



**ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
GENERAL PERMIT – PRELIMINARY DRAFT**

Permit Number: **AKG521000**

Onshore Seafood Processors in Alaska

**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  
Onshore Seafood Processors in Alaska**

In compliance with the provisions of the Clean Water Act, 33 U.S.C. Part 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 1.6 of this Alaska Pollutant Discharge Elimination System (APDES) general permit, are authorized to discharge pollutants, as described in Part 1.1 and 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.

<b>Discharge Name</b>	<b>Outfall Number</b>
Seafood Processing (Butchering) Waste and Wastewater Outfall(s)	001 - To be Determined
Seafood Processing By-Product Waste and Wastewater Outfall(s)	002 - To be Determined
“Other Wastewaters” Outfall(s)	003 - To be Determined

This permit shall become effective **DRAFT**.

This permit and the authorization to discharge shall expire at midnight, **DRAFT**.

Each permittee shall reapply for an authorization to discharge on or before **DRAFT**, 180 days prior to expiration, if the permittee intends to continue discharging at the facility beyond the term of this permit.

**DRAFT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Gene McCabe  
Printed Name

**DRAFT**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Program Manager  
Title

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

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**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. Submissions shall be post marked, submitted electronically, or faxed in by the due date.

**Table 1: Schedule of Submissions**

<b>Permit Part</b>	<b>Submittal or Completion</b>	<b>Frequency</b>	<b>Due Date</b>	<b>Submit to</b>
1.7	Notice of Intent (NOI) for a new Operator	1/ Permit Cycle	90 days prior to commencement of discharge	Permitting
1.6.1	Complete NOI application for an Operator with existing coverage under AKG520000	1/ Permit Cycle	By the effective date of this permit	Permitting
1.6.4	Modified NOI	As Needed	30 days prior to specified processing and/or outfall changes	Permitting
1.11.1.1	Application for Permit Reissuance	1/ Permit Cycle	180 days prior to the expiration date of the permit	Permitting
2.1.3	Pre-installation Biological Survey	As Necessary	Prior to outfall installation or relocation	Permitting
2.6.5.5	Discharge Monitoring Report (DMR)	Monthly	Must be submitted electronically through the NetDMR system, on or before the 15th day of the following month	NetDMR
2.1.8.9.1	Catch Transfer Water Treatment Practicability Report	1/permit cycle	Within two years of the effective date of this permit, if applicable to the permittee	Permitting
2.3.5	Seafloor Survey Report	As Required	If required, submitted with the Annual Report	Compliance
2.6	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
2.6.5.3	Summary Report of Noncompliance and corrective actions for the Seafood Waste Treatment System Inspections	Yearly	Submit with the Annual Report	Compliance
2.6.5.4	Summary Report of Noncompliance and corrective actions for Sea Surface Monitoring	Yearly	Submit with the Annual Report	Compliance

Permit Part	Submittal or Completion	Frequency	Due Date	Submit to
2.6.5.1	Summary Report of all Annual Noncompliance in accordance with Appendix A	Yearly	Submit with the Annual Report	Compliance
Appendix A, 3.4	Oral and Written Notification of noncompliance	As Necessary	Orally within 24 hours from the time the permittee becomes aware of the circumstances of noncompliance, and written within 5 days after the permittee becomes aware of the circumstances of noncompliance, and with the Annual Report.	Compliance
Appendix A, 3.5	Summary Report of noncompliance	As Necessary	At the time the permittee submits monitoring reports under Appendix A, Part 3.4, and 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.seafoodpermitting@alaska.gov](mailto:dec.water.seafoodpermitting@alaska.gov)  
 By Fax: 907-269-3487

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 Aquaculture 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](mailto: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 Coverage

### 1.1. Eligible Categories of Dischargers

Subject to meeting the conditions of this permit, the following facility types 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. **Onshore Seafood Processing Facilities.** Onshore seafood processing facilities that discharge pollutants generated at a seafood processing facility from shore to waters of the U.S. and are engaged in the processing of fresh, frozen, canned, smoked, salted, or pickled seafood; the processing of unwashed seafood mince or paste; or the processing of meal and other secondary by-products.
  - 1.1.1.1. The permit does not authorize the discharge of pollutants from onshore seafood processing facilities located in Kodiak, Alaska.
- 1.1.2. **Permanently Moored Craft and Barges.** Permanently moored craft and barges that discharge pollutants generated at a seafood processing facility to waters of the U.S. and are engaged in the processing of fresh, frozen, canned, smoked, salted, or pickled seafood; the processing of unwashed seafood mince or paste; or the processing of meal and other secondary by-products.
- 1.1.3. **Community Grinders.** Community grinders that discharge seafood waste and wastewater pollutants to waters of the U.S.
- 1.1.4. An operator eligible under Part 1.1.1, Part 1.1.2, or Part 1.1.3 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 is not required to obtain coverage under this permit unless determined necessary by the Department.
  - 1.1.4.1. An onshore seafood processing facility below the threshold in Part 1.1.4 may voluntarily submit the information required in a Notice of Intent (NOI) with a cover letter requesting to be covered under the general permit.

### 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 from seafood butchering, unwashed mince and/or paste production, and seafood by-product production into hydrodynamically energetic waters with a high capacity for dilution and dispersion, including a community grinder's seafood waste.
  - 1.2.1.1. Catch transfer water (delivering vessel fish hold waste and wastewater, live tank water, refrigerated seawater, or brine) conveyed to the onshore seafood facility.
  - 1.2.1.2. Cleaning, disinfectant, and defoaming agents used for seafood processing where the permittee follows the manufacturer's recommended use and disposal recommendations. This includes the use of disinfectants added to wash down water to meet applicable state and federal sanitation standards by facilitating waste removal while processing or sanitizing seafood processing areas or community grinder waste disposal areas.
- 1.2.2. "Other Wastewaters" generated as part of the normal seafood processing operation, including non-process wastewaters as defined in Appendix C.
- 1.2.3. Wastewater discharges from Sea Macroalgae (i.e., plant life (kelp, seaweed)) disinfection, blanching, and freezing.

### 1.3. Discharges Not Covered

The discharge of any pollutant to waters of the U.S. that is not identified in a Notice of Intent (NOI) submitted to the Department and expressly authorized by the permit in Part 1.2 are not covered.

Unauthorized discharges include, but are not limited to:

- 1.3.1. Discharge of washed mince or paste process wastes and/or wastewaters.
- 1.3.2. Discharge of domestic wastewaters.
- 1.3.3. Discharge of drinking water treatment wastewaters.
- 1.3.4. Discharge of vessel bilge water.
- 1.3.5. Discharge of commingled or non-commingled storm water associated with construction activity.
- 1.3.6. Discharge of industrial storm water:
  - 1.3.6.1. If the facility discharges industrial storm water to waters of the U.S., alone or commingled with seafood processing waste and wastewaters, the permittee shall determine whether the facility requires coverage under the APDES Multi-Sector General Permit (MSGP) for Storm Water Discharges Associated with Industrial Activity. The permittee shall identify the MSGP authorization number on the AKG521000 NOI (Part 1.7.1.5) or identify that the permittee has filed a MSGP No Exposure Certification.
  - 1.3.6.2. Discharge of commingled industrial storm water and seafood processing waste and wastewaters is allowed only if all commingled wastewaters are treated to less than 1.27 cm (0.5 inch) in any dimension, per Part 2.1.6.1.1.
- 1.3.7. Discharge of seafood waste and wastewaters by vessel.
- 1.3.8. Discharges associated with processing macroalgae beyond disinfection, blanching, and freezing activities.
- 1.3.9. Discharges associated with aquaculture and mariculture.

### 1.4. Prohibited Discharges

The permit prohibits the following discharges:

- 1.4.1. Discharge of putrid, raw (non-processed) seafood.
- 1.4.2. Discharge of contaminated or unsold interim or finished seafood by-products (e.g., hydrolysate, fish meal, fish oil).
- 1.4.3. Discharge of food and raw food ingredients (e.g., salts, sugars, colors, etc.), or seafood processing chemicals (e.g., sulfates, phosphates, acids, bases, etc.) that have not been used directly in the permitted facility's seafood processing commodity line or in a seafood processing by-products line.
- 1.4.4. Discharge of effluents that, alone or in combination with other substances or wastes, make the water unfit or unsafe for the use; cause a film, sheen, or discoloration to the water's surface or any shorelines; cause leaching of toxic or deleterious substances; or cause a sludge, solid, or emulsion to be deposited beneath or upon the water surface, within the water column, on the seafloor, or upon any shorelines, unless authorized by a mixing zone or zone of deposit.
- 1.4.5. Discharge of hazardous or toxic substances, or other chemicals, in toxic amounts that may impair designated uses or violate water quality standards (WQS) of the receiving water.

- 1.4.6. Discharge of seafood waste and wastewater and residues that create attractive nuisance conditions 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.
- 1.4.7. Discharge of seafood waste and wastewater and residues that create a nuisance condition to designated uses as described in Part 2.1.11 and Appendix C.
- 1.4.8. Discharges that cause contamination of surface or ground waters or cause a violation of the Alaska WQS 18 AAC 70, unless as authorized in this permit and in accordance with applicable provisions in 18 AAC 70.200 – 18 AAC 70.240 (e.g. mixing zone, ZOD).

### 1.5. 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 1.5.1 - 1.5.5. (See Appendix I and Appendix J 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 I and additional information on Excluded Area(s) can be found in Appendix J.

#### 1.5.1. All water areas within **1.0 nautical mile (nm)** of:

- 1.5.1.1. **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.
- 1.5.1.2. **State Designated Critical Habitat.** 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.
- 1.5.1.3. **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*), (SW-DPS Sea Otter). 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?scode=B090> and <https://ecos.fws.gov/ecp0/profile/speciesProfile?scode=B08Z>.

- 1.5.1.4. **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.
  - 1.5.1.5. **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.
  - 1.5.1.6. **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.
  - 1.5.1.7. **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, murre, 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.
- 1.5.2. All water areas within **3.0 nm** of:
- 1.5.2.1. **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).
  - 1.5.2.2. **A rookery or terrestrial haulout of the Pacific Walrus.** Including but not limited to Round Island (Walrus Islands), Cape Pierce (Togiak NWR), Cape Newenham (Togiak NWR), Cape Greig (Near Pilot Point), and Cape Seniavin (Near Port Moller). See <http://www.fws.gov/alaska/fisheries/mmm/walrus/wmain.htm> for more information on Pacific walrus.
    - 1.5.2.2.1. 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](http://www.fws.gov/alaska/fisheries/mmm/walrus/pdf/76_fr_7634_walrus_finding.pdf) for more information.
- 1.5.3. Special Water Resource
- 1.5.3.1. Orca Inlet. No discharge of uncooked seafood processing pollutants may occur during the months of November, December, January, February and March.
  - 1.5.3.2. 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.

- 1.5.3.3. 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 Mean Lower Low Water (MLLW)).
- 1.5.3.4. The territorial seas surrounding St. Paul Island and St. George Island (The Pribilof Islands).
- 1.5.4. **At Risk Waterbodies.** Discharges to marine or estuarine areas with water depths of less than 10 fathoms (60 feet) 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 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.
- 1.5.5. **Degraded Water Resource.** Any discharges to a waterbody 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://dec.alaska.gov/water/water-quality/integrated-report/> for the most recent integrated report.

## 1.6. 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 (Attachments A and A-1, and A-2 if necessary). 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 otherwise notified in writing by DEC that the permittee is authorized to discharge under the permit (Part 1.9.1).

