



ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM

APPLICATION FORM 2E

Facilities That Do Not Discharge Process Wastewater

Please submit this form to:

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Wastewater Discharge Authorization Program
 555 Cordova Street
 Anchorage, AK 99501
 DEC.Water.WQPermit@alaska.gov

Form 2E must be completed for an applicant that is a new or existing industrial facility that discharges only nonprocess wastewater. This form must be completed by an applicant who checked "yes" to Section 6-D in APDES Form 1. Form 2E must be completed in conjunction with Form 1. Instructions for completing this form are attached.

SECTION 1 – FACILITY INFORMATION
 (This information must match the facility information entered in Section 1 on Form 1.)

Facility Name: _____

Physical Address/Location:

SECTION 2 – OUTFALL LOCATION

List the latitude and longitude of each outfall location to the sixth decimal place and the name of the receiving water. For more than one outfall, attach separate copies of Sections 2, 3, 4 and 5 for each outfall.

Outfall Number	Latitude	Longitude	Receiving Water

Lat/Long Coordinate Source: Internet Map GPS/Survey Other _____

Source Map Scale (if applicable):

Horizontal Accuracy:

Horizontal Datum:

SECTION 3 – DISCHARGE DATE FOR NEW FACILITIES

If you are a new discharger, on what date do you expect to begin discharging? (mm/dd/yyyy)

SECTION 4 – TYPE OF WASTE

Section A. Check the box(es) indicating the general type(s) of wastes discharged.

- Sanitary Wastes
 Restaurant or Cafeteria Wastes
 Noncontact Cooling Water
 Other Nonprocess Wastewater (Identify):

Section B. If any cooling water additives are used, list them here. Briefly describe their composition if this information is available.

SECTION 5 – EFFLUENT CHARACTERISTICS

Section A. Existing Sources – Provide measurements for the parameters listed in the left-hand column below, unless waived by the department (see instructions).

Section B. New Sources – Provide estimates for the parameters listed in the left-hand column, unless waived by the department. Instead of the number of measurements taken, provide the source of the estimated values (see instructions).

Pollutant or Parameter	Maximum Daily Value (include units)		Average Daily Value (last year) (include units)		Number of Measurements Taken (last year) <i>(for Existing Sources)</i>	Source of Estimate <i>(for New Sources)</i>
	Mass	Concentration	Mass	Concentration		
Biochemical Oxygen Demand (BOD ₅)						
Total Suspended Solids (TSS)						
Fecal Coliform (if believed present or if sanitary waste is discharged)						
Total Residual Chlorine (if chlorine is used)						
*Oil and Grease						
*Chemical Oxygen Demand (COD)						
Total Organic Carbon (TOC)						
Ammonia (as N)						
Discharge Flow	Value		Value			
pH (give range)	Maximum	Minimum	Maximum	Minimum		
Temperature (winter)	°C		°C			
Temperature (summer)	°C		°C			
*If noncontact cooling water is discharged						

SECTION 6 – SEASONALITY

Except for stormwater runoff, leaks or spills, will the discharge described in this form be intermittent or seasonal? If yes, describe frequency of flow and duration.

Yes No

SECTION 7 – TREATMENT SYSTEM

Briefly describe any treatment system(s) used or to be used:

SECTION 8 – OTHER INFORMATION

Use the space below to expand upon any of the above questions or to bring to the attention of the reviewer any other information you feel should be considered in establishing permit limitations for the proposed facility. Attach additional sheets if necessary.

SECTION 9 – CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate that information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Right to Enter Premises

By submitting this application, the applicant hereby consents to entry upon the premises by representatives of the Alaska Department of Environmental Conservation in order to: 1) have access to and copy any records that permit conditions require the applicant to keep; 2) inspect any facilities, equipment, including monitoring and control equipment, practices, or operations regulated or required under a permit; and 3) sample or monitor any substances or parameters at any location for the purpose of assuring permit compliance or as otherwise authorized by 33 U.S.C. 1251-1387 (Clean Water Act).

Print Name:

Title:

Signature:

Date:

INSTRUCTIONS FOR APDES FORM 2E

Facilities That Do Not Discharge Process Wastewater

See Form 1, General Instructions, for additional information.

Who Must File Form 2E

Form 2E must be completed in conjunction with Form 1. This short form may be used only by operators of facilities that discharge only *nonprocess* wastewater which is not regulated by effluent limitations guidelines or new source performance standards (NSPS). (*Process* wastewater is any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.) The form is intended primarily for use by dischargers, new or existing, of sanitary wastes and noncontact cooling water. It may not be used for discharges of storm water runoff or by educational, medical, or commercial chemical laboratories or by certain publicly owned treatment works (POTWs).

