

REGULATION 18 AAC 69.046 OUTLINE

I. Best Management Practices (BMP) Plan Required

- a. To discharge wastewater under the alternative terms and conditions provision of AS 46.03.462(c), a small commercial passenger vessel owner or operator must first secure DEC approval of a BMP under these regulations.
- b. For an owner or operator electing to operate a vessel under the AS 46.03.462(c) provision, failure to operate according to the DEC-approved BMP plan is a violation unless the vessel complies with the standard conditions in AS 46.03.463(b).

II. Application Requirements

- a. An owner or operator who intends to operate a vessel under the alternative terms and conditions provision of AS 46.03.462(c) must submit a BMP plan on or before March 1 of each calendar year, except in a calendar year for which an approved plan is valid. DEC can approve a plan for up to five years.
- b. An application for a BMP plan approval must include the following information. The vessel owner or operator must apply using a DEC provided application form. The form will include:
 1. vessel name;
 2. vessel contact information;
 3. description of wastewater quality and quantity
 - i. for a vessel with prior Alaskan experience, a description of the previous two years of wastewater sampling results;
 - ii. for a vessel that is new to Alaska, wastewater sampling results from all wastewater discharge overboard ports; and
 4. BMP plan that meets all the requirements in Section III of this document

III. BMP Plan Contents

The BMP plan must include:

- a. documentation that the vessel cannot practicably comply with the standard terms and conditions, which includes one of the following;
 1. Satisfactory evidence (letter from a Naval architect, registered engineer or classification society) that demonstrates that installing advanced wastewater treatment systems would negatively affect the vessel's safety.

OR

2. The owner or operator's statement that provides estimated costs of installing new or modified wastewater treatment system and describes why it is not economically practicable for the owner or operator to install treatment systems that would otherwise bring the vessel into compliance with the standard terms and conditions. A written quote or letter from a system vendor must be attached to support the owner or operator's statement.
- b. a description of operating practices (BMP) intended to
1. reduce volume of wastewater discharged,
 2. improve the quality of the wastewater discharged,
 3. minimize the risk to human health caused by exposure to the vessel's wastewater discharges, and
 4. maximize the dispersion of wastewater into the receiving water.
- c. a prohibition on the discharge of sewage, graywater and other wastewater within
- (i) 100 meters horizontally of mean lower low water tidal datum of the tidally affected portion of a catalogued anadromous fish stream;
 - (ii) between March 1 and June 15 of each calendar year, within waters that are of a depth of 20 meters vertically of mean lower low water tidal datum, and that are identified in the departments's set of maps entitled, *Herring Spawning Areas of Alaska*, dated November 2005 and adopted by reference; and
 - (iii) within areas designated under AS 16.20 as refuges, sanctuaries, and critical habitat areas under Alaska Statute 16.20.
- d. a description of the crew or passenger training programs including training curricula, materials and schedules. Also, vessel scheduling, and other means that will be used to implement the best management practices; and
- e. the recordkeeping documents, including logbooks, that will be used to demonstrate compliance with the BMP plan.

Please refer to the actual regulations at 18 AAC 69.046 for a more detailed description of requirements.