- 1.6.1. Permittees with AKG520000 authorization listed in Appendix D are required to submit a complete NOI application by the effective date of the permit to continue coverage under this permit. Permittees with coverage who do not submit a complete NOI application by the permit effective date are allowing their permit coverage(s) to expire.
- 1.6.2. A new permittee shall apply electronically or by hard copy for coverage under this permit. Applicants shall submit a complete NOI and required attachments at least 90 days prior to the start of discharge.
- 1.6.2.1. **For Electronic Submission** – Submit the AKG521000 NOI using electronic NOI (eNOI) via the Water Online Application System at <http://dec.alaska.gov/water/oasys.aspx> to request authorization.
- 1.6.2.2. **For Hard Copy Submission** – Submit the AKG521000 NOI form (Attachments A and A-1), along with an electronic version (in the following formats: Adobe pdf, Word, Excel and any existing GIS files to:

State of Alaska Department of Environmental Conservation Division of Water Wastewater Discharge Authorization Program Seafood and Aquaculture Permitting Section
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555 Cordova Street Anchorage, AK 99501 Telephone (907) 269-6285 Fax (907) 269-3487 Email: <a href="mailto:dec.water.seafoodpermitting@alaska.gov">dec.water.seafoodpermitting@alaska.gov</a>
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- 1.6.3. The facility must comply with the current regulatory engineering plan review and approval requirements of 18 AAC 72, as applicable.
- 1.6.4. **Updated NOI.** A permittee with current coverage is required to submit an updated NOI at least 30 days prior to the following:
- 1.6.4.1. A permittee's current NOI on file requires modification (e.g., new or changed ownership, management information, permittee, authorized representative name or title, address, telephone numbers).
  - 1.6.4.2. Any material change is proposed, including but not limited to: discharge location(s), processing plant location, discharge totals, production levels, size of mixing zone or zone of deposit, commodity lines processed, waste and wastewater treatment systems, or processes. The material changes from the original NOI shall be clearly indicated on the new NOI.
  - 1.6.4.3. Changes to waste and wastewater treatment system(s) occur. See also Part 1.6.3.
- 1.6.5. Modified operations may not commence prior to written approval from DEC.
- 1.6.6. The Department may require a permittee to submit an updated NOI.
- 1.6.7. **Providing Notice.** The following draft authorization under the permit will be public noticed in accordance with 18 AAC 83.120 requirements:
- 1.6.7.1. New proposed project area ZODs that have not been previously public noticed.
  - 1.6.7.2. New proposed discharges into waters of Excluded Areas listed in Parts 1.5.1 - 1.5.5.
  - 1.6.7.3. New proposed mixing zone requests larger than the 100 foot general permit defined standard mixing zone (Part 1.7.1.6).
- 1.6.8. **Multiple Parties.** Multiple parties may discharge out of a single outfall line and operate under a single authorization if a single Responsible Party is identified on the NOI.
- 1.6.8.1. The Responsible Party identified on the NOI shall be the permittee, even if the facility is accepting seafood processing or fish waste from multiple sources.
  - 1.6.8.2. The Responsible Party shall be accountable for ensuring compliance with all portions of the permit, including:
    - 1.6.8.2.1. Submitting NOI updates to the Department.
    - 1.6.8.2.2. Maintaining the authorization, ensuring monitoring is being performed and submitting required reporting documents.
    - 1.6.8.2.3. Required record keeping and discharge reporting, including making documents accessible for inspection.
    - 1.6.8.2.4. Ensuring the multiple facilities are accessible for Department inspection.
    - 1.6.8.2.5. Developing, implementing, maintaining, and updating a multi-entity signed Best Management Practices (BMP), signed by all parties that identifies each individual entity's responsibilities for permit compliance. Such as, if multiple seafood processors discharge to a single outfall, each company is responsible for performing and maintaining their own daily

seafood waste stream and treatment system inspections, and each facility performing their own grinder inspection to address all other applicable permit requirements.

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

### 1.7. Requirements to Submit a Complete Notice of Intent (Attachment A)

A complete NOI shall include all information specified on the AKG521000 Notice of Intent (NOI), Attachments A, A-1 and A-2. 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.

- 1.7.1. **Supporting Documentation with the NOI** – A complete NOI submittal shall also include the following:

- 1.7.1.1. **Area Map.** A legible area map and coordinates of the location of the processor (front door) and all outfall terminuses for seafood processing wastewaters, “Other outfalls”, and all other commingled discharges. The Global Positioning System (GPS) coordinates (latitude and longitude) of each proposed discharge location 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  $\pm 50$  feet (17 meters). Also indicate the location of all incoming water supplies. An additional map (map layer) shall also identify whether the facility or any outfall is located in or within 3.0 nm of any Excluded Areas (Part 1.5).
- 1.7.1.2. **Bathymetric Chart.** A bathymetric chart to provide the depth of the seafloor for each outfall, reported at mean lower low water (MLLW) according to published National Oceanic and Atmospheric Administration (NOAA) bathymetric charts.
- 1.7.1.3. **Line Drawing.** The line drawing shall be tied in detail to the outfall narrative and outfall(s) described in the NOI Attachment A-1. The line drawing shall depict:
- 1.7.1.3.1. Operational areas contributing waste and wastewater to the waste treatment units (e.g. grinding/screening systems), as well as non-process wastewaters. Similar processes, operations or production areas may be identified as a single unit and labeled to correspond to a more detailed identification in a narrative report.
- 1.7.1.3.2. Flows corresponding to Attachment A-1, identifying water/wastewater flow through the facility operations and treatment units.
- 1.7.1.3.3. The location of all final monitoring locations, internal monitoring locations, and commingled storm water monitoring locations, where applicable.
- 1.7.1.4. **Outfall Narrative.** The permittee shall submit a narrative identifying:
- 1.7.1.4.1. Each type of process, operation, or production area that contributes waste and wastewater to the effluent for each outfall, including references to volumes in Attachment A-1. Processes, operations, or production areas may be described in general terms.
- 1.7.1.4.2. A description of the treatment the wastewater receives, including the final disposal method of any solid or fluid seafood processing wastes and wastewaters disposed of other than by discharge through an outfall.
- 1.7.1.5. **Evaluation of Storm Water Discharges.** Documentation of facility storm water discharge coverage under the APDES MSGP, or notice that the facility has filed a No Exposure Certification with DEC.

- 1.7.1.6. **Mixing Zone Request.** [Form 2M](#), if a mixing zone is requested larger than the 100 foot general permit defined standard mixing zone. Permittees must include all associated information requested by the form, including modeling.
- 1.7.1.6.1. To request a larger mixing zone, permittees must also submit [Form 2G](#) and include sufficient information for the Department to complete an antidegradation analysis and make findings under 18 AAC 70.016 (b), (c), and (d). The Tier 2 antidegradation analysis is required for parameter(s) determined by the Department to meet the definition of new or expanded.
- 1.7.1.6.2. Mixing zones requested under Part 1.7.1.6 to differentiate from the standard 100-foot mixing zone will be public noticed in accordance with 18 AAC 83.120.
- 1.7.1.7. **Zone of Deposit Request.** If requesting a Project Area Zone of Deposit, submit information required in 18 AAC 70.210(b).

## 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 1.5.1 – 1.5.5. 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, permanent onshore siting may be considered justification for approval.
- 1.8.2. Application Requirement to Discharge to Excluded Areas Listed in Parts 1.5.1 – 1.5.5.
- 1.8.2.1. If a permittee requests to discharge to an Excluded Area(s) location not listed in Appendix D 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 facility locations that discharge to an Excluded Area listed in Part 1.5 that propose to make material changes at the facility, 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 location of an outfall 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 facility discharges located within Excluded Areas (Part 1.5):

- 1.8.4.2.1. Permittees shall have an individual at the facility 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 and Shoreline Monitoring Report.
- 1.8.4.2.2. Permittees that transfer fuel in or within 1.0 nm of the Excluded Area shall comply with all federal and state regulations for the prevention of, preparedness for, and response to oil discharges requirements. Facility permittees shall have written procedures in their BMP Plan for spill response, store adequate oil and fuel clean-up equipment at the facility and at fuel transfer locations.
- 1.8.4.2.3. **Sea Otter Critical Habitat.** When a facility is approved for discharge at a location in or near sea otter critical habitat, the permittee should implement recommended delivering fish vessel strike avoidance measures to reduce the risk of collisions with sea otters.
- 1.8.4.2.4. **Pilot Point Critical Habitat Area (Ugashik Bay).** 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.
- 1.8.4.2.5. **Norton Sound- Norton Sound Critical Habitat Area (NSCHA).** Discharges to NSCHA are not authorized June 24 – October 31.
- 1.8.4.2.6. A seafloor survey shall be conducted at each location where a seafood waste discharge occurs in accordance with Part 2.3.5, Seafloor Survey Requirements. A permittee operating within Excluded Areas will only receive an exception from the Seafloor Survey requirement 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).
- 1.8.4.2.7. Permittees shall submit a copy of their Annual Report (Permit Part 2.6) to the agency with management authority in the Excluded Area.

## **1.9. Permit Authorization Conditions and Revocation**

- 1.9.1. 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.
  - 1.9.1.1. The permittee will be authorized to discharge at only those discharge locations listed on the written authorization.
- 1.9.2. If a permit authorization is approved and the permittee submits a NOI that proposes a discharge that may significantly alter pollutant loading or discharge locations, or if an Annual Report shows that the discharge is not complying with WQS or permit conditions, DEC may condition the authorization with restricted discharge dates or discharge amounts.
- 1.9.3. If a permit authorization is approved, DEC can modify or deny continued coverage by written notice to the permittee.
- 1.9.4. DEC may notify a permittee that they are covered by this permit, even if the operator has not submitted a NOI.
- 1.9.5. DEC may require any permittee applying for, or covered by, a general permit authorization to apply for and obtain an individual permit.
- 1.9.6. If a permittee submits an individual permit application, DEC may at its discretion issue a general permit authorization in lieu of issuing an individual permit.

1.9.7. 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.

### **1.10. Transfer of Authorization or Change in Location**

1.10.1. **Change in Facility Location.** Authorization under this permit is not transferable if a facility changes location.

1.10.1.1. Authorization under this permit is specific to the outfall(s) identified in the NOI, and a facility specified geographic location. If a permittee moves to a new location not listed in the APDES authorization, thereby changing the discharge location, the permittee shall submit a Notice of Termination (NOT) form for the former facility's authorization within 30 days of ceasing discharge from the facility. The permittee shall apply for coverage for a new facility and discharge location by submitting a new NOI. The permittee is not authorized to discharge at the new location until the permittee receives a new written authorization.

1.10.1.2. If a permittee intends to change the location of any outfall/outfall terminus, the permittee shall contact the Department and submit an updated NOI with the proposed new outfall location at least 90 days prior to the relocation.

1.10.2. **New Operator.** DEC may transfer authorization to discharge under this permit to another operator if:

1.10.2.1. The new operator notifies the Department in writing of the proposed transfer and submits a complete Name Change / Transfer of Ownership form. The new operator either confirms in writing that the commodity lines processed and volume discharged remains the same, and other information given on the original NOI remains correct, or the operator submits a modified NOI.

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

1.10.3. **Broken or repositioned outfall line.** If the permittee identifies in a Seafloor Survey, other survey, or by other means, that the outfall has been moved or has been broken outside the control of the permittee, the permittee shall submit a notice of noncompliance for discharging to an unauthorized discharge location, in accordance with Appendix A.

1.10.3.1. The permittee shall attempt to repair or replace the outfall pipe in accordance with Permit Part 1.6.3. If the permittee is unable to replace, or repair, the outfall in order to place the terminus at the previously approved location, the permittee shall apply for coverage at the new location in accordance with Part 1.6.4.

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

1.10.5. The new operator is responsible for payment of any applicable permit fees.

### **1.11. Continuation of an Expired General Permit**

1.11.1. If the permit is not reissued prior to the expiration date, it will be administratively continued in accordance with 18 AAC 83.155(c) 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 six months (180 days) prior to the expiration of the permit requesting authorization for coverage under a reissued permit.

- 1.11.1.2. Coverage under the continued general permit will be issued to new applicants submitting a NOI in compliance with Part 1.7.
- 1.11.1.3. Following a permittee's timely and appropriate submittal of a complete NOI, the Department may:
  - 1.11.1.3.1. Reissue the general permit and provide continued coverage.
  - 1.11.1.3.2. Issue an administrative continuation letter to the permittee.
  - 1.11.1.3.3. Make a formal decision to not reissue this general permit or to not 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 NOT is submitted by the permittee.
- 1.11.3. If the permit is administratively continued, the permittee shall be required to continue or 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) shall 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. 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:
  - 1.12.2.1. All discharges have permanently ceased.
  - 1.12.2.2. 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.
  - 1.12.2.3. A change in facility and discharge location has occurred, as outlined in Part 1.10.
  - 1.12.2.4. The permittee has obtained coverage under an individual or alternative general permit for all discharges required to be covered by an APDES permit.
- 1.12.3. If a permittee submits a NOT without meeting one or more of the conditions identified in Part 1.12.2, then the permittee's NOT is not valid. The permittee is responsible for meeting the terms of this permit until their authorization is terminated.
- 1.12.4. Any permittee who has not requested termination of permit coverage or whose authorization has not been 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 Requirements

The following limitations and requirements apply to all eligible discharges as specified in Part 1.1.