Public Availability of Submitted Information

You may not claim as confidential any information required by this form or Form 1, whether the information is reported on the forms or in an attachment. This information will be made available to the public upon request.

Any information you submit to ADEC which goes beyond that required by this form or Form 1 you may claim as confidential, but claims for information which is effluent data will be denied. If you do not assert a claim of confidentiality at the time of submitting the information, ADEC may make the information public without further notice to you. Claims of confidentiality will be handled in accordance with ADEC's business confidentiality regulations at 18 AAC 83.165.

Follow Up Requirements for New Dischargers and New Sources

Although you are now required to submit estimated data on this form (Form 2E), please note that no later than two years after you begin discharging from the proposed facility, you must complete and submit Section 5 of this form (Form 2E). At that time you must test and report actual rather than estimated data for the pollutants or parameters in Section 5, unless waived by the department as allowed by 18 AAC 83.315(d).

Definitions

All significant terms used in these instructions and in the form are defined in the glossary found at the end of these instructions.

Completeness

Your application will not be considered complete unless you answer every question on this form and Form 1 (except as instructed below). If an item does not apply to you, enter "NA" (for "not applicable") to show that you considered the question.

Section 1 – Facility Information

Enter the facility's official or legal name. Do not use a colloquial name.

Section 2 – Outfall Location

Provide the latitude and longitude for each outfall to the sixth decimal place. If the latitude and longitude are derived from a printed map, provide the information to the fourth decimal and include the scale of the map. Name all waters to which discharge is made and which flow into significant receiving waters. For example, if the discharge is made to a ditch which

flows into an unnamed tributary which in turn flows into a named river, provide the name or description (if no name is available) of the ditch, the tributary, and the river. The department prefers location information to be provided as the latitude and longitude in decimal degrees, Alaska Albers Projection, North American Datum of 1983. The preferred source of the coordinates is a GPS unit, but other methods will be accepted, including GPS, survey, internet (such as Topozone.com), and printed map. Clearly identify the horizontal accuracy and unit of measurement (e.g. 10 meters) and horizontal datum. For more than one outfall, attach separate copies of Sections 2, 3, 4 and 5 for each outfall.

Section 3 – Discharge Date for New Facilities

This item requires your best estimate of the date on which your facility will begin to discharge.

Section 4 – Type of Waste

Section 4-A

Indicate the general type(s) of wastes to be discharged by placing an "x" in the appropriate box(es). If "other nonprocess wastewater" is marked, it should be identified.

Section 4-B

If cooling water additives are to be used, list them. In addition, the composition of the cooling water additives should be listed if this information is available. The composition of cooling water additives may be found on product labels or on manufacturer's data sheets.

Section 5 – Effluent Characteristics

Reporting

All pollutant levels must be reported as concentration and as total mass (except for discharge flow, pH, and temperature). Total mass is the total weight of pollutants discharged over a day.

Use the following abbreviations for units:

Concentration		Mass	
ppm.....	parts per million	lbs.....	pounds
mg/L.....	milligrams per liter	ton.....	Tons (English tons)
ppb	parts per billion	mg.....	milligrams
ug/L.....	micrograms per liter	g.....	grams
		kg.....	kilograms
		T.....	Tonnes (metric tons)

Section 5-A. Existing Sources

You are required to provide at least one analysis for each pollutant or parameter listed by filling in the requested information under the applicable column. Data reported must be representative of the facility's current operation (average daily value over the previous 365 days should be reported). Most facilities routinely monitor these pollutants or parameters as part of existing permit requirements.

Estimate fecal coliform only if believed present or if sanitary waste is discharged and total residual chlorine only if chlorine is used. Chemical oxygen demand (COD) and total organic carbon (TOC) are only required if noncontact cooling water is discharged. The analysis of these pollutants or parameters must be done in accordance with procedures promulgated in 40 CFR Part 136 adopted by reference at 18 AAC 83.010. Grab samples must be used for pH, temperature, total residual chlorine, oil and grease, and fecal coliform. For all other pollutants, 24-hour composite samples must be used. Any further questions on sampling or analysis should be directed to the department. The department may request that you do additional testing, if appropriate, on a case-by-case basis under Section 308 of the Clean Water Act (CWA).

If you expect a pollutant to be present solely as a result of its presence in your intake water, state this information in Section 8 of the form.

Section 5-B. New Dischargers

You are required to provide an estimated maximum daily and average daily value for each pollutant or parameter. Estimate fecal coliform only if believed present or if sanitary waste is discharged and total residual chlorine only if chlorine is used. Chemical oxygen demand (COD) and total organic carbon (TOC) are only required if noncontact cooling water is discharged.

