Attachment B

PRINCE WILLIAM SOUND RCAC
Regional Citizens' Advisory Council / Royal Center, 310 Egan St., Rm. 210 / Box 3470 Valdez, Alaska 99686 / (907) 835-5957 / FAX (907) 835-5926

October 12, 1993

Mr. Robert Flint
Alaska Department of Environmental Conservation
Acting State Pipeline Coordinator
411 W. 4th Avenue, Suite 2-C
Anchorage, AK 99501

RE: RFI 9513 Alyeska's Total Hydrocarbon Exceedence at the Edge of the BWTP Mixing Zone

Dear Mr. Flint:

This is in response to your letter dated May 17, 1993 regarding the permit violations at the Alyeska marine terminal. As you may recall Alyeska notified ADEC of its violation of the Total Hydrocarbon (TH) limit on November 27, 1991. Based on computer modeling of the mixing zone and effluent testing of TH, Alyeska would be out of compliance with the Alaska Water Quality Standards (WQS) for TH and the NPDES permit "on 44 out of the 66 days on which TH measurements were taken from January through August, 1991".

The Prince William Sound RCAC Terminal Operations & Environmental Monitoring Committee monitors the operation at the terminal with regard to compliance with the NPDES permit and the Alaska WQS. We find it unacceptable that ADEC has chosen to ignore this violation based upon its assertion that the Water Quality Standards are flawed and are subject to change. The fact remains that the TH criterion of 15 ug/l based on Method 503B is established in 18 AAC 70.020(b) and was consequently carried in the NPDES permit (refer to Part I.B.7.d.). ADEC has the responsibility to enforce the limits unless or until the Standard is modified.

TOEM recognizes that the TH limit is applied at the edge of the mixing zone and is not an effluent limit. However, a limitation established at the mixing zone boundary is no less important or enforceable.

The NPDES permit identifies the appropriate method for analyzing TH (503B) as required in the WQS. Use of a different method as suggested in your letter would not be in compliance with the WQS. Furthermore, a method that would measure only dissolved hydrocarbons ignores the particulate and emulsified phases which apparently constitute the majority of the discharged hydrocarbons. In Alyeska's November 27, 1991 letter it was stated that "If only the water-soluble fraction of TH measured in Alyeska's effluent were considered, TH measurements in Alyeska's effluent would be reduced (on average) by a minimum of 88%...".

These insoluble phases of the effluent and the potential environmental impact cannot be ignored. For example, particulate hydrocarbons are biologically available and are associated with sublethal effects to organisms present in Port Valdez. The TOEM committee does intend to make more detailed comments on the proposed water quality standards.

TOEM is interested in the data and methodology supporting the statement in your letter (pg. 2, 6th line) that it is not likely that violations of the TH standard at the edge of the mixing zone are occurring.

Finally, we'd like to suggest again that the department reconsider the requirement for the mixing zone verification study. Not only would such a study provide information regarding the TH violations, but would also verify the dilution rate and compliance with the total aromatic hydrocarbon standard. It is recommended that the records addressing the original requirement for this study be reviewed. Briefly, this study was required by the State due to the fact that the data used to refine the mixing zone model was seriously flawed (Please refer to "ADEC Review of Alyeska Data Report, March 1986 Staff Report, April 1988"). Conducting this study prior to the permit renewal would be of tremendous benefit, enabling a more thorough evaluation of Alyeska's compliance with the NPDES permit and the State Water Quality Standards.

The TOEM Committee appreciates your attention to these important issues. We believe the discussion of the Total Hydrocarbon standard at the August 4 meeting of the BWTP Working Group was constructive and we hope this topic will be taken up again at the next Working Group meeting. In the meantime, however, we do not believe that discussions in that forum are a substitute for ADEC's enforcement of existing state Water Quality Standards.

We look forward to written response regarding your plans for enforcing the NPDES total hydrocarbon requirement, and we also hope you can provide more context for the decision not to require a mixing zone verification study.

Sincerely,

Leann Jerry for Jim Levine

Jim Levine
Chairman, TOEM Committee

cc: Stan Stephens, RCAC
Stan Stanley, RCAC
Steve Provant, ADEC
Judy Kitagawa, ADEC
Anne Dailey, EPA-Region 10
Carl Lautenberger, EPA-Pipeline Corridor Regional Office
Dick Mikkelsen, Alyeska
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