#### 2.1.1. Flow Meter and Totalizer Installation

2.1.1.1. **New Facilities/Outfalls.** Permittees are required to install and maintain effluent flow meters and totalizers on each outfall line at new facilities and for new outfall installations (except for those flows excluded under Table 5- Footnote e).

2.1.1.2. **Existing Facilities.** Existing permittees' main seafood processing discharge Outfall(s) 001 must have a flow meter and totalizer installed as of the effective date of the permit. For all other existing outfalls (except for those flows excluded under Table 5- Footnote e), permittees must install and maintain effluent flow meter(s) and totalizer(s) within 24-months of the effective date of this permit, or sooner if modifications or installations of effluent or waste treatment systems occur.

#### 2.1.2. Flow Measurements

2.1.2.1. Installed or upon installation, the permittee shall continuously measure and record the effluent flow using a flow meter and totalizer.

2.1.2.2. The permittee shall record each outfall's estimated or measured flow (mgd), report the daily flow for each sampling day (24-hour sampling period), and report the average monthly discharge flow (mgd) on the applicable discharge monitoring report (DMR).

2.1.2.2.1. At existing facilities on outfalls where flow meters are not yet installed, the permittee may estimate the daily and average monthly discharge flow (mgd) for the first 24 months after the permit's effective date or until flow meter installation, whichever occurs first.

2.1.2.2.1.1. The permittee shall estimate flow rates by use of established professional methods.

2.1.2.2.1.2. When discharge flow rates are estimated instead of measured, permittees must submit the flow rate calculation methods as an attachment with the next month's required DMR.

2.1.2.2.1.3. The permittee must place flow estimation methods in the Quality Assurance Project Plan (QAPP) (Part 2.4.8.7.1), and must update the QAPP with revisions to the procedure to derive the flow volume estimations prior to using the new procedure for reporting purposes.

#### 2.1.3. Pre-Installation / Pre-Discharge Survey Requirements

2.1.3.1. The permittee shall not anchor any outfall in or discharge waste and/or wastewater into or onto "living substrates" such as submerged aquatic vegetation, kelp, or eelgrass. A pre-biological survey is required in compliance with Appendix H where:

2.1.3.1.1. A new onshore facility with new outfall(s) is proposed,

2.1.3.1.2. An existing facility is proposing a new outfall location, or

2.1.3.1.3. A permittee is restarting a seafood processing facility in a location where seafood discharges have not occurred for the past 12 months.

#### 2.1.4. Monitoring and Reporting Requirements

- 2.1.4.1. The monitoring schedules as set out in the permit are required to begin upon the effective date of this permit and shall continue until the next permit reissuance establishes new monitoring requirements.
- 2.1.4.2. All monitoring must be representative of the waste stream flow and shall be conducted while the applicable discharge is occurring. When seafood processing is for short or intermittent periods, samples shall be taken while seafood processing waste and wastewaters, and/or “Other Wastewaters” discharge is occurring.
- 2.1.4.3. The permittee shall have appropriate laboratory sample collection equipment onsite, and sample collection and analysis shall be conducted in accordance with a QAPP (Part 2.4) and 40 CFR 136.
- 2.1.4.4. For all effluent monitoring, the permittee must use a sufficiently sensitive Environmental Protection Agency (EPA) approved test method that quantifies the level of pollutants to a level lower than applicable limits or water quality standards, or use the most sensitive test method available, per Title 40 Code of Federal Regulations (CFR) Part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants), adopted by reference at 18 AAC 83.010(f). Upon request by the Department, the permittee must submit the results of any other monitoring regardless of the test method used.
- 2.1.4.5. Seafood processing waste effluent monitoring is only required in those months that seafood processing waste discharge occurs for at least 24 total cumulative hours during the calendar month.
- 2.1.4.6. DEC may require additional effluent or receiving water monitoring for site-specific purposes related to, but not limited to: NOI submittal information, protection of state WQS, gathering data to support TMDL development, evaluation of receiving water impairments, verification of mixing zone sizes, or evaluation of effects on threatened or endangered species. Likewise, monitoring frequency may be adjusted for site-specific purposes. The permittee will be notified of any additional or site-specific monitoring when issued authorization to discharge under the general permit.
- 2.1.4.7. Electronic Reporting
- 2.1.4.7.1. E-Reporting Rule - Phase I (DMRs). The permittee must submit a DMR for each month by the 15th day of the following month. 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 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 using Attachment E-2. DEC has established an e-Reporting Information website at <http://dec.alaska.gov/water/compliance/electronic-reporting-rule> which contains general information about this new reporting format. Training modules and webinars for NetDMR can be found at <https://netdmr.zendesk.com/home>.
- 2.1.4.7.2. 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/electronic-reporting-rule>) 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.

#### 2.1.4.8. Discharge Monitoring Reports (DMRs)

- 2.1.4.8.1. Monitoring data shall be recorded each month through NetDMR for each outfall where sampling is required. In the event the permittee must submit a paper DMR form, the permittee shall submit DMRs monthly, postmarked by the 15<sup>th</sup> day of the following month.
- 2.1.4.8.2. During months the facility is not discharging wastewater, the permittee shall mark the required DMRs indicating “no discharge” and submit to DEC through NetDMR.
- 2.1.4.8.3. For purposes of reporting on the DMR for a single sample, if a value is less than the method detection limit (MDL), the permittee must report “less than (<) {numeric value of the MDL}” and if a value is less than the minimum level (ML) (also called a minimum reporting limit (MRL), practical quantification limit (PQL) or limit of quantitation (LOQ) , the permittee must report “less than (<) {numeric value of the ML}.”
- 2.1.4.8.4. Permittees have the option of taking more frequent samples than are required under the permit. These samples must be used for averaging if they are conducted using the Department approved test methods (generally found in 18 AAC 70 and 40 CFR Part 136 [adopted by reference in 18 AAC 83.010]). The results of any additional monitoring must be included in the calculation and the reporting of the data must be submitted in the DMR (per Appendix A, Part 3.2 and 3.3).
- 2.1.4.8.5. The permittee must calculate all limitations that require averaging of measurements using an arithmetic mean unless the Department specifies another method in the applicable permit. Upon request by the Department, the permittee must submit the results of any other monitoring regardless of the test method used.
- 2.1.4.8.6. The permittee shall identify on the DMR or cover letter if the sample arrived outside required analytical method hold times, and shall submit a noncompliance notification per Appendix A, Part 3.5.
- 2.1.4.8.7. The permittee shall monitor each outfall separately, and where required, submit a separate DMR for each outfall.

#### 2.1.5. Outfall Terminus Discharge Depths

- 2.1.5.1. Marine Water Outfall Discharge Depth Requirement. The permittee shall discharge effluent to marine and estuarine waters through an outfall with a terminus depth of at least -60 feet MLLW.
- 2.1.5.2. Fresh Water Outfall Discharge Depth Requirement. The permittee shall discharge effluent to fresh waters through an outfall with a terminus depth of at least -10 feet MLLW.
- 2.1.5.3. A permittee may apply for a reduction to the required discharge depth for marine, estuarine or fresh waters if complying with the depth requirement is prohibitive due to extreme site-specific circumstances (e.g., tidal flat in Bristol Bay, Naknek River low tide depths, Yukon River at low tide, etc.). See Appendix D for a list of existing facilities authorized to discharge to a depth not meeting Parts 2.1.5.1 or 2.1.5.2.
- 2.1.5.4. The permittee must receive written approval from DEC before discharging to prohibited depths. Permittees who receive an authorization to discharge at a depth not meeting Parts 2.1.5.1 and 2.1.5.2 as applicable are required to perform seafloor surveys according to the monitoring schedule in Table 7. The permittee’s request to discharge at depths less than required in Parts 2.1.5.1 and 2.1.5.2 shall include, at a minimum:
  - 2.1.5.4.1. Site-specific information about receiving water bathymetry, currents or flows, and the historic effects of past discharges to water quality.

2.1.5.4.2. Distances / length of pipe required to obtain required depth.

2.1.5.4.3. The presence of any historic seafloor or shoreline seafood deposit accumulations and estimated potential cost(s) for modifications of the outfall to comply with the depth provisions in Parts 2.1.5.1 and 2.1.5.2.

2.1.5.5. The discharge may not cause foam or sea surface residues outside the boundary of an approved mixing zone.

**2.1.6. Discharge Limitations**

2.1.6.1. Limitations Based on Discharge Solid Size

2.1.6.1.1. 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:

2.1.6.1.1.1. The calcareous shells of scallops, clams, oysters and abalones, or

2.1.6.1.1.2. The calcareous shells of sea urchins.

2.1.6.1.2. The permittee shall route process wastewater through the facility’s seafood processing wastewater treatment and conveyance systems.

2.1.6.1.3. The permittee is not required to discharge non-process wastewaters through the seafood processing waste treatment (grinders) system, but must meet the requirements in Part 2.1.8 if discharging directly to waters of the U.S.

2.1.6.1.4. Floor drain and scupper wastes. A permittee shall route all incidental seafood processing waste in floor drains and scuppers through a conveyance system to the seafood waste treatment system prior to discharge.

2.1.6.1.5. If there are reoccurring (more than once) sea surface residues violations outside of the standard 100 foot authorized mixing zone the permittee is required to develop and implement BMPs upon discovery to ensure that the violation is eliminated and will not be repeated in the future.

2.1.6.2. Limitations Based on Weight

2.1.6.2.1. A permittee shall not discharge the weight of seafood processing waste residues on a daily or annual basis which exceeds the amount requested in the AKG521000 NOI, or the amount listed in the APDES authorization, whichever is less, with a maximum seafood processing waste discharge limit of 10,000,000 pounds per calendar year.

2.1.6.2.2. 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.

2.1.6.3. All effluents discharged to waters of the U.S. must meet the limits found in Table 2.

**Table 2: Final Effluent Limits Applicable to All Permittees**

Parameter	Units	Minimum	Maximum
Temperature	° C	--	15
pH	SU	6.5	8.5

2.1.6.4. Permittees Accepting Seafood Waste or Wastewater from Multiple Sources

If a permittee accepts seafood waste or wastewater from multiple sources, the permittee shall:

- 2.1.6.4.1. Develop BMPs to document that the permittee has provided information to entities regarding the disposal of seafood waste and wastewaters regarding:
  - 2.1.6.4.1.1. Proper methods to dispose of seafood waste at the responsible party's facility to ensure the waste treatment system's functionality is maintained and recorded, and that nuisance conditions are not created.
  - 2.1.6.4.1.2. Instructions as to the types of acceptable seafood waste (seafood, fish carcasses only) to be discharged (no plastics, rubber bands, metal, etc.).
- 2.1.6.4.2. Provide clear written instructions as to the types of acceptable seafood waste to discharge, such as posting a sign listing the types of acceptable waste to be discharged if the waste treatment system is un-manned (i.e., not inside a seafood processing facility). Discharge of chemicals by or at community grinding facilities are prohibited, except for use as a disinfectant or cleaner and must not be discharged in toxic amounts.
- 2.1.6.4.3. Provide a method for the permittee or persons delivering seafood waste to record the number of pounds delivered. The permittee shall maintain a record on a Monthly Seafood Waste Delivery Report (Attachment F), which shall be made available to DEC upon request. The permittee is required to maintain copies of the Monthly Waste Delivery Report (Attachment F), add totals to the cumulative amount discharged at the facility, and submit with the Annual Report (2.6).