Please note that follow-up testing and reporting are required no later than 2 years after the facility starts to discharge. Sampling and analysis are not required at this time. If, however, data from such analyses are available, then such data should be reported. The source of the estimates is also required. Base your determination of whether a pollutant will be present in your discharge on your knowledge of the proposed facility's use of maintenance chemicals, and any analyses of your effluent or of any similar effluent. You may also provide the estimates based on available in-house or contractor's engineering reports or any other studies performed on the proposed facility.

If you expect a pollutant or parameter to be present solely as a result of its presence in your intake water, state this information in Section 8 of the form.

In providing the estimates, use the codes in the following table to indicate the source of such information.

Engineering Study Code

- Actual data from pilot plants 1
- Estimates from other engineering studies 2
- Data from other similar plants..... 3
- Best professional estimates..... 4
- Others.....Specify on the form

Testing Waivers

To request a waiver from reporting any of these pollutants or parameters, the applicant (whether a new or existing discharger) must submit a written request to the department specifying which pollutants or parameters should be waived and the reasons for requesting a waiver. This request should be submitted to the department before or with the permit application. The department may waive the requirements for information about any pollutant or parameter if it is determined that less stringent reporting requirements are adequate to

support issuance of the permit. No extensive documentation of the request will normally be needed, but the applicant should contact the department to receive instructions on what a particular request should contain.

Section 6 - Seasonality

Describe the average frequency of flow and duration of any intermittent or seasonal discharge (except for storm water runoff, leaks, or spills). The frequency of flow means the number of days or months per year there is intermittent discharge. Duration means the number of days or hours per discharge. For new dischargers, base your answers on your best estimate.

Section 7 – Treatment System

Describe briefly any treatment system(s) used (or to be used for new dischargers), indicating whether the treatment system is physical, chemical, biological, sludge and disposal, or other. Also give the particular type(s) of process(es) used (or to be used), and specify the processes applied, such as grit removal, ammonia stripping, dialysis, etc.

Section 8 – Other Information

A space is provided for additional information which you believe would be useful in setting permit limits, such as additional sampling. Any response here is optional.

If you wish to demonstrate your eligibility for a "net" effluent limitation for any of the pollutants or parameters in Section 5, i.e., an effluent limitation adjusted to provide credit for the pollutant(s) present in your intake water, please insert a short statement describing why you believe you are eligible (see 18 AAC 83.545). You will then be contacted by the department for further instructions.

Section 9 - Certification

Alaska Statute 46.03.790 provides for severe penalties for submitting false information on this application form. State regulations at 18 AAC 83.385 require this application be signed and certified as follows:

1. **For a corporation**, a responsible corporate officer shall sign the application; in this subsection, a responsible corporate officer means:
 - (A) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or
 - (B) the manager of one or more manufacturing, production, or operating facilities, if
 - (i) the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental statutes and regulations;
 - (ii) the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and
 - (iii) authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. **For a partnership or sole proprietorship**, the general partner or the proprietor, respectively, shall sign the application; and
3. **For a municipality, state, federal, or other public agency**, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of an agency means
 - (A) the chief executive officer of the agency or
 - (B) a senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

Include the name and title of the person signing the form and the date of signing.

GLOSSARY

NOTE: This Glossary includes terms used in the instructions and in Forms 1, 2A, 2B, 2C, 2D, 2E, and 2F. If you have any questions concerning the meaning of any of these terms, please contact ADEC.

ADEC means the Alaska Department of Environmental Conservation.

ADMINISTRATOR means the administrator of the United States Environmental Protection Agency (EPA), or an authorized representative.

ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM or APDES means the state's program, approved by EPA under 33 U.S.C. 1342(b), for issuing, modifying, revoking and reissuing, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under 33 U.S.C. 1317, 1328, 1342, and 1345.

ALiquot means a sample of specified volume used to make up a total composite sample.

ANIMAL FEEDING OPERATION (AFO) means a lot or facility (other than an aquatic animal production facility) where the following conditions are met

- 1) Animals (other than aquatic animals) have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period; and
- 2) Crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.

Two or more animal feeding operations under common ownership are a single animal feeding operation if they adjoin each other or if they use a common area or system for the disposal of wastes.

ANIMAL UNIT means a unit of measurement for any animal feeding operation calculated by adding the following numbers: The number of slaughter and feeder cattle multiplied by 1.0; Plus the number of mature dairy cattle multiplied by 1.4; Plus the number of swine weighing over 25 kilograms (approximately 55 pounds) multiplied by 0.4; Plus the number of sheep multiplied by 0.1; Plus the number of horses multiplied by 2.0.

