and outflow of components in a process stream and to establish quantities of these components.

Inflow = outflow + accumulation

Example 1: For the entire seafood processing vessel

- Inflow = Seafood catch, fresh water, salt water, cleaning chemicals, processing additives, boiler and cook water.
- Accumulation = Product
- Outflow = Inflow minus product

Example 2: Process Step of Head-and-Gut

- Inflow = Whole seafood, cleaning water
- Accumulation = Headed and gutted seafood (to next process step)
- Outflow = Heads, guts, blood, slime, scales, trimmings, unusable seafood, water.

The above examples demonstrate how the flows can be broken down into components. Identifying and measuring the key components for a process is the basis for conducting materials accounting audits. If secondary by-products are produced, such as fish or bone meal, it is the permittee's responsibility to estimate or measure the volume of water lost to the atmosphere through water vapor. The calculation used to measure vapor or to estimate the vapor shall be reported to DEC in the Annual Report.

3.2.7.4 Risk Identification and Assessment

3.2.7.4.1 Review existing materials and plans, as a source of information, to ensure consistency and to eliminate duplication.

3.2.7.4.2 Characterize actual and potential pollutant sources that might be subject to release.

3.2.7.4.3 Evaluate potential pollutants based on the hazards they present to human health and the environment.

3.2.7.4.4 Identify pathways through which pollutants identified at the site might reach environmental and human receptors.

3.2.7.4.5 Prioritize potential releases.

3.2.7.5 Specific management practices and standard operating procedures, including but not limited to:

3.2.7.5.1 The modification of equipment, vessel, technology, processes and procedures.

3.2.7.5.2 The improvement in management, inventory control, materials handling, or general operational phases of the vessel.

3.2.7.5.3 Reducing or eliminating any discharge of wastes that have the potential to collect and foul set or drift nets used in subsistence or commercial fisheries in nearby traditional use areas.

3.2.7.5.4 Minimization plans for chlorine, other disinfectants, and the other products used on the vessel.

3.2.7.5.5 Identify and develop markets, to the extent feasible, for the use of seafood processing waste as a raw product and not as a waste material to be discharged.

3.2.7.5.6 Descriptions and methods for each vessel component or system that shall be examined for its pollutant minimization opportunities and its potential for causing a release of significant amounts of pollutants (which includes seafood processing waste) to receiving waters due to the failure or improper operation of equipment. The examination shall include all normal operations, including raw material and product storage areas, in-plant conveyance of product, processing and product handling areas, by-product production areas, loading or unloading operations, wastewater treatment areas, sludge and waste discharge areas, floor drains, and refueling areas.

3.2.7.5.7 Description of the equipment which shall be examined for potential failure and any reporting of any resulting release of untreated pollutants to receiving waters. Provision shall be made for emergency measures to be taken in such an event.

3.2.7.5.8 Description of the practices and training staff will receive to ensure that "Other Wastewaters" are properly routed through the seafood processing waste treatment system (if required), or how they will apply other treatments to comply with WQS.

3.2.7.5.9 Identify pollutants discharged during the seafood processing by-product production. Identify and develop methods to prevent, treat or minimize the generation and discharge of pollutants in stickwater at the source to the greatest extent practicable. Stickwater shall be recycled and treated to the greatest extent practicable, in an environmentally safe manner, whenever feasible.

3.2.7.5.10 Select chemical cleaning compounds and disinfectants to minimize the addition of nitrogen and phosphorous-based chemical materials to the discharge.

3.2.7.5.11 Apply chemical cleaning compounds and disinfectants in accordance with manufacturer instructions and suggested application rates.

3.2.7.5.12 Practices for the proper operation of MSDs in accordance with manufacturer's requirements (Part 2.2.8.4).

3.2.7.5.13 Graywater. The permittee shall develop, and implement the BMPs consistent with the following objectives for the reduction and control of pollutants in wastewaters from a vessel's graywater discharges while acting as a seafood processor:

3.2.7.5.13.1 Methods to minimize the introduction of kitchen oils to the graywater system. When cleaning dishes, pots, pans, etc. a permittee shall remove as much food and oil residue as is practicable before rinsing the dishes, pots, pans, etc.

3.2.7.5.13.2 Oils and greases used in cooking shall not be added to the graywater system. Alternate waste receptacles or holding tanks must be used for these materials.