#### **2.1.7. Seafood Processing Waste System Inspection Requirements**

- 2.1.7.1. Outfall Inspection. The permittee shall perform an outfall condition inspection during the seafloor survey as found in Part 2.3.5. Inspection techniques such as pressure testing, visual, Remotely Operated Vehicle (ROV), dye testing or diver inspection are allowed. The permittee must include the inspection methods in the QAPP and made available to DEC upon request.
  - 2.1.7.1.1. The permittee shall ensure cathodic protection is functional and the outfall system and cathodic protection are not at the end of functional life.
  - 2.1.7.1.2. The permittee shall document outfall condition and remaining life.
  - 2.1.7.1.3. The permittee shall keep a log of repairs to the outfall.
- 2.1.7.2. Severed, Failed or Damaged System. A permittee shall cease discharging from a severed, failed, or leaking discharge system as soon as possible, but no more than ten days past discovery of the severance, failure or damage, with the allowance of enough time to process seafood already offloaded to the facility. 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). The permittee shall report any failure of the discharge system to DEC in accordance with Appendix A, Part 3.4 (Twenty-four Hour Reporting), except reporting of grind size.
- 2.1.7.3. 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. The permittee shall keep logs of daily inspections at the facility, and the logs shall be made electronically available upon request. An example *Seafood Waste Size and Waste Conveyance Inspection Log* is provided as Attachment B to the permit. The permittee may develop their own inspection log, provided they include all of the information in Attachment B.

- 2.1.7.3.1. The permittee shall document the recording method, form and schedule of the required inspection in the BMP Plan (Part 2.5), and include verification of inspection(s) in the Annual Report (Part 2.6).
- 2.1.7.4. 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 permit limitations are being met. See Appendix G for the monitoring and analysis protocol. The permittee shall keep a log of daily inspections at the facility, and the logs shall be made available electronically upon request. An example *Seafood Waste Size and Waste Conveyance Inspection Log* is provided as Attachment B to the permit. The permittee must submit the logs with the Annual Report (Part 2.6). The permittee may develop their own inspection log, provided they include all of the information in Attachment B.
- 2.1.7.5. 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 representative discharge sample 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. The permittee shall make a photograph log with the name of the person taking the photograph and the photograph description. The permittee shall submit photographs and the photograph log in electronic/digital format with the Annual Report (Part 2.6).
- 2.1.7.6. Noncompliance Summary Inspection Report. The permittee shall submit a summary report of noncompliance information gathered during outfall, grinder system and waste treatment inspections during the calendar year. The report shall include a table format documenting the duration of each noncompliance event, the corrective actions taken to resolve the noncompliance issue found during the seafood processing waste treatment system inspection, as well as digital photographs required in Part 2.1.7.5 to DEC as part of the Annual Report (Part 2.6). The report does not replace the need to submit a noncompliance notification under Appendix A, Part 3.5 for applicable violations under the permit.

#### 2.1.8. “Other Wastewaters”

A permittee shall not discharge any wastewaters that exceed WQS except in compliance with a mixing zone or project area ZOD authorized by the permit.

- 2.1.8.1. 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.
- 2.1.8.2. The permittee must minimize any incidental foam and scum discharged to the extent practicable, and shall develop and implement BMPs to control foam and scum (Part 2.5.6.7.19). The discharge may not cause foam or sea surface residues outside the boundary of an approved mixing zone.
- 2.1.8.3. Water and ice used for storing seafood and/or seafood by-products shall not be routed to drain to storm water drainage system outfalls covered by No Exposure Certification, or to MSGP authorized outfalls.

- 2.1.8.4. All outfall(s) pipes discharging commingled or non-commingled “Other Wastewaters” directly to waters of the U.S. shall meet the depth requirements found in Parts 2.1.5, as applicable.
- 2.1.8.5. 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.
- 2.1.8.6. 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.
- 2.1.8.7. For a facility’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 discharges shall be less than 1.27 cm (0.5 inch) in any dimension. This shall include the discharge of live tank waste and catch transfer water that often contain large solid pieces of seafood (e.g. small fish, fish heads, and internal organs).
- 2.1.8.7.1. The permittee must dispose of the removed seafood processing waste solids through the seafood processing waste treatment system or as otherwise approved by the Department.
- 2.1.8.8. The permittee is required to perform daily sampling of “Other Wastewaters” that come into contact with seafood waste for seafood processing waste solids size compliance (1.27 cm or 0.5 inch in any dimension). The permittee shall follow sampling procedures that comply with the size sampling procedures found in Appendix G.
- 2.1.8.9. **Catch Transfer Water.** The permittee shall treat catch transfer water discharged to a vessel after seafood offloading to meet established requirements in this Part 2.1.8.
- 2.1.8.9.1. If a permittee does not have the existing capability to treat catch transfer water as required by Part 2.1.8 prior to discharging to the vessel, the permittee may discharge this effluent to the vessel untreated but must still monitor the effluent as required by Part 2.2.6 and must submit a Catch Transfer Water Treatment Practicability Report to the Department within two years of the permit effective date. The report must evaluate various control techniques available and include the total cost of implementing and operating the control techniques evaluated as well as any other factors the permittee deems appropriate for Department consideration (e.g. engineering aspects, process changes, non-water quality environmental impacts).
- 2.1.8.9.2. Permittees are required to monitor catch transfer waster conveyed to the onshore seafood processing facility per Part 2.2.6 if not already monitored per Part 2.2.4 and are required to develop and implement BMPs in accordance with Part 2.5.
- 2.1.8.9.3. Catch transfer water discharges that cause a violation of the Alaska WQS are prohibited discharges (Part 1.4.8). Violations must be reported within 24 hours, per Appendix A, 3.4.
- 2.1.8.9.4. If there are sea surface residues violations at the facility the permittee must develop and implement mitigating BMPs to ensure the violation is eliminated and will not be repeated in the future.
- 2.1.8.10. **Non-Process Wastewaters.** The permittee is not required to discharge non-process wastewaters that do not come in contact with seafood (for example, non-contact cooling water) through the seafood processing waste-handling system, but must meet the requirements in Part 2.1.8 if discharging directly to waters of the U.S through the facility’s outfall.

## 2.1.9. Moored/Docked Support Vessels and Barges (Processing or Freezing)

- 2.1.9.1. Moored/docked vessels and barges providing support (processing or freezing) to the onshore facility must route all discharges to the onshore facility's waste treatment systems. No discharges from a support vessel are allowed, except those non-commingled ballast water discharges for the normal operation of the vessel.
- 2.1.9.2. The permittee shall list each moored vessel and moored barge on the onshore facility's NOI. Each listed vessel and/or barge will be covered under the onshore facility's APDES authorization.
- 2.1.9.3. A support vessel's sanitary wastewater is required to be either:
  - 2.1.9.3.1. Routed to the local municipal domestic wastewater treatment facility;
  - 2.1.9.3.2. Routed to the onshore facility; or
  - 2.1.9.3.3. Held on the vessel.

#### **2.1.10. Permanently Moored Craft or Permanently Moored Barges**

- 2.1.10.1. Permanently moored craft or barges must route all seafood processing discharges through a conveyance system to the seafood processing waste treatment system prior to discharge. The permanently moored craft or barges are required to meet all other permit limits and conditions.
- 2.1.10.2. A permanently moored craft or barge's sanitary or domestic wastewater is required to be routed to the local municipal domestic wastewater treatment facility.

#### **2.1.11. Nuisance Discharge**

- 2.1.11.1. The permittee shall ensure seafood processing wastes and wastewaters do not create attractive nuisance situation whereby fish or wildlife are attracted to seafood waste or wastewater, or to storage areas in a manner that creates a threat to fish or wildlife or to human health and safety.
- 2.1.11.2. The permittee shall ensure seafood processing wastes and wastewaters do not create a nuisance condition to designated uses.
- 2.1.11.3. DEC will use the following criteria to determine whether a nuisance or an objectionable condition exists, including if seafood waste or wastewaters are or have been:
  - 2.1.11.3.1. Attracting an undesirable or nuisance species.
  - 2.1.11.3.2. Creating an objectionable odor or taste.
  - 2.1.11.3.3. Resulting in complaints or observations from existing users.
  - 2.1.11.3.4. Inconsistent with the intended use of the areas designated in a land use or other resource management plan adopted by a federal, state or local government.

#### **2.1.12. Utilization**

The permittee must fully utilize to the extent practicable all by-product production processes available at the facility, 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 3, Table 4, and Table 5. The permittee shall develop and implement a Quality Assurance Project Plan (QAPP) to ensure that effluent samples collected meet permit requirements found in Permit Parts 2.2.4, 2.2.5, and 2.2.6, 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 permittee shall collect the effluent and receiving water samples during times of comparative production rates and flow.

2.2.1.1. **Outfall(s) 001.** Seafood Processing (Butchering) Waste and Wastewaters Outfall(s)

2.2.1.2. **Outfall(s) 002.** Seafood Processing By-Product Waste and Wastewater Outfall(s)

2.2.1.3. **Outfall(s) 003.** "Other Wastewaters" Outfall(s)

2.2.2. The permittee shall record monitoring results on a monthly DMR and submit the DMR by the 15<sup>th</sup> day of the following month. The permittee shall submit a summary report of pollutants monitored and monitoring data with the Annual Report (Part 2.6).

2.2.3. Effluent limits shall be met at the end of the treatment process prior to discharge to waters of the U.S.

### 2.2.4. Conventional or Mechanized Seafood Processing (Butchering) Outfall(s) 001 Monitoring and Analysis

2.2.4.1. Permittees shall monitor effluent from conventional or mechanized seafood processing (butchering) (i.e. filleting, canning, etc.) as specified in Table 3.

2.2.4.2. The permittee shall collect samples while seafood processing and discharge are occurring. Samples shall be taken after the last treatment unit and representative of the effluent prior to discharge to waters of the U.S.

2.2.4.3. If there is a 24-hour period(s) during which sea macroalgae is the only commodity line processed, the permittee must sample during all of those 24-hour periods for the parameters in Table 3 and report the results in the Annual Report (Part 2.6). These samples do not count as the required monthly samples for DMR reporting.

### 2.2.5. Seafood Processing By-Products Outfall(s) 002 Monitoring and Analysis

2.2.5.1. The permittee shall monitor discharges from seafood by-products including, but not limited to fish meal, fish powder, fish oil, fish hydrolysate, or other by-product lines as specified in Table 4. The sampling point shall be located prior to commingling (internal outfall) with other seafood processing waste streams, or prior to discharge if discharged directly to waters of the U.S., depending on facility design. The permittee shall describe the monitoring schedule in and meet the requirements of the QAPP (Part 2.4).

2.2.5.2. If stickwater or stickwater recovery effluent is discharged through an outfall, the permittee shall sample per Table 4 while stickwater effluent is being discharged. When discharge is occurring for short or intermittent periods, the permittee shall take samples midway through the stickwater discharge period.

2.2.5.3. The permittee shall describe the methods for disposal of stickwater and stickwater condensate (solids) in the NOI. The BMP Plan (Part 2.5) shall describe the waste and wastewater treatment system applicable to the seafood processing by-product waste and wastewater (including stickwater), method of stickwater disposal, and back-up method of stickwater disposal, should the seafood processing waste and wastewater treatment system fail.

2.2.5.4. The permittee shall perform other monitoring requirements for all facility discharges as set forth in Parts 2.2 and Parts 2.3.

**2.2.6. “Other Wastewaters” Outfall(s) 003 Monitoring**

2.2.6.1. Permittees discharging effluents from an outfall(s) other than the main seafood processing outfall (commingled or non-commingled) shall monitor the effluents as specified in Table 5. The permittee shall monitor each outfall prior to discharge. If the permittee only discharges from a single outfall (all discharges are commingled and monitored under Part 2.2.4 or Part 2.2.5), monitoring under Part 2.2.6 is not required.

2.2.6.2. DEC may require additional monitoring based on the characteristics of the permittee’s discharge. This additional monitoring will be assigned in the permittee’s authorization to discharge.

2.2.6.3. The permittee may request in writing that parameter monitoring frequencies be reduced after one year of monitoring and reporting if results indicate no detections above applicable water quality criteria. Monitoring reductions can only occur once written approval from the Department is received.

2.2.6.4. For catch transfer water discharged to a vessel, permittees must monitor the effluent per Table 5 at a location prior to discharge to the vessel(s).