APPLICATION means a submission of required information on (A) the EPA standard national forms for applying for an NPDES permit, or (B) the Department equivalent forms adopted by the state for use in the APDES program and approved by EPA for use by the state, including any approved modifications or revisions.

APPROVED PROGRAM or APPROVED STATE means a state program which has been approved or authorized by EPA under 40 CFR Part 123.

AQUACULTURE PROJECT means a defined managed water area which uses discharges of pollutants into that designated area for the maintenance or production of harvestable freshwater, estuarine, or marine plants or animals. "Designated project area" means the portions of the waters of the United States within which the applicant plans to confine the cultivated species, using a method of plan or operation (including, but not limited to, physical confinement) which, on the basis of reliable scientific evidence, is expected to ensure the specific individual organisms comprising an aquaculture crop will enjoy increased growth attributable to the discharge of pollutants and be harvested within a defined geographic area.

AVERAGE MONTHLY DISCHARGE LIMITATION means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all the daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

AVERAGE WEEKLY DISCHARGE LIMITATION means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all the daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

BEST MANAGEMENT PRACTICES (BMP) means (A) schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States; and (B) treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

BIOLOGICAL MONITORING TEST or BIOMONITORING TEST means any test which includes the use of aquatic algal, invertebrate, or vertebrate species to measure acute or chronic toxicity, and any biological or chemical measure of bioaccumulation.

BYPASS means the intentional diversion of wastes from any portion of a treatment facility.

COMMISSIONER means the commissioner of the Alaska Department of Environmental Conservation.

CONCENTRATED ANIMAL FEEDING OPERATION (CAFO) means an animal feeding operation which meets the criteria set forth in either (A) or (B) below or which the Director designates as such on a case-by-case basis:

- (A) Large CAFO: As many as or more than the numbers of animals specified in any of the following categories are stabled or confined:
 1. 700 mature dairy cows, whether milked or dry cows;
 2. 1,000 veal calves;
 3. 1,000 cattle other than mature dairy cows or veal calves;
 4. 2,500 swine each weighing 55 pounds or more;
 5. 10,000 swine each weighing less than 55 pounds;
 6. 500 horses;
 7. 10,000 sheep or lambs;
 8. 55,000 turkeys;
 9. 30,000 laying hens or broilers, if the AFO uses a liquid manure handling system;
 10. 125,000 chickens (other than laying hens), if the AFO uses other than a liquid manure handling system;
 11. 82,000 laying hens, if the AFO uses other than a liquid manure handling system;
 12. 30,000 ducks, if the AFO uses other than a liquid manure handling system; or
 13. 5,000 ducks, if the AFO uses a liquid manure handling system.
- (B) Medium CAFO: The type and number of animals falls within any of the ranges listed below, and if pollutants are discharged into the waters of the United States through a man-made ditch, flushing system, or other similar man-made device; or if pollutants are discharged

directly into waters of the United States which originate outside of and pass over, across, or through the facility or otherwise come into contact with the animals confined in the operation:

1. 200 to 699 mature dairy cows, whether milked or dry cows;
2. 300 to 999 veal calves;
3. 300 to 999 cattle other than mature dairy cows or veal calves;
4. 750 to 2,499 swine each weighing 55 pounds or more;
5. 3,000 to 9,999 swine each weighing less than 55 pounds;
6. 150 to 499 horses;
7. 3,000 to 9,999 sheep or lambs;
8. 16,500 to 54,999 turkeys;
9. 9,000 to 29,999 laying hens or broilers, if the AFO uses a liquid manure handling system;
10. 37,500 to 124,999 chickens (other than laying hens), if the AFO uses other than a liquid manure handling system;
11. 25,000 to 81,999 laying hens, if the AFO uses other than a liquid manure handling system;
12. 10,000 to 29,999 ducks, if the AFO uses other than a liquid manure handling system; or
13. 1,500 to 4,999 ducks, if the AFO uses a liquid manure handling system.

CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITY means a hatchery, fish farm, or other facility which contains, grows or holds aquatic animals in either of the following categories, or which the Director designates as such on a case by case basis:

- (A) Cold water fish species or other cold water aquatic animals including, but not limited to, the Salmonidae family of fish (e.g., trout and salmon) in ponds, raceways or other similar structures which discharge at least 30 days per year but does not include:
1. Facilities which produce less than 9,090 harvest weight kilograms (approximately 20,000 pounds) of aquatic animals per year; and
 2. Facilities which feed less than 2,272 kilograms (approximately 5,000 pounds) of food during the calendar month of maximum feeding.
- (B) Warm water fish species or other warm water aquatic animals including, but not limited to, the Ameiuridae, Cetrarchiclae, and Cyprinidae families of fish (e.g., respectively, catfish, sunfish, and minnows) in ponds, raceways, or other similar structures which discharge at least 30 days per year, but does not include:
1. Closed ponds which discharge only during periods of excess runoff; or
 2. Facilities which produce less than 45,454 harvest weight kilograms (approximately 100,000 pounds) of aquatic animals per year.

CONTACT COOLING WATER means water used to reduce temperature which comes into contact with a raw material, intermediate product, waste product other than heat, or finished product.

CONTIGUOUS ZONE means the entire zone established by the United States under article 24 of the Convention on the Territorial Sea and the Contiguous Zone.

CONTINUOUS DISCHARGE means a discharge that occurs without interruption throughout the operating hours of the facility, except for infrequent shutdowns for maintenance, process changes, or other similar activities.

CLEAN WATER ACT (CWA) means the federal law codified at 33 U.S.C. 1251-1387, also known or referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972.

DAILY DISCHARGE means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling; the daily discharge is calculated for a pollutant with limitations expressed in (A) unit of mass, as the total mass of the pollutant discharged over the day, and (B) other units of measurement, as the average measurement of the pollutant over the day.

DEPARTMENT means the Alaska Department of Environmental Conservation.

DIRECT DISCHARGE means the discharge of a pollutant.

DIRECTOR means the commissioner or the commissioner's designee assigned to administer the APDES Program or a portion of it, unless the context identifies an EPA director.

DISCHARGE when used without qualification means the discharge of a pollutant.

DISCHARGE (OF A POLLUTANT)

- A) means any addition of any pollutant or combination of pollutants
- i) to waters of the United States from any point source; or
 - ii) to waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft that is being used as a means of transportation;
- B) includes any addition of pollutants into waters of the United States from
- (i) surface runoff that is collected or channeled by humans;
 - (ii) discharges through pipes, sewers, or other conveyances owned by a state, municipality, or other person that do not lead to a treatment works; and
- C) does not include an addition of pollutants by any indirect discharger.

DISCHARGE MONITORING REPORT(DMR) means the EPA uniform national form, adopted by reference in 18 AAC 83.410(d), for the self-monitoring results by permittees, including any department equivalent modified to substitute the Department's name address, logo, and other similar information, as appropriate, in place of information pertaining to EPA.

DRAFT PERMIT means a document prepared under

18 AAC 83.115, indicating the Department's tentative decision to issue or deny, modify, revoke and reissue, terminate, or reissue a permit.

EFFLUENT LIMITATION or **EFFLUENT LIMIT** means any restriction imposed by the Department on quantities, discharge rates, and concentrations of pollutants that are discharged from point sources into waters of the United States, the waters of the contiguous zone, or the ocean.

EFFLUENT LIMITATION GUIDELINES means a regulation published by the administrator under 33 U.S.C. 1314(b) to adopt or revise effluent limitations.

ENVIRONMENTAL PROTECTION AGENCY or EPA means the United States Environmental Protection Agency.

EXISTING SOURCE or **EXISTING DISCHARGER** (in the APDES program) means any source which is not a new source or a new discharger.

FACILITY or **ACTIVITY** means any point source or any other facility or activity, including land or appurtenances, that is subject to regulation under the APDES program.

FEDERAL INDIAN RESERVATION means all land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation.

GENERAL PERMIT means an APDES permit issued under 18 AAC 83.205, or an NPDES permit issued by EPA under 40 CFR §122.28 before the state's acceptance of delegation of the NPDES program, authorizing a category of discharges under 33 U.S.C. 1251 – 1387 within a geographical area.

HAZARDOUS SUBSTANCE means any of the substances designated under 40 CFR Part 116 in accordance with 33 U.S.C. 1321. (NOTE: These substances are listed in Table 2C 4 of the instructions to Form 2C)

IN OPERATION means a facility which is treating, storing, or disposing of hazardous waste.

INDIAN TRIBE means any Indian tribe, band, group, or community recognized by the United States Secretary of the Interior and exercising governmental authority over a federal Indian reservation.

INDIRECT DISCHARGER means a nondomestic discharger introducing pollutants to a publicly owned treatment works.

INDIVIDUAL CONTROL STRATEGY means a final APDES permit with supporting documentation showing that effluent limits are consistent with an approved wasteload allocation or other documentation which shows that applicable water quality standards will be met no later than three years after the individual control strategy is established.