3.2.7.5.13.3 Degreasers shall be non-toxic.

3.2.7.5.13.4 All soaps and detergents used for any purpose must be phosphate free and non-toxic. These soaps and detergents must be free from toxic and bioaccumulative compounds.

3.2.7.5.13.5 The discharge or placement of any toxic or hazardous materials or related residuals into the graywater system (e.g. laundry units, kitchen sinks, dishwashers, drains, sinks, showers, bath, etc.) is prohibited.

3.2.7.5.13.6 The discharge or placement of unused soaps, detergents, or pharmaceuticals into the graywater system (e.g. laundry units, kitchen sinks, dishwashers, drains, sinks, showers, bath, etc.) is prohibited.

3.2.7.5.13.7 The discharge of graywater while the seafood processor is not underway shall be minimized.

3.2.7.5.14 Practices for the proper operation, maintenance and purging of ammonia and Freon based refrigerant and freezer systems to reduce and monitor any possible discharges, if discharged to the waters of the U.S. The BMPs shall include a description of how ammonia and Freon repairs, as well as maintenance and purging practices, are to be performed on board to mitigate any accidental releases, which are not authorized by the permit.

3.2.7.5.15 Foam and Scum. The permittee shall develop, and implement the BMPs consistent with the following objectives for the reduction and control of pollutants in wastewaters from a vessel while acting as a seafood processor:

3.2.7.5.15.1 Methods developed and implemented to ensure attractive nuisance conditions are not created; and seafood processing wastes do not cause nuisance or objectionable conditions (Part 2.1.2.1.5).

3.2.7.5.15.2 Practices to minimize incidental foam and scum produced by the discharge of seafood processing waste and wastewaters, as well as seafood catch transfer water to the extent practicable, including the modification of equipment, vessel, technology, processes and discharge procedures to be used to decrease the formation of foam and scum.

3.2.7.6 If flow rates are calculated, the method(s) and calculation used to determine flow rate, and volumes shall be recorded in the BMP, including methods to document revisions.

3.2.7.7 Good housekeeping

Good housekeeping is the maintenance of a clean, orderly work environment. Maintaining an orderly vessel means that materials and equipment are neat and well-kept to prevent releases to the environment.

3.2.7.8 Preventative maintenance

Preventative maintenance is periodically inspecting, maintaining, and testing seafood processing vessel equipment and systems to uncover conditions that can cause breakdowns or failures. Preventative maintenance focuses on preventing environmental releases.

3.2.7.9 Inspection and records

3.2.7.9.1 Inspections provide an ongoing method to detect and identify sources of actual or potential releases. Inspections are effective in evaluating the good housekeeping and preventative maintenance programs.

3.2.7.9.2 Recordkeeping focuses on maintaining records that are pertinent to actual or potential environmental releases. These records may include the BMP Plan itself, inspection records, preventative maintenance records, and employee training materials.

3.2.7.10 Employee Training

Employee training is a method used to instill in personnel, at all levels of responsibility, a complete understanding of the BMP Plan, including the reasons for developing the plan, the positive impacts of the plan, and employee and managerial responsibilities under the BMP Plan.

3.2.8 **Review.** The BMP Plan shall include the following provisions concerning its review:

3.2.8.1 Be reviewed annually by the permittee's manager and appropriate vessel staff.

3.2.8.2 Include a statement that the above review has been completed and that the BMP Plan fulfills the requirements set forth in this permit. The statement shall be certified by the dated signature of the permittee's manager.

3.2.9 **Documentation**

3.2.9.1 A permittee shall maintain a copy of the BMP Plan on-board the seafood processing vessel and shall make the plan available to DEC upon request.

3.2.9.2 All business offices and/or operational sites of a permittee that are required to maintain a copy of the permit and authorization shall also maintain a copy of the BMP Plan and make it available during authorized inspections upon request.

3.2.10 **Modification**

3.2.10.1 A permittee shall amend the BMP Plan whenever there is a change in the seafood processing line(s) or in the seafood processing operation which materially increases the generation of pollutants and their release or potential release to the receiving water.

3.2.10.2 At any time, if a BMP Plan proves to be ineffective in achieving the general objective of preventing and minimizing the generation of pollutants and their release, the BMP Plan shall be modified to incorporate revised BMP requirements.

3.3 Annual Report

3.3.1 **Applicability.** During the term of this permit, a permittee shall prepare and submit complete, accurate, and timely Annual Reports of incidents of noncompliance, production, discharges, and process changes to DEC. An example Annual Report Form is provided as Attachment E.