**Table 3: Outfall(s) 001 Conventional/Mechanized Seafood Processing (Butchering) Effluent Monitoring**

Effluent Parameter	Units <sup>a</sup>	Effluent Limits			Monitoring Requirements		
		Average Monthly Limit	Minimum Daily Limit	Maximum Daily Limit	Sample Location	Sample Frequency	Sample Type
Flow Rate	mgd	report	report	report	effluent	record daily	metered
Amount of waste discharged <sup>b</sup>	lbs	Per Part 2.1.6.2.1	---	Per Part 2.1.6.2.1	n/a	record daily, report maximum daily and cumulative annual	calculated
Size of Seafood Waste Discharged	cm	Per Part 2.1.6.1	---	1.27 cm (0.5 inch)	effluent	Record daily, report maximum daily	grab
Number of Days Processing	days	report	---	---	n/a	record daily, report monthly total	measured
Total Residual Chlorine (TRC) <sup>c</sup>	µg/L	report	---	---	effluent	monthly	grab
BOD <sub>5</sub>	mg/L	report	---	---	effluent	monthly	grab
TSS	mg/L	report	---	---	effluent	monthly	grab
Oil and Grease (O&G)	mg/L	report	---	---	effluent	monthly	grab
Total Ammonia	mg-N/L	report	---	---	effluent	monthly	grab
pH	S.U.	report	6.5	8.5	effluent	monthly	grab
Temperature	°C	report	---	15	effluent	monthly	grab
Dissolved Oxygen	mg/L	report	---	---	effluent	monthly	grab
Salinity	ppt	report	---	---	effluent	monthly	grab
Density	g/mL	report	---	---	effluent	monthly	grab

## Notes:

- Units: mgd = million gallons per day (24-hrs), lbs = pounds, g/mL = grams per liter, mg/L = milligrams per liter, µg/L = micrograms per liter, mg-N/L = milligrams nitrogen per liter, S.U. = standard units, ppt = parts per thousand, and °C = degrees Celsius.
- Amount of waste discharge = raw product minus finished product.
- Chlorine monitoring is required only if used as a disinfectant or introduced elsewhere in the seafood processing area. Compliance with the effluent limits for total residual chlorine cannot be determined using EPA-approved analytical methods. DEC will use 0.1 mg/L as the compliance limit for this parameter.

**Table 4: Outfall(s) 002 Seafood By-product Monitoring Requirements**

<b>Effluent Parameter</b>	<b>Units <sup>a</sup></b>	<b>Sample Frequency</b>	<b>Reporting Requirements</b>	<b>Sample Type</b>
Flow Rate	mgd	record daily	report monthly average	metered/estimated
Number of Days Processing <sup>b</sup>	days	daily	report monthly total	measured
Amount seafood received by the by-product recovery line	lbs	daily	report for sampling days and monthly total	measured (weighed)
BOD <sub>5</sub>	mg/L	monthly	Report	grab
TSS	mg/L	monthly	Report	grab
Oil & Grease (O&G)	mg/L	monthly	Report	grab
Total Residual Chlorine (TRC) <sup>c</sup>	µg/L	monthly	Report	grab
Settleable Solids	mL/L	monthly	Report	grab
Salinity	ppt	monthly	Report	grab
Total Ammonia	mg-N/L	monthly	Report	grab
pH	S.U.	monthly	Report	grab
Temperature	° C	monthly	Report	grab
Density	g/mL	monthly	Report	grab

**Notes:**

- a. Units: mgd = million gallons per day (24-hrs), lbs = pounds, g/mL = grams per milliliter, mg/L = milligrams per liter, µg/L = micrograms per liter, mg-N/L = milligrams nitrogen per liter, mL/L = milliliter per liter, S.U. = standard units, °C = degrees Celsius, and ppt = parts per thousand.
- b. The permittee shall report the number of days per month that by-product production occurred.
- c. Monitoring for chlorine required only if chlorine is used as a disinfectant, or introduced elsewhere in the seafood processing area. Compliance with the receiving water limits for total residual chlorine cannot be determined using EPA-approved analytical methods. DEC will use the 0.1 mg/L as the compliance limit for this parameter.

**Table 5: Outfall(s) 003 “Other Wastewaters” Outfall(s) Effluent Monitoring**

Effluent Parameter	Units <sup>a</sup>	Sample Frequency <sup>e,f</sup>	Reporting Requirement	Sample Type
Flow Rate	mgd	record daily	report monthly average	metered/estimated <sup>d</sup>
BOD <sub>5</sub>	mg/L	monthly	Report	grab
TSS	mg/L	monthly	Report	grab
Oil and Grease (O&G)	mg/L	monthly	Report	grab
Settleable Solids	mL/L	monthly	Report	grab
pH	S.U.	monthly	Report	grab
Temperature <sup>b</sup>	° C	monthly	Report	grab
Total Ammonia	mg-N/L	monthly	Report	grab
Salinity	ppt	monthly	Report	grab
Total Residual Chlorine <sup>b</sup>	µg/l	monthly	Report	grab
Density	g/mL	monthly	Report	grab

**Notes:**

- a. Units: mgd= million gallons per day (24-hrs), g/mL = grams per milliliter, mg/L = milligrams per liter, mL/L = milliliter per liter, mg-N/L = milligrams nitrogen per liter, µg/L = micrograms per liter, S.U. = standard units, ppt = parts per thousand, and °C = degrees Celsius
- b. For thermal discharges, the permittee must take and report temperature during the time of thermal discharge. In line temperature metering is acceptable.
- c. Monitoring for chlorine required only if chlorine is used as a disinfectant, or introduced elsewhere in the seafood processing area. Compliance with the receiving water limits for total residual chlorine cannot be determined using EPA-approved analytical methods. DEC will use the 0.1 mg/L as the compliance limit for this parameter.
- d. Catch transfer water flow discharged to vessels after offloading, and other flows that are intermittent, may be estimated instead of metered, with flow estimation methods documented in the QAPP.
- e. The permittee may request in writing that parameter monitoring frequencies be reduced after one year of monitoring and reporting if results indicate no detections above applicable water quality criteria. Monitoring reductions can only occur once written approval from the Department is received.
- f. Catch transfer water monitoring under this table is only required to occur during the 2<sup>nd</sup> and 4<sup>th</sup> years of permit coverage. The catch transfer water monitoring must be conducted on the same day as the receiving water monitoring conducted under Part 2.3.2. or Part 2.3.3.

## 2.3. Receiving Water Requirements

### 2.3.1. Mixing Zone Authorization

- 2.3.1.1. In accordance with 18 AAC 70.240, 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.
- 2.3.1.3. The general permit defined standard mixing zone size that will be authorized for each outfall is a circle with a 100 foot radius centered at the outfall pipe or discharge terminus extending from the seafloor up to the surface. A smaller mixing zone may be authorized in the written authorization.
  - 2.3.1.3.1. A permittee shall meet all WQS, as applicable:
    - 2.3.1.3.1.1. At the boundary of an authorized mixing zone,
    - 2.3.1.3.1.2. In the receiving water at the point of discharge, if a mixing zone is not authorized.
  - 2.3.1.3.2. Within an authorized standard mixing zone, the Department may authorize exceedances of the water quality criteria of 18 AAC 70.020(b) for dissolved oxygen, pH, residues, temperature, color, turbidity, and total residual chlorine.
- 2.3.1.4. The permittee shall identify in their NOI 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

- 2.3.2.1. Permittees that are issued mixing zone(s) shall conduct receiving water quality monitoring as found in Part 2.3.2 and Table 6.
- 2.3.2.2. The permittee shall conduct receiving water monitoring at a time that is within twelve hours of effluent monitoring performed for Permit Part 2.2. The permittee shall collect samples during times of comparative production rates and flow, and while seafood processing and discharge is occurring.
- 2.3.2.3. The permittee must collect sample sets a minimum of four weeks apart, twice per year, and shall continue until a minimum of 10 sample sets are collected over the 5 year term of the permit. The permittee may collect samples more often than as required in Table 6.
- 2.3.2.4. The permittee is required to perform the monitoring during the month(s) of highest average seasonal seafood waste discharge.
- 2.3.2.5. The twice annual sampling events shall be representative of both peak salmon season and peak Pollock production.
  - 2.3.2.5.1. For facilities who primarily process salmon (typically May – September), monitoring shall be performed during the month(s) of highest average seasonal discharge.
  - 2.3.2.5.2. For facilities who process Pollock monitoring shall be performed once during Season A (January – April) and once during Season B (May – December) during peak discharge.
- 2.3.2.6. For Table 6, if the permittee has a standard 100-foot mixing zone as defined in Part 2.3.1.3 the permittee shall collect three samples on the same day, one at the surface, one at mid-depth, and one within one meter of the bottom at the following two monitoring locations:
  - 2.3.2.6.1. **Boundary of the Mixing Zone Sample (BMZ):**
    - 2.3.2.6.1.1. **Freshwater discharges.** The sample location shall be 100 feet downstream from the outfall terminus, at the outer boundary of each authorized mixing zone.

The permittee shall label this sample “BMZ” referencing the sample was taken at the boundary of the mixing zone.

2.3.2.6.1.2. **Marine or tidally influenced discharges.** The sample location shall be 100 feet seaward of the outfall terminus, or at the mixing zone boundary. The permittee shall sample at the outer boundary of each authorized mixing zone. If a facility’s authorized mixing zones overlap, the permittee shall sample at the boundary of each mixing zone for the identified parameters.

2.3.2.6.2. **Ambient Receiving Water Sample (ARW)** – The permittee shall sample at a representative location in the receiving water not influenced by the effluent discharge (i.e., outside the influence of the effluent at a minimum 500 feet from the outfall terminus).

2.3.2.6.2.1. The permittee shall establish a monitoring station(s) in the receiving water at a background station at a point representative of the quality of the receiving water, not influenced by any facility’s discharge.

2.3.2.6.2.2. The permittee must seek written approval of the receiving water monitoring station from DEC at least 90 days prior to commencing receiving water monitoring.

2.3.2.7. For Table 6, if the permittee is issued a non-standard size mixing zone the permittee shall collect receiving water samples at the monitoring locations set out in the permittee’s authorization.

2.3.2.8. **Monitoring Depths** – At each monitoring location, the permittee shall collect one sample at the surface, one sample at mid-depth, and another sample within one meter of the bottom.

2.3.2.9. The permittee shall mark the sampling points on a map clearly identifying the BMZ and ARW monitoring site coordinates in decimal degrees (reported in NAD83). The coordinate accuracy shall be at least within  $\pm 30$  feet. The permittee shall include the map in the QAPP (Part 2.4).

2.3.2.10. The permittee shall record monitoring results on Attachment E-2 and shall submit the results along with a summary report of pollutants monitored and monitoring data with the Annual Report (Part 2.6).

### 2.3.3. Option for Joint Receiving Water Quality Monitoring

2.3.3.1. A permittee may participate in joint receiving water quality monitoring under Part 2.3.3 in lieu of conducting the receiving water quality monitoring that would otherwise be required under Part 2.3.2.

2.3.3.2. In order to participate in joint receiving water quality monitoring, a group of permittees shall:

2.3.3.2.1. Develop a work plan for receiving water quality monitoring that achieves the objectives of the monitoring required under Part 2.3.2 and is applicable to a geographically specific waterbody as defined and approved by the Department.

2.3.3.2.2. Seek written approval of the receiving water quality monitoring work plan from DEC at least 90 days prior to commencing receiving water quality monitoring.