INTERSTATE AGENCY means an agency of two or more states established by or under an agreement or compact approved by the United States Congress, or any other agency of two or more states having substantial powers or duties pertaining to the control of pollution as determined and approved by the administrator under 33 U.S.C 1251 – 1387 and regulations adopted under those provisions.

LOG SORTING AND LOG STORAGE FACILITIES means facilities where discharges result from the holding of unprocessed wood, such as logs or roundwood with bark or after removal of bark held in self-contained bodies of water such as mill ponds or log ponds or stored on land for wet decking where water is applied intentionally on the logs.

MAJOR FACILITY means any NPDES facility or activity classified as a major facility by the regional administrator, or any APDES facility or activity classified as a major facility by the regional administrator in conjunction with the Department.

MAXIMUM DAILY DISCHARGE LIMITATION means the highest allowable daily discharge.

MGD means millions of gallons per day.

MINOR FACILITY means any facility that is not a major facility.

MUNICIPALITY means a city, village, town, borough, district, association, or other public body created by or under state law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of CWA [33 U.S.C. 1288].

MUNICIPAL SEPARATE STORM SEWER SYSTEM or **MS4** has the meaning given in 40 CFR 122.26(b)(4) and (b)(7), adopted by reference in 18 AAC 83.010.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM or **NPDES (A)** means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of CWA [33 U.S.C 1317, 1328, 1342, and 1345]; **(B)** includes the APDES program, as approved by EPA.

NEW DISCHARGER (A) means any building, structure, facility, or installation

(i) from which there is or may be a discharge of pollutants;

(ii) that did not commence the discharge of pollutants at a particular site before August 13, 1979;

(iii) that is not a new source; and

(iv) that has never received a finally effective NPDES permit for discharges at that site;

(B) includes

(i) an indirect discharger that commenced or commences discharging into waters of the United States after August 13, 1979;

(ii) any existing mobile point source other than an offshore or coastal oil and gas exploratory drilling rig or a coastal oil and gas development drilling rig such as a seafood processing rig, seafood processing vessel, or aggregate plant, that begins discharging at a site for which it does not have a permit; and

(iii) any offshore or coastal mobile oil and gas exploratory drilling rig or coastal mobile oil and gas developmental rig that commenced or commences the discharge of pollutants after August 13, 1979, at a site under EPA's permitting jurisdiction for which it is not covered by an individual or general permit and which is located in an area determined by the regional administrator in the issuance of a final permit to be an area of biological concern considering the factors specific in

40 CFR §125.122(a)(1) – (10), adopted by reference in 18 AAC 83.010;

(iv) an offshore or coastal mobile exploratory drilling rig or coastal mobile developmental drilling rig will be considered a new discharger only for the duration of its discharge in an area of biological concern.

NEW SOURCE (A) means any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced

(i) after promulgation of standards of performance under Section 306 of CWA [33 U.S.C. 1316] that are applicable to a new source; or

(ii) after proposal of standards of performance in accordance with Section 306 of CWA [33 U.S.C. 1316]

that are applicable to a new source, but only if the standards are promulgated in accordance with Section 306 of CWA [33 U.S.C 1316] within 120 days of their proposal;

- (B) except as otherwise provided in an applicable new source performance standard, is a source that
- (i) is constructed at a site at which no other source is located;
 - (ii) totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (iii) has processes which are substantially independent of an existing source at the same site, considering such factors as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source.
- (C) for purposes of (A) and (B), is a new source only if a new source performance standard is independently applicable to it; if there is no independently applicable standard, the source is a new discharger;
- (D) is construction of a new source that has commenced if the owner or operator has

(i) begun, or caused to begin as part of a continuous on-site construction program, any placement, assembly, or installation of facilities or equipment or significant site preparation work including clearing, excavation or removal of existing buildings, structures, or facilities that is necessary for the placement, assembly, or installation of new source facilities or equipment; or

(ii) entered into a binding contractual obligation for the purchase of a facilities or equipment intended to be used in its operation within a reasonable time; options to purchase or contracts that can be terminated or modified without substantial loss, contracts for feasibility engineering and design studies do not constitute a contractual obligation;

(E) does not include construction on a site that results in a modification to an existing source subject to 18 AAC 83.130, if the construction does not create a new building, structure, facility, or installation meeting the criteria in (A) – (D) of this paragraph, but otherwise alters, replaces, or adds to existing process or production equipment.

