

STATE OF ALASKA

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DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

Wastewater Discharge Authorization Program

INFORMATION ON THE REASSIGNMENT OF CERTIFICATES OF REASONABLE ASSURANCE

In accordance with Section 401 of the Clean Water Act (CWA) any applicant applying for a federal license or permit to conduct an activity that might result in a discharge into waters of the U.S. must also apply for and obtain certification from the Alaska Department of Environmental Conservation (ADEC) that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards (18 AAC 70), and other applicable State laws. By agreement between the U.S. Army Corps of Engineers (Corps) and ADEC, an application for a Corps permit for the placement or discharge of dredged and/or fill material into waters of the U.S. including wetlands under Section 404 of the CWA may also serve as an application for ADEC 401 water quality certification, known as a "Certificate of Reasonable Assurance" (CRA).

From time to time the permittee who submitted the original permit application transfers the project to another permittee. ADEC regulation **18 AAC 15.100(b)** provides that the original permittee, possessing a valid ADEC issued CRA, may transfer all rights and responsibilities to a new permittee. To do this, the new permittee must send a letter to the Director of the Division of Water, with a copy to the original permittee, with the following information:

1. The Corps project reference number (referred to as the POA number) and the water body name as it appeared on the Corps Public Notice of an Application for a Permit;
2. A short description of the request to transfer the CRA from the original permittee to the new permittee;
3. The information for the original permittee and the new permittee -- company name, authorized officer, address, and contact information;
4. The following statement: "We, the undersigned understand that we are assuming the terms, conditions and obligations of the CRA for the project (include project reference number) as it was originally permitted by the Corps and that this reassignment will not result in an appreciable change in the project design or construction."
5. The signature of a corporate officer of the new permittee;
6. The signature of a corporate officer from the current permittee acknowledging the transfer; and
7. A copy of the CRA.