2.3.3.2.3. Conduct monitoring and reporting in accordance with the work plan, if approved.

**Table 6: Receiving Water Quality Monitoring**

<b>Parameter</b>	<b>Units <sup>a</sup></b>	<b>Sample Location</b>	<b>Sample Frequency <sup>b</sup></b>	<b>Reporting Requirement</b>	<b>Sample Type</b>
Color	Color unit	As found in Part 2.3.2.6 and Part 2.3.2.7	2 per year	report	grab
Turbidity	NTU	As found in Part 2.3.2.6 and Part 2.3.2.7	2 per year	report	grab
Total ammonia <sup>c</sup>	mg-N/L	As found in Part 2.3.2.6 and Part 2.3.2.7	2 per year	report	grab
Dissolved Oxygen	mg/L	As found in Part 2.3.2.6 and Part 2.3.2.7	2 per year	report	grab
pH <sup>c</sup>	S.U.	As found in Part 2.3.2.6 and Part 2.3.2.7	2 per year	report	grab
Temperature <sup>c</sup>	°C	As found in Part 2.3.2.6 and Part 2.3.2.7	2 per year	report	grab
Salinity <sup>c</sup>	ppt	As found in Part 2.3.2.6 and Part 2.3.2.7	2 per year	report	grab
Total Residual Chlorine (TRC) <sup>d</sup>	µg/l	As found in Part 2.3.2.6 and Part 2.3.2.7	2 per year	report	grab

**Notes:**

- a. Units: mg/L = milligrams per liter, µg/L = micrograms per liter, S.U. = standard units, °C = degrees Celsius, ppt = parts per thousand, mg-N/L = milligrams nitrogen per liter, NTU = Nephelometric Turbidity Unit.
- b. The permittee shall conduct the water quality monitoring within 12 hours of the effluent monitoring required in Table 3, Table 4, and Table 5.
- c. The permittee shall analyze the receiving water total ammonia, pH, salinity, and temperature from the same, single grab sample.
- d. The permittee is only required to monitor for chlorine if chlorine is used as a disinfectant, or introduced elsewhere in the seafood processing area.

### 2.3.4. Project Area Zone of Deposit (Project Area ZOD)

- 2.3.4.1. As allowed by the State Water Quality Standards in accordance with 18 AAC 70.210, the Department may authorize a ZOD in marine and estuarine waters. The Department will review the NOI information and may authorize the deposit of substances on the seafloor within the limits set by the Department. The APDES authorization will specify whether a ZOD is authorized.
- 2.3.4.1.1. The permittee may exceed the water quality criteria of 18 AAC 70.020(b) for residues and the antidegradation requirement of 18 AAC 70.015 in a ZOD. The ZOD authorizes the deposit of substances (residues) on the seafloor within the area of the project area ZOD. In no case may the permittee violate WQS in the water column outside of the project area ZOD by any action including leaching from, or suspension of, deposited substances.
- 2.3.4.1.2. A permittee shall meet all WQS, as applicable:
- 2.3.4.1.2.1. At every point outside an authorized ZOD, as applicable, or
- 2.3.4.1.2.2. In the receiving water at the point of discharge if neither a ZOD nor a mixing zone area is authorized.
- 2.3.4.2. Seafood processing waste residues are limited to a cumulative total of 1.0 acre of coverage within the project area ZOD, as defined in Appendix C. The authorized project area ZOD shall not exceed 1.0 acre (43,560 square feet) based on the following criteria:
- 2.3.4.2.1. Areas with continuous (defined as 95 - 100%) seafood waste coverage are required to be summed with areas of 50% or greater discontinuous coverage of seafood waste deposits to determine compliance with the 1.0 acre limitation.
- 2.3.4.2.2. Areas with 11- 49% discontinuous and “Trace” coverage must be reported, but are not applied toward the 1.0 acre limitation.
- 2.3.4.2.3. Permit Appendix E provides the Seafloor Survey Protocol used to measure, map and determine compliance with the 1.0 acre limitation. See Appendix E-Part I (4)(b) for reporting percent coverage.
- 2.3.4.3. Per 18 AAC 70.210(a), ZODs and project area ZODs are not authorized in fresh water.
- 2.3.4.4. The size of a project area ZOD for each facility may be modified on a case-by-case basis and approved by DEC if:
- 2.3.4.4.1. The Department determines that the authorized project area ZOD is not appropriate to maintain and protect existing uses of the waterbody outside of the project area ZOD,
- 2.3.4.4.2. The permittee or other entity submits additional information to supplement the NOI, or
- 2.3.4.4.3. The permittee submits a seafloor survey meeting the requirements of Appendix E and the Department authorizes a modified project area ZOD based on the information submitted.
- 2.3.4.5. The permittee is required to perform remediation planning as found in Appendix E if the total processing waste coverage area(s) per Part 2.3.4.1 within the project area ZOD exceed 1.0 acre, regardless of when the wastes were deposited.

### 2.3.5. Seafloor Survey Monitoring Requirements

- 2.3.5.1. The permittee must conduct seafloor surveys following the protocols and methodology established in Appendix E per the schedule established in Table 7. Seafloor surveys shall result in mapping any seafood waste deposits within, or directly adjacent to, all discharge location(s).
- 2.3.5.2. The Department may require additional or expanded seafloor surveys if it is determined that deposits are forming on the seafloor.

- 2.3.5.3. The permittee shall develop a seafloor survey QAPP as found in Part 2.4.10 that includes a description of the methods and monitoring plan for the seafloor survey area.
- 2.3.5.4. The permittee shall submit a seafloor survey report to the Department with the Annual Report and include a copy of the seafloor survey QAPP, a statement that the QAPP has been implemented, and a description of any problems encountered or deviations from the QAPP.
- 2.3.5.5. Monitoring Schedule
- 2.3.5.5.1. The permittee shall conduct the Part I Seafloor Survey (see Appendix E) during the first year of permit coverage and as soon as practicable after cessation of discharge, but no later than 60 days after cessation of discharge after the processing season. If the permittee cannot conduct the survey within the 60 day timeline due to weather, availability of surveyor services (provided there is documented evidence that services were requested greater than three (3) months in advance of when the survey is due to be performed), or other reasons, the permittee shall document the rationale in the seafloor survey report.
- 2.3.5.5.2. The permittee shall conduct the initial Part II Seafloor Survey during the second year of permit coverage, during the same time period as described in Part 2.3.5.5.1. The summed seafood processing waste coverage area applicable to the 1.0 acre limit, as defined in Part 2.3.4.2.1, determines the required seafloor survey schedule thereafter, as follows:
- 2.3.5.5.2.1. Annually, if a seafloor survey report finds greater than or equal to 0.75 acres seafood waste deposit coverage.
- 2.3.5.5.2.2. Biennially (every two years), if a seafloor survey report finds less than 0.75 acres of seafood waste deposit coverage.
- 2.3.5.6. For each seafloor survey which finds deposits to be greater than 1.0 acre, the permittee shall submit a noncompliance notification report in accordance with Appendix A- Standard Conditions 3.5 and with the DMR following the month the seafloor survey report is received. Findings of seafood waste deposits greater than 1.0 acre do not alleviate the permittee from any conditions of permit compliance. Upon finding deposits greater than 1.0 acre:
- 2.3.5.6.1. The permittee will develop and implement BMPs, corrective actions, and a pollution elimination program to restrict additional seafood processing waste deposits and decrease the overall deposit size.
- 2.3.5.6.2. Within 120 days of discovering such conditions, the permittee will develop and submit for Department review and approval the Appendix E-required Remediation Plan.

**Table 7: Seafloor Monitoring Schedule**

Facility Type	Survey Type <sup>a</sup>	Sample Location	Sample Frequency
Permittees with a Project Area ZOD, or Fresh Water Facilities with mapped riverbed survey areas <sup>b</sup>	<b>Part I</b> - Seafloor Survey	Seafloor Project Area ZOD	within one year of obtaining permit coverage, within 60 days of the end of processing season <sup>c</sup>
Permittees with Part I or Part II survey reporting < <b>0.75 acres</b> of deposits in the project area ZOD <sup>d</sup>	<b>Part II</b> - Seafloor Survey	Seafloor Project Area ZOD	biennial (every two years) <sup>d</sup>
Permittees with Part I or Part II Survey reporting $\geq$ <b>0.75 acres</b> of deposits in the project area ZOD <sup>d</sup>	<b>Part II</b> – Annual Seafloor Survey	Seafloor Project Area ZOD	annually
Permittees that request to increase discharge greater than 25% seafood waste from previous NOI <sup>e</sup>	Repeat of Part I Survey	Seafloor Project Area ZOD	within 60 days of the end of the season that actual increase of production occurs
Installation of a new outfall location, or facility re-starting production after not operating for more than 12 months	Pre-Discharge Biological Survey <sup>f</sup>	Proposed Discharge Area	prior to discharging

Notes:

- a. The seafloor surveys must be performed as established in the Appendix E Seafloor Survey protocol, or with other Department approved methodologies.
- b. A ZOD will not be issued to facilities discharging to fresh water. If deposits are found to be above detectable in any 3-foot by 3-foot square sample plot within a fresh water mapped survey area, annual surveys and a Remediation Plan will be required.
- c. If the processing season is year round, the survey shall be completed by December 31<sup>st</sup>.
- d. Appendix E- Seafloor Survey Protocol is set up as a two year evaluation, initially. The Part I survey shall be within one year of coverage. After the Part II Seafloor Survey is completed (initially during the second year of coverage), the schedule of how often a Seafloor Survey shall be completed will be determined on the size of the seafloor deposits.
- e. 25% increase shall be in comparison to the past 4 years of discharge reported on the Annual Report. A permittee shall identify in their Annual Report if an additional seafloor survey is not performed due to production numbers not increasing as expected.
- f. The permittee must perform the pre-discharge biological survey according to Appendix H- Pre-Discharge Biological Survey.

### 2.3.6. Sea Surface and Shoreline Monitoring

- 2.3.6.1. **Applicability.** A permittee authorized under the permit shall conduct a sea surface and shoreline monitoring program.
- 2.3.6.2. **Purpose.** A permittee shall conduct daily sea surface and shoreline monitoring while discharging to determine compliance with WQS, the permit conditions, and to document observations of or incidents involving threatened or endangered species.
- 2.3.6.3. **Monitoring.** During each day seafood processing waste discharge, the permittee shall visually inspect the shoreline and receiving water immediately surrounding the facility and outfalls, and record observations on a daily log (see Attachment C as an example). These logs may be kept electronically instead of hard copy and must be made available to DEC upon request. The permittee may develop their own inspection log, provided they include all of the information in Attachment C. The daily visual inspection should include the shoreline (the intersection of the water's surface with land or manmade structures on any given tide cycle) and the readily-visible receiving water area. The daily visual survey shall include the area above the point of discharge (outfall terminus), if it is within the readily-visible receiving water area.
- 2.3.6.3.1. The readily-visible receiving water is defined as the receiving water area that a shore-based observer can see, and it varies with weather (e.g. fog) and sea conditions (waves). As a result, the extent of the readily-visible receiving water area should be noted as part of each daily monitoring event.
- 2.3.6.4. The permittee's selected observation site shall allow the permittee's personnel to visually observe the receiving water and the surface of the water directly above each outfall terminus(es). If the permittee cannot accomplish sea surface and shoreline observations due to poor weather or rough sea conditions, the permittee shall note why observations could not be made. Visual inspections shall include:
- 2.3.6.4.1. **Shoreline Observations** – Inspect the facility's readily-visible shoreline areas and waters surrounding these areas, including harbors, boats, docks and piers. Shoreline observations shall include any observations of seafood waste or residues depositing on the surfaces, encompassing a minimum of 100 feet to either side of the parcel lines along the shore. If the permittee does not own waterfront areas, the permittee shall make shoreline monitoring observations from where they can observe the area where the facility's discharge may typically reach the shoreline.
- 2.3.6.4.2. **Sea Surface Observations** – Inspect the readily-visible receiving water surrounding each Outfall (001, 002, etc.) terminus(es) and around delivering fishing vessel(s) discharging while docked, documenting all areas and sizes of sheens, films, foam, and scum observed. A log must be maintained for all sea surface observations, noting all outfall and vessel results. The observation spot chosen shall allow the personnel to see the water surfaces surrounding the different outfalls and the dock area.
- 2.3.6.4.3. **Endangered and Threatened Species.**
- 2.3.6.4.3.1. Permittees shall ensure personnel at the facility are trained and capable of identifying the listed endangered and threatened species.
- 2.3.6.4.3.2. The permittee shall have the trained personnel record the occurrence and approximate numbers of animals identified under the Endangered Species Act within the survey area, including the Western Steller sea lion (*Eumetopias jubatus*), Steller's eider (*Polysticta stelleri*), spectacled eider (*Somateria fisheri*), Southwest Alaska Distinct Population northern sea otter (*Enhydra lutris kenyoni*), or short-

tailed albatross (*Phoebastria albatrus*) (see Attachment C for photographic reference of these species).