(F) as used in (A)-(E) of this paragraph:

(i) "existing source" means any source that is not a new source or a new discharger;

(ii) "facility or equipment" means any building, structure, process or production equipment or machinery which form a permanent part of the new source and which will be used in its operation, if the facility or equipment is of such value as to represent a substantial commitment to construct, but does not include any facility or equipment used in connection with feasibility, engineering, and design studies regarding the source or water pollution treatment for the source;

(iii) "source" means any building, structure, facility, or installation from which there is or may be a discharge of pollutants;

NONCONTACT COOLING WATER means water used to reduce temperature which does not come into direct contact with any raw material, intermediate product, waste product (other than heat), or finished product.

ON-SITE CONTACT means the person who is thoroughly familiar with the operation of the facility and with the facts reported in this application and who can be contacted by reviewing offices if necessary.

OPERATOR means the party responsible for the overall operation of a facility. (See "Responsible Party")

OUTFALL means a point source.

OWNER means the owner of any facility subject to regulation under the APDES program.

PERMIT (A) means an authorization, license, or equivalent control document issued by the Department to implement the requirements of the APDES Program and 18 AAC 83; **(B)** includes an APDES general permit and an EPA-issued NPDES general permit.

PERSON means an individual, association, partnership, corporation, municipality, state or federal agency, or an agent or employee thereof.

POINT SOURCE (A) means any discernible, confined, and discrete conveyance, including any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged; **(B)** does not include return flows from irrigated agricultural storm water runoff.

POLLUTANT (A) means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical waste, biological materials, radioactive materials except those regulated under 42 U.S.C. 2011, heat, wrecked or discarded equipment, rocks, sand, cellar dirt and industrial, municipal, or agriculture waste discharged into water;

(B) does not include sewage from vessels or water, gas, or other material that is injected into a well to facilitate production of oil or gas, or water derived in association with oil and gas production and disposed of in a well, if the well

(i) is used either to facilitate production or for disposal purposes

(ii) is approved by authority of the Department, and

(iii) if the Department determines that the injection or disposal will not result in the degradation of ground or surface water resources.

PRELIMINARY DRAFT PERMIT means a draft permit that the Department intends to provide notice of under 18 AAC 83.120 and that is provided in advance to the applicant under

18 AAC 83.115(e).

PRETREATMENT has the meaning given in 40 CFR §403.3(q), adopted by reference in 18 AAC 83.010.

PRIMARY INDUSTRY CATEGORY means any industry category listed in Appendix A to 40 CFR Part 122, adopted by reference in 18 AAC 83.010.

PRIVATELY OWNED TREATMENT WORKS means any device or system that is used to treat wastes from any facility whose operator is not the operator of the treatment works and is not a POTW.

PROCESS WASTEWATER means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

PROPOSED FINAL PERMIT means a permit, prepared after the public comment period and any public hearing and administrative appeal, that may be sent to EPA for review before final issuance by the Department.

PUBLICLY OWNED TREATMENT WORKS or POTW (A) means a treatment works as defined by 33 U.S.C. 1292 that is owned by a state or municipality; municipality includes a municipality that has jurisdiction over the indirect discharges to and the discharges from such a treatment works;

(B) includes

(i) any device and system used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature; and

(ii) any sewer, pipes, and other conveyances that conveys wastewater to a POTW treatment plant.

RECOMMENCING DISCHARGER means a source that recommences discharge after terminating operations.

REGIONAL ADMINISTRATOR means the regional administrator of EPA Region 10 or the authorized representative of the regional administrator.

RESPONSIBLE PARTY means the person, firm, public organization, or any other entity responsible for the overall operation of the facility. This may or may not be the same name as the facility. The responsible party is the legal entity which controls the facility's operation rather than the plant or site manager and receives all correspondence from the Department.

ROCK CRUSHING OR GRAVEL WASHING FACILITIES means facilities that process crushed and broken stone, gravel, and riprap.

SCHEDULE OF COMPLIANCE means a schedule of remedial measures in a permit, including an enforceable sequence of interim requirements such as actions, operations, or milestone events, leading to compliance with 33 U.S.C. 1251 – 1387 and 18 AAC 83.

SECONDARY INDUSTRY CATEGORY means any industry category that is not a primary industry category.

SEPTAGE means the liquid and solid material pumped from a septic tank, cesspool, or similar domestic sewage treatment system, or a holding tank when the system is cleaned or maintained.

SEVERE PROPERTY DAMAGE means substantial physical damage to property, damage to treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass; in this paragraph, "severe property damage" does not include economic loss caused by delays in production.

SEWAGE FROM VESSELS means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes that are discharged from vessels and regulated under Section 312 of CWA [33 U.S.C. 1322].