3.3.2 **Purpose and objective.** The Annual Report serves to inform DEC of the use and potential degradation of public natural resources by seafood processing vessels discharging pollutants to receiving waters under this permit.

3.3.3 **All permittees shall provide the following information:**

3.3.3.1 Verification of the permittee's APDES permit number, company name, owner name, permittee name, authorized representative name and title (if there is one), name of vessel, USCG vessel number, mailing address, telephone number(s), email address, and facsimile number as provided in the most current NOI.

3.3.4 **Stationary and In-Transit Seafood Processing Vessels.** All processing vessels discharging while stationary and/or in-transit shall provide the following information (excluding Inland Waters Discharge):

3.3.4.1 **Annual** production and discharge information including:

3.3.4.1.1 Total number of processing days;

3.3.4.1.2 Total amount of raw products processed (in pounds);

3.3.4.1.3 Total amount of finished product (in pounds);

3.3.4.1.4 Total amount of discharged seafood processing waste (raw minus finished product (in pounds));

3.3.4.1.4.1 Total amount of discharged seafood processing waste per discharge location or area-of-operation, and total number of hours and days per location; and

3.3.4.1.5 A record of each discharge location (stationary) or area-of-operation (in-transit) site authorized, reported in decimal degrees, and a report for each site of Discharged, or No Discharge.

3.3.4.2 **Daily** production and discharge information including (complete Attachment E-1):

3.3.4.2.1 The receiving water name;

3.3.4.2.2 The date;

3.3.4.2.3 Whether the vessel was stationary or in-transit during discharge;

3.3.4.2.4 The daily depth of discharge;

3.3.4.2.5 One daily latitude and longitude location determination of the processor in decimal degrees while processing. Accuracy of coordinates shall be at least within ±50 feet (reporting to 5 decimals);

3.3.4.2.6 Daily number of hours of seafood processing that occurred;

3.3.4.2.7 The type of raw seafood delivered to the seafood processing vessel intended to be processed, the processes applied to the raw product, and amount (in pounds) of raw product processed each day;

3.3.4.2.8 The amount (in pounds) of final or finished butchered product produced, including:

3.3.4.2.8.1 Final or finished seafood by-product(s) produced.

3.3.4.2.8.2 The amount (in pounds) of final or finished washed and/or unwashed mince and/or paste product(s) produced.

3.3.4.2.8.3 Seafood processing waste sent to the by-product or wastewater treatment system for additional solids removal from the washed and/or unwashed mince and/or paste production line.

3.3.4.2.9 The type and amount (in pounds) of seafood processing waste discharged (raw product minus finished product).

3.3.4.2.9.1 For reporting required by Part 3.3.4.2.9, the pounds of seafood processing waste discharged, the permittee shall report the difference[1] between the total annual pounds of raw seafood intended to be processed into washed and/or unwashed mince and/or paste, and the total annual pounds of washed and/or unwashed mince and/or paste produced as pounds of seafood processing waste discharged.

3.3.4.2.9.2 For reporting required by Part 3.3.4.2.9, the pounds of seafood processing waste discharged, shall reflect any reductions[2] of amounts discharged when the washed and/or unwashed mince paste seafood processing waste and wastewaters are sent to the permittee's by-product line. Additionally, reported amounts shall reflect reductions of seafood processing waste discharged when waste or wastewater is sent to a wastewater treatment system where additional solids are shown to be removed.

3.3.4.2.10 The estimated or measured volume of wastewater discharged (in mgd) for each outfall:

3.3.4.2.10.1 Seafood processing waste and wastewaters;

3.3.4.2.10.2 Sanitary wastewater;

3.3.4.2.10.3 Graywater discharged; and

3.3.4.2.10.4 "Other Wastewaters".

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[1] Formula if waste or wastewater is not sent to the permittee's by-product or wastewater treatment system to remove additional solids:
Pounds (lbs) of raw seafood sent to mince and/or paste line – (lbs mince and/or paste produced) = lbs seafood processing waste discharged.

[2] Formula if waste or wastewater is sent to by-product or wastewater treatment to remove additional solids:
Pounds (lbs) of raw seafood sent to mince and/or paste line – (lbs mince and/or paste produced + lbs of by-product + lbs of water vapor)
= lbs seafood processing waste discharged.