- 2.3.6.4.3.3. When monitoring the survey area for the listed and endangered species, the trained personnel shall record the number of injured and dead birds.
- 2.3.6.4.3.4. The permittee shall report within 24 hours any instances of dead Steller's or spectacled eiders found onsite to the USFWS Anchorage Field Office (1-800-272-4174) and shall follow the latest USFWS protocol on recording dead birds. Handling dead or injured eiders is not recommended (Appendix F).
- 2.3.6.5. During each day seafood processing waste discharge occurs, the permittee shall record the results of the daily residues visual inspections and observations, including the occurrence and estimated surface size and extent of any contiguous films, sheens, or mats of foam in the readily-visible receiving water area. The permittee's record must attempt to note where the film, sheen, or mats of foam are originating from (e.g., the facility's own outfall(s), a vessel currently at the facility, or a vessel no longer at the facility). If the permittee observes no films, sheens, mats or foam, a note of "none" shall be recorded on the daily log (see example Attachment C). Permittees may maintain records in their own electronic databases as long as all of the information required in the Part and on Attachment C is included. Logs must be maintained onsite and made available to DEC upon request.
- 2.3.6.6. The permittee shall record observations at various phases of the tide cycle during each calendar month.
- 2.3.6.7. The permittee shall capture representative digital photographs of the sea surface once per month while seafood processing and discharge are occurring. Photographs shall be of sufficient clarity and detail to support the observations, shall represent what the permittee observed, and must document positive sea surface residues observed if there were any occurred during that month. The permittee shall include a digital date and time stamp on the photograph, and make a photograph log with the name of the person taking the photograph and photograph description. The permittee shall maintain the photographs and the photograph log for three years (see Permit Appendix A – Standard Conditions, Part 1.11), and made available to DEC upon request.
- 2.3.6.8. The permittee shall record whether any delivering fishing vessels' fish hold effluent discharges are occurring at the facility during the sea surface observations.
- 2.3.6.9. A summary table of surface residues non-compliance shall be included in the Annual Report (Part 2.6).

## 2.4. Quality Assurance Project Plans (QAPP)

- 2.4.1. The permittee shall operate in accordance with the QAPP for all permit-required monitoring and any additional voluntary monitoring performed.
- 2.4.2. The permittee must develop, implement and maintain a facility-specific QAPP for all monitoring required by this permit. The permittee must develop and implement the QAPP within 60 days of receiving authorization under this general permit, and may modify any existing QAPP under this Part. The permittee must follow all procedures in previous QAPPs until the permittee has implemented the new QAPP.
- 2.4.3. A permittee shall document annual review of their QAPP. The permittee shall review the QAPP whenever process changes or changes in monitoring plans occur.
- 2.4.4. The permittee must amend the facility-specific QAPP whenever sample collection, sample analysis, monitoring parameter(s) or other procedures addressed by the QAPP are modified.
- 2.4.5. 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.
- 2.4.6. The permittee may use the generic DEC QAPP as a template to develop a facility-specific QAPP. Some facility-specific information is required in order to complete the generic DEC QAPP. A generic DEC QAPP is located at <http://dec.alaska.gov/water/water-quality/quality-assurance/>.
- 2.4.7. Throughout all sample collection and analysis activities, the 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, March 2001) at [https://www.epa.gov/sites/production/files/2016-06/documents/r5-final\\_0.pdf](https://www.epa.gov/sites/production/files/2016-06/documents/r5-final_0.pdf) and *Guidance for Quality Assurance Project Plans* (EPA/QA/G-5, December 2002) at <https://www.epa.gov/sites/production/files/2015-06/documents/g5-final.pdf>. The permittee must prepare the QAPP in the format specified in these documents.
- 2.4.8. At a minimum, the QAPP shall include:
  - 2.4.8.1. Details on number of samples, type of sample containers, preservation of samples, holding times, analytical methods, 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.
  - 2.4.8.2. Monitoring schedule and shipping requirements to ensure samples arrive within holding times.
    - 2.4.8.2.1. If the permittee cannot collect samples due to weather or other adverse conditions, the permittee shall document the circumstances that delayed the sample collection and submit with the Annual Report.
  - 2.4.8.3. Instructions for performing repeat sampling (within the required sampling period) if samples do not arrive at the lab within required holding times.
  - 2.4.8.4. Maps indicating the location of each sampling point.
  - 2.4.8.5. Qualification and training of monitoring personnel, including personnel training and review logs.
  - 2.4.8.6. Name, address, and telephone number of all laboratories the permittee uses or proposes to use.
  - 2.4.8.7. Procedures the permittee developed to inspect and record inspections of seafood waste treatment system(s) and outfall system inspection (Part 2.1.7).

- 2.4.8.7.1. Methods the permittee developed to monitor flow volumes (mgd) for all outfalls other than the main seafood processing outfall, including commingled and non-commingled “Other Wastewater” outfalls.
- 2.4.8.8. Procedures the permittee developed to inspect and record the waste treatment residue size (Part 2.1.7.4).
- 2.4.8.9. Where the permittee estimates flow volumes, the method(s) and calculation they used to determine daily and monthly flow volumes (mgd).
- 2.4.9. Sea Surface and Shoreline Monitoring. The permittee shall develop specific QAPP monitoring instructions for the observer to document the occurrences and estimate the size of any films, sheens, or mats of foam.
- 2.4.10. Seafloor Survey QAPP. The permittee shall ensure that the Seafloor Survey QAPP is developed at least 30 days prior to the seafloor survey being performed. The Seafloor Survey QAPP shall ensure that adequate documentation that allows the reconstruction of a seafloor survey from field records and notes, dive plans, and still and video photography. At a minimum, the Seafloor Survey QAPP shall include:
  - 2.4.10.1. Delivery and archiving of seafloor survey results using field records and notes, dive plans, digital images, and video photography.
  - 2.4.10.2. Establishing survey location controls.
  - 2.4.10.3. Measuring seafood waste thickness.
  - 2.4.10.4. Determining percent seafood waste coverage.
  - 2.4.10.5. Photographic procedures.
  - 2.4.10.6. Measuring water depth and tide stage.
- 2.4.11. An electronic or physical copy of the QAPP must be kept on site at the facility and made available to DEC upon request.

## 2.5. Best Management Practices (BMP) Plan

- 2.5.1. The permittee shall develop, implement, and operate in accordance with a BMP Plan within 60 days of obtaining permit coverage.
- 2.5.2. If multiple entities, or permittees, discharge out a single discharge outfall pipe, the Responsible Party shall ensure that each entity develops a BMP Plan in accordance with this section. Each individual entity delivering greater than 5,000 pounds of seafood waste to be discharged shall provide the Responsible Party (permittee) with an original copy of a letter certifying a BMP Plan has been developed and implemented and meets the requirements of this part.
- 2.5.3. The permittee shall review the BMP Plan whenever process changes occur. At a minimum, the permittee shall document annual review of their BMP Plan.
- 2.5.4. Under the BMP Plan, the permittee shall ensure the proper operation and maintenance of the facility and the control of the discharge or potential release of pollutants to the receiving water.
- 2.5.5. The permittee shall develop the BMP Plan in accordance with good engineering practices and the objectives described herein. The 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).
- 2.5.6. The BMP Plan must include the following information and management practices at a minimum:
  - 2.5.6.1. Name and physical location of the seafood processing facility.
  - 2.5.6.2. Any facility plans, drawings or maps.
  - 2.5.6.3. 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.
  - 2.5.6.4. Statement of BMP Purpose. The BMP's purpose statement shall include a statement consistent with the following:
    - 2.5.6.4.1. Through implementation of a BMP Plan, the purpose of this plan is to:
      - 2.5.6.4.1.1. Prevent or minimize the generation and discharge of wastes and pollutants from the facility to receiving water.
      - 2.5.6.4.1.2. Prevent or reduce pollution at the source.
      - 2.5.6.4.1.3. Recycle potential pollutants in an environmentally safe manner whenever feasible.
      - 2.5.6.4.1.4. Ensure the permittee discharges pollutants into the environment in such a way as to have a minimal environmental impact.
  - 2.5.6.5. Statement of BMP Objectives. The BMP Plan shall be consistent with the following objectives for the reduction and control of pollutants in waste and wastewaters resulting from seafood processing:
    - 2.5.6.5.1. Reduce and minimize the number and quantity of material generated, discharged, or potentially discharged at the facility to reduce pollutant loading by managing waste streams and implementing source control strategies where practicable. Strategies may include by-product production strategies or pollutant removal strategies where no product is produced, but reduction of pollutant loading occurs.
    - 2.5.6.5.2. Establish or reference standard operating procedures for the proper operation and maintenance of pollution control systems, in accordance with good engineering practices.

- 2.5.6.5.3. The permittee shall examine each facility component or system for its waste minimization opportunities and its potential for pollutant loading to waters of the U.S., such as:
  - 2.5.6.5.3.1. Removing pollutant loading earlier in the process waste stream transport,
  - 2.5.6.5.3.2. Evaluating and implementing waste and wastewater treatment options,
  - 2.5.6.5.3.3. Preventing equipment failure or improper operation,
  - 2.5.6.5.3.4. Examining all normal operations and ancillary activities.
- 2.5.6.6. Risk identification and Assessment. The BMP must ensure the facility performs risk assessment by implementing procedures for:
  - 2.5.6.6.1. Reviewing existing materials and plans as a source of information to ensure consistency and to eliminate duplication.
  - 2.5.6.6.2. Characterizing actual and potential sources that might be subject to release.
  - 2.5.6.6.3. Evaluating potential pollutants based on the hazards they present to human health and the environment.
  - 2.5.6.6.4. Identifying pathways through which pollutants identified at the site might reach environmental and human receptors.
  - 2.5.6.6.5. Prioritizing potential releases.
- 2.5.6.7. Specific Management Practices and Standard Operating Procedures. These include but are not limited to:
  - 2.5.6.7.1. The modification of equipment, facilities, technology, processes and procedures.
  - 2.5.6.7.2. Verification that the permittee obtained necessary DEC engineering review for any proposed changes to the waste treatment systems.
  - 2.5.6.7.3. The improvement in management, inventory control, materials handling, or general operational phases of the facility.
  - 2.5.6.7.4. Reducing or eliminating any discharge of wastes that have the potential to collect and foul any set or drift nets used in subsistence or commercial fisheries in nearby traditional use areas.
  - 2.5.6.7.5. Description and methods for the proper operation and maintenance of the grinding/screening system and outfall pumps.
  - 2.5.6.7.6. 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.
  - 2.5.6.7.7. For the monitoring schedule established in Part 2.2.6, develop techniques to manage potential and planned “Other Wastewaters” discharges including Retort, Cooling / Heating system, Air Scrubber and Refrigeration and Freezer System wastewaters. BMPs shall address times to monitor ammonia, (if any) along with pH and temperature, during routine maintenance of the refrigeration and freezer systems (purging systems freezer or refrigeration systems of air and/or water, adding ammonia to inactive lines, repair, etc.) and monitor ammonia during routine cleaning of air scrubber/ammonia stripping systems if discharge occurs to waters of the U.S.
    - 2.5.6.7.7.1. Develop methods for facility locations to monitor flow rates (mgd) for any Retort, Cooling / Heating system, Air Scrubber and Refrigeration and Freezer system’s discharges to commingled outfalls.