SEWAGE SLUDGE (A) means any solid, semi-solid, or liquid residue removed during the treatment of municipal wastewater or domestic sewage; (B) includes solids removed during primary, secondary, or advanced wastewater treatment, scum, septage, portable toilet pumpings, type III marine sanitation device pumpings under 33 CFR Part 159, and sewage sludge products; (C) does not include grit, screenings, or ash generated during the incineration of sewage sludge.

SEWAGE SLUDGE USE OR DISPOSAL PRACTICE means the collection, storage, treatment, transportation, processing, monitoring, use, or disposal of sewage sludge.

SILVICULTURAL POINT SOURCE (A) means any discernable, confined, and discrete conveyance related to rock crushing and gravel washing, log sorting, or log storage facilities that are operated in connection with silvicultural activities and from which pollutants are discharged into waters of the United States; (B) does not include non-point source silvicultural activities such as nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance from which there is natural runoff. However, some of these activities (such as stream crossing for roads) may require a CWA Section 404 permit.

SITE means the land or water area where any facility or activity is physically located or conducted, including adjacent land used in connection with the facility or activity.

STATE means the State of Alaska.

STATE AND EPA AGREEMENT means an agreement between the regional administrator and the state that coordinates EPA and state activities, responsibilities, and programs, including those under 33 U.S.C. 1251-1387.

STORM WATER means storm water runoff, snow melt runoff, and surface runoff and drainage.

STORM WATER DISCHARGE ASSOCIATED WITH INDUSTRIAL ACTIVITY means the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant.

SURFACE IMPOUNDMENT or IMPOUNDMENT means a facility or part of a facility which is a natural topographic depression, manmade excavation, or diked area formed primarily of earthen materials (although it may be lined with manmade materials), which is designed to hold an accumulation of liquid wastes or wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds, and lagoons.

TOTAL DISSOLVED SOLIDS means the total dissolved solids as determined by use of the method specified in 40 CFR Part 136, adopted by reference in 18 AAC 83.010.

TOXIC POLLUTANT means any pollutant listed as toxic under Section 307(a)(1) of CWA [33 U.S.C. 1317(a)(1)].

TREATMENT WORKS TREATING DOMESTIC SEWAGE (TWTDS) means a POTW or any other sewage sludge or waste water treatment devices or systems, regardless of ownership (including federal facilities), used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated for the disposal of sewage sludge.

UNDERGROUND INJECTION means well injection.

UPSET means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee; upset does not include the following: (A) noncompliance to the extent caused by operational error; (B) improperly designed or installed treatment facilities; (C) inadequate treatment facilities; (D) lack of preventive maintenance; (E) careless or improper operation.

VARIANCE (A) means any mechanism or provision under 33 U.S.C. 1311 or 1326 or under 18 AAC 83.160, or in the applicable effluent limitations guidelines, that allows a modification

or waiver of the generally applicable effluent limitation requirements or time deadlines of 33 U.S.C 1251 – 1387; (B) includes provisions that allow the establishment of alternative limitations based on fundamentally different factors or based upon 33 U.S.C. 1311(c), (g) – (i), or 1326(a).

WATERS OF THE UNITED STATES or WATERS OF THE U.S.

(A) means:

- (i) all waters that are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters that are subject to the ebb and flow of the tide;
- (ii) all interstate waters, including interstate wetlands;
- (iii) all other waters such as intrastate lakes, rivers, streams, including intermittent streams, mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce, including any such waters that are or could be used by interstate or foreign travelers for recreational or other purposes; from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or that are used or could be used for industrial purposes by industries in interstate commerce;
- (iv) all impoundments of waters otherwise defined as waters of the United States;
- (v) tributaries of waters identified in paragraphs (i) – (iv);
- (vi) the territorial sea; and
- (vii) wetlands adjacent to waters, other than waters that are themselves wetlands, identified in paragraphs (i) (vi).

(B) does not include

(i) waste treatment systems including treatment ponds or lagoons designed to meet the requirements of

33 U.S.C. 1251 – 1387 (CWA), other than cooling ponds as defined in 40 CFR §423.11(m), adopted by reference in 18 AAC 83.010 that also meet the criteria of this paragraph;

(ii) prior converted cropland; however, notwithstanding the determination of an area's status as prior converted cropland by any federal agency other than EPA, the final authority regarding CWA jurisdiction remains with EPA.

WELL INJECTION or UNDERGROUND INJECTION means the subsurface emplacement of fluids through a bored, drilled, or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension.

WETLANDS means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, and generally include swamps, marshes, bogs, and similar areas.

WHOLE EFFLUENT TOXICITY means the aggregate toxic effect of an effluent measured directly by a toxicity test.