3.3.4.3 If secondary by-products are produced on the vessel, such as fish meal, it is the permittee's responsibility to calculate or measure the water volume lost to the atmosphere through water vapor. The calculation used to measure water vapor or to estimate the water vapor shall be included with the annual report.

3.3.4.4 A copy of the vessel's log documenting if discharge occurred between shore and 0.25 nm from shore, and the circumstances requiring the discharge in this area.

3.3.5 **Inland Water Seafood Waste Discharge Vessels.** Vessels discharging a seafood processors waste while in-transit and behind the baseline shall provide the following information:

3.3.5.1 The waste treatment process applied to the discharge waste (0.5- inch grind, by-product recovery waste stream, etc.).

3.3.5.2 Daily recording of stop and start GPS locations of vessel discharges. A map with daily location information presented as tracks on the map can also be used. Electronic submittal of the maps is required.

3.3.5.3 A record of each discharge site authorized and a report for each site of:

3.3.5.3.1 No Discharge, or

3.3.5.3.2 If a discharge occurred, include the amount of seafood waste and type of waste and wastewater (e.g., ground waste, stickwater, type of by-product effluent, etc.) discharged on a daily and annual basis (include Attachment E-1 - Inland Waters Discharge Log Tab).

3.3.5.3.2.1 A copy of the Inland Waters Discharge Log (Attachment E-1- Inland Waters Discharge Tab) must be kept on the vessel and made available upon request. This log shall be submitted with the Annual Report.

3.3.6 **All permittees shall provide the following information:**

3.3.6.1 A bathymetric chart from NOAA delineating the daily location of the processing vessel and the depth of the seafloor within 1.0 nm of the discharge location.

3.3.6.1.1 If reporting for an in-transit processor, the chart shall clearly delineate the boundaries of an area-of-operation.

3.3.6.1.2 A chart with daily location information presented as tracks on the chart can also be used.

3.3.6.2 An area map delineating the daily location and/or boundaries of an area-of-operation. The map shall be based upon an official map of the USGS of a scale of resolution from 1:20,000 to 1:65,000.

3.3.6.2.1 A bathymetric chart can be used in place of a separate USGS area map if it provides both the general area of processing and the depth of the seafloor within 1.0 nm of the area of operation.

3.3.6.3 A summary of noncompliance reported in accordance with Appendix A, Parts 3.4 and 3.5 that occurred between January 1st through December 31st of the previous year. Include the reasons for such noncompliance, corrective actions, and preventative steps taken.

3.3.6.4 A report of all on-site incidents of injured and dead Steller's eider(s) and/or spectacled eiders, including petroleum-related and collision-related incidents. The report must include the probable cause, time, location and result of the collision and any remedial action taken.

3.3.6.5 Additional submittals with the Annual Report

3.3.6.5.1 Updated NOI if applicable (Part 1.6).

3.3.6.5.2 Summary of seafood processing waste and wastewaters and commingled “Other Wastewaters” outfall monitoring (Part 2.2.7), marine sanitation device effluent monitoring (Part 2.2.8), graywater effluent monitoring (Part 2.2.8), and non-commingled “Other Wastewaters” monitoring report (Part 2.2.9) - (Attachment E-2).

3.3.6.5.3 Summary of receiving water monitoring results (Part 2.3.2) - (Attachment E-2).

3.3.6.5.4 Summary of non-compliance findings and corrective actions taken during waste conveyance system inspections (Part 2.1.4) - Attachment B).

3.3.6.5.5 Summary report of the non-compliance and corrective actions taken for daily sea surface monitoring (Part 2.3.5).

3.3.6.5.6 Discharge system pre-operational check (Part 2.1.4.1).

3.3.6.5.7 Digital photographs and log (Part 2.1.4.5 and 2.1.4.6).

3.3.6.5.8 Seafloor Survey Applicability Summary (Part 2.3.4.3) and a copy of any Seafloor monitoring Reports (Part 2.3.4.8)

3.3.7 **Signatory requirements.** The annual report shall be signed by a principal officer or a duly authorized representative of the permittee in accordance with Appendix A, Part 1.12, Signature Requirement and Penalties.

3.3.8 **Submittal date.** A permittee shall submit the Annual Report by March 15th of the year following each year of operation and discharge under the permit. If a vessel does not discharge during the year, a signed Annual Report indicating no discharge activity is still required. A permittee shall submit the original signed Annual Report and an electronic copy in Microsoft Word, Excel or Adobe Acrobat to the address listed in the Submissions Table 1.