- 2.5.6.7.8. Material accounting of the inputs (raw seafood products, chemicals, etc.), processes, and outputs (seafood processing wastes and wastewaters, chemicals, etc.) of the facility flow of water, waste and wastewater submitted with the NOI and other information required in Part 1.7. Materials accounting is used to trace the inflow (i.e., process water + transfer water + whole seafood product) through the seafood processing steps and outflow (i.e., process wastewater + non-process wastewater + marketed seafood product + by-products + process wastes) and to establish quantities of these components. Identifying and measuring the key components for a process is the basis for conducting materials accounting audits.
- 2.5.6.7.9. Minimization and plans to ensure that chlorine, other disinfectants, degreasers, defoaming agents, or other chemical products used at the facility will not cause exceedances of the WQS.
- 2.5.6.7.10. Descriptions and methods for each facility 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 waste and wastewaters) 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.
- 2.5.6.7.11. Description of the equipment which shall be examined for potential failure and 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.
- 2.5.6.7.11.1. Description of methods to identify outfall condition and methods to identify leaks and breaks and the remaining cathodic protection life during the seafloor survey found in Part 2.3.5. Inspection techniques such as pressure testing, visual, ROV, dye testing, or diver inspection are allowed.
- 2.5.6.7.12. Description of the practices and training staff will receive to ensure that “Other Wastewaters” are properly routed through the seafood waste treatment system (Part 2.1.8.5) if required, or how they will apply other treatments to comply with WQS. This includes a copy of the employee training log(s).
- 2.5.6.7.13. Identify and develop methods to prevent, treat or minimize the generation and discharge of pollutants in by-product production and line effluents, including stickwater, at the source to the greatest extent practicable. Description and methods for backup disposal treatment method(s) if by-product wastewater treatment system fails (Part 2.2.5.3). The permittee shall recycle and treat stickwater to the greatest extent practicable and in an environmentally safe manner, whenever feasible.
- 2.5.6.7.14. Pollution prevention and minimization measures at the transfer point(s) of raw seafood to the processing facility.
- 2.5.6.7.15. Develop methods to examine facility cleaning and sanitizing practices, and, where appropriate, select cleaning and disinfectant chemicals and compounds that minimize the addition of nitrogen and phosphorous-based chemical pollutants to the wastewater discharge.
- 2.5.6.7.16. Apply chemical cleaning compounds and disinfectants in accordance with manufacturer instructions and suggested application rates.
- 2.5.6.7.17. Practices for the proper operation, maintenance and purging of ammonia or other chemical-based refrigerant and freezer systems. If the permittee references other documents

to comply with this requirement, the permittee shall keep a copy of the document with this permit's BMP Plan. The BMP Plan or other documents shall include and implement:

- 2.5.6.7.17.1. Methods to direct purged wastewaters to the seafood processing waste treatment system.
- 2.5.6.7.17.2. The facility's approach for minimizing and treating discharged refrigerants, including how maintenance and purging practices are to be performed at the facility, how repair wastewaters are handled and treated prior to discharge.
- 2.5.6.7.17.3. How the facility plans to mitigate and report accidental or emergency releases which are not authorized by the permit, including damaged or severed outfall pipe(s).
- 2.5.6.7.18. Methods developed and implemented to ensure attractive nuisance conditions are not created; and seafood processing wastes do not cause nuisance or objectionable conditions. Response procedures and corrective actions if nuisance or objectionable conditions are reported to the permittee (Part 2.1.11).
- 2.5.6.7.19. Practices to minimize incidental foam and scum produced by the discharge of seafood waste and wastewaters, as well as seafood catch transfer water to the extent practicable (Part 2.1.8), including the modification of equipment, facilities, technology, processes and discharge procedures to be used to decrease the formation of foam and scum.
- 2.5.6.7.20. Procedures for spill response, storage of adequate oil and fuel clean-up equipment at the facility, on-board and at fuel transfer locations.
- 2.5.6.7.21. Good housekeeping. Describing the facility objectives and maintenance of a clean, orderly work environment. Maintaining an orderly facility means that materials and equipment are neat and well-kept to prevent untreated pollutant releases to the environment. If the permittee references other documents to comply with this requirement, the permittee shall keep a copy of the document with this permit's BMP Plan.
- 2.5.6.7.22. Preventative maintenance. Describing maintenance which includes periodically inspecting, maintaining, and testing seafood processing facility equipment and systems to uncover conditions that can cause breakdowns or failures. Preventative maintenance focuses on preventing untreated pollutant releases to the receiving water. If the permittee references other documents or SOPs to comply with this requirement, the permittee shall keep a copy of the document(s) and/or SOPs with this permit's BMP Plan.
- 2.5.6.7.23. Documentation of inspection, record keeping, and employee training pertaining to the BMP Plan. This includes a copy of the employee training log(s).
- 2.5.6.7.24. Fuel Transfer Procedures. Describe vessel fuel-transfer activities. Ensure procedures comply with all federal and state regulations for the prevention of, preparedness for, and response to oil discharges, including:
  - 2.5.6.7.24.1. Spill response procedures, and
  - 2.5.6.7.24.2. Storage of adequate oil and fuel clean-up equipment at the facility, on-board and at fuel transfer locations.
- 2.5.6.7.25. Development of educational materials to provide to vessels discharging fish hold water, live tank water, refrigerated seawater, brine, or other effluents at the facility. Topics to be covered could include, but are not limited to:

- 2.5.6.7.25.1. Minimizing washing any residual solids into receiving waters while dockside, pier-side or stationary.
- 2.5.6.7.25.2. Routing wastewaters accepted into the permittee's facility to the seafood waste treatment system or other treatment systems prior to discharge to remove solids.
- 2.5.6.7.25.3. Following the manufacturer's directions and disposal recommendations while using degreasers and defoamers. Using non-toxic degreasers and defoamers.
- 2.5.6.7.25.4. Selecting soaps and detergents that are phosphate-free, non-toxic, and do not lead to extreme shifts in receiving water pH. Using soaps and detergents must be free from toxic and bioaccumulative compounds.
- 2.5.6.7.25.5. Not discharging or placing any toxic or hazardous materials or related residuals into vessel discharge systems (e.g., laundry units, kitchen sinks, dishwashers, drains, sinks, showers, bath, etc.).
- 2.5.6.7.25.6. Not discharging or placing unused soaps, detergents, or pharmaceuticals into the discharge systems (e.g., laundry units, kitchen sinks, dishwashers, drains, sinks, showers, bath, etc.).
- 2.5.6.7.25.7. Minimizing the discharge of bilge water within the critical habitat area, unless it is for documented safety reasons, and using of oil/water separators prior to discharge.

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

- 2.5.7.1. Annual Review. At a minimum, the facility manager and appropriate staff shall review the BMP Plan annually.
  - 2.5.7.2. Include a statement that a review has been completed and that the BMP Plan fulfills the requirements set forth in this permit. The facility manager shall sign and date the statement.
  - 2.5.7.3. The permittee shall review and revise, if necessary, the BMP Plan whenever there is a change in the seafood processing facility or in the operation of the seafood processing facility which materially increases the generation of pollutants and their release or potential release to the receiving water.
  - 2.5.7.4. 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, including but not limited to the situations referenced in Part 2.1.6.1.5 and Part 2.3.5.6.1, the BMP Plan shall be modified to incorporate revised BMP requirements.
- 2.5.8. If multiple parties discharge out a single outfall line, the facility may use a single BMP Plan if each discharger's authorized agent reviews and signs the BMP Plan and the plan clearly identifies each discharger's individual inspection and compliance permit responsibilities, including individual BMP implementation strategies. The BMP Plan will identify a single responsible party who ensures permit compliance, which includes verifying the facility performed required permit monitoring and submitting the Annual Report.
- 2.5.9. BMP Plan Availability. An electronic or physical copy of the BMP Plan must be kept on site at the facility and made available to DEC upon request.

## 2.6. Annual Report

- 2.6.1. The permittee shall prepare and submit complete, accurate, and timely Annual Reports of incidents of noncompliance, production and discharge information, and inspections and monitoring information collected January 1 through December 31 of the previous year.

2.6.2. **All permittees** shall provide the following information:

2.6.2.1. Verification of the permittee's APDES Authorization number, company name, owner name, permittee name, the name or title of any duly authorized representative (if there is one), name of facility, mailing address, telephone number(s), email address, and facsimile number as provided in the most current NOI.

2.6.3. **Community Grinding Facilities.** Provide the total annual amount of seafood waste discharged (in pounds).

2.6.4. **Seafood Processors.** Required information includes:

2.6.4.1. **Daily** production and discharge information including:

2.6.4.1.1. The number of hours of seafood processing that occurred during the day.

2.6.4.1.2. The type /species and total amount of discharged seafood waste.

2.6.4.1.2.1. If product is held for a number of hours prior to processing, include the methods used by the permittee to account for daily production and discharge amounts.

2.6.4.1.3. The estimated or measured daily volume of wastewater discharged (in million gallons per day) for each seafood waste, seafood by-product, and "Other Wastewaters" outfall.

2.6.4.1.4. The estimated or measured daily volume (mgd) of stickwater effluent discharged.

2.6.4.2. **Monthly** production and discharge information including:

2.6.4.2.1. Total number of processing days per month.

2.6.4.2.2. Type and total amount of raw products processed (in pounds) per month.

2.6.4.2.2.1. Report the number of days of processing and the raw product (pounds) processed (for sampling days and total monthly) for each commodity line (e.g., crab meat, whole crab or crab sections, salmon by conventional/hand, salmon by mechanized processing, bottom fish, herring fillet processing, herring frozen whole, scallops).

2.6.4.2.3. Type and total amount of each finished product (in pounds) per month.

2.6.4.2.4. Type and total amount of discharged seafood waste (raw product minus finished products (in pounds) per month.

2.6.4.2.4.1. If waste is shipped to a by-product facility or line and waste/effluent is routed back to the facility for discharge through the facility's seafood waste stream this poundage or volume shall be listed separately.

2.6.4.2.5. Type and total amount of seafood solids received (in pounds) at the by-product facility/commodity line(s).

2.6.4.2.6. The estimated or measured monthly volume of wastewater discharged (in million gallons per day) for each seafood waste, seafood by-product, and "Other Wastewaters" outfall.

2.6.4.3. **Annual** production and discharge information including:

2.6.4.3.1. Annual number of processing days.

2.6.4.3.2. Type and total amount of raw products processed (in pounds).

2.6.4.3.3. Type and total amount of each finished product (in pounds).

2.6.4.3.4. Type and total amount of discharged seafood waste (in pounds).

2.6.4.4. **Water Usage Information** correlated to an updated NOI Line Drawing:

2.6.4.4.1. The estimated or metered volume(s) of incoming seawater and/or freshwater used for cooling water.

2.6.5. **All permittees** shall provide the following additional submittals with the Annual Report, as applicable:

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

2.6.5.2. Summary report of digital photographs and log (Part 2.1.7.5).

2.6.5.3. Summary report of noncompliance and corrective actions taken during waste treatment system inspections (Part 2.1.7.4).

2.6.5.4. Summary report of noncompliance and corrective actions taken for daily sea surface and shoreline monitoring observations (mixing zone violations) (Part 2.3.1).

2.6.5.5. Summary report reflecting results from DMR data, including seafood processing waste and wastewaters outfall(s) monitoring (Part 2.2.4 and Part 2.2.5) and “Other Wastewaters” outfall(s) monitoring (Part 2.2.6)- (Attachment E-1 and E-2).

2.6.5.6. A copy of the Seafloor Monitoring Report (Part 2.3.5.4).

2.6.5.6.1. Summary of outfall system inspection (Part 2.1.7.1)

2.6.5.7. Summary of any occurrences of leaks or breaks in the refrigeration/freezer systems that led to discharges to receiving waters, and how the accidental or emergency release was reported. Provide a summary of the type of refrigerant discharged along with the corresponding number of times discharged, approximate number of pounds discharged, and accompanying pH for each discharge event. The purposeful discharge of these substances without first monitoring the pH is prohibited.

2.6.5.8. A list of chemicals, disinfectants, cleaners, biocides, food processing additives (salts, acids, bases, enzymes, etc.) that are used and discharged during the annual reporting period.

2.6.5.9. If any substances found in Part 2.6.5.8 are not used per the manufacturer’s recommended use and application rates, if any, the permittee shall provide the following information:

2.6.5.9.1. Product intended use,

2.6.5.9.2. Total annual amount used,

2.6.5.9.3. Dilution ratio during use,

2.6.5.10. A summary report of all onsite incidents of injured and dead endangered species, including petroleum-related and collision-related incidents. The report shall include the probable cause, time, location, result of any collisions and any remedial action taken (Part 2.3.1).

2.6.6. **Submittal date.** A permittee shall submit the Annual Report by March 15<sup>th</sup> of the year following each year of operation and discharge under the permit. If a facility 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.