United States Environmental Protection Agency, Region 10
1200 Sixth Avenue - OW-134
Seattle, Washington 98101

AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM FOR SEAFOOD PROCESSORS AND THE CITY OF ST PAUL

In compliance with the provisions of the Clean Water Act, 33 U.S.C. § 1251 *et seq*., (hereafter, CWA or the Act), the owners and operators of seafood processing facilities and vessels are authorized to discharge seafood processing wastes and other designated wastewaters and the City of St. Paul is authorized to discharge treated domestic wastewater within three nautical miles of St. Paul and St. George Islands to receiving waters of the United States named the Bering Sea, in accordance with effluent limitations, monitoring requirements, and other conditions set forth herein.

Upon the effective date of this Permit, it is the controlling document for regulation of seafood processing wastes and other designated wastewaters and of treated domestic wastewater from the city of St. Paul discharged to the Bering Sea, within three nautical miles of the Pribilof Islands, Alaska.

A COPY OF THIS PRIBILOF GENERAL PERMIT MUST BE KEPT AT THE FACILITY OR ON-BOARD THE VESSEL WHERE DISCHARGES OCCUR.

Each permittee authorized to discharge under this Permit must submit a new Notice of Intent 60 days prior to the expiration date of the Permit.

This Permit becomes effective **FEBRUARY 8, 1999**

This Permit and the authorization to discharge shall expire at midnight on **FEBRUARY 8, 2004**, unless administratively extended according to 40 CFR § 122.6.

Signed this 23rd day of December, 1998

/s/ Roger K. Mochnick for
Randall F. Smith
Director, Office of Water

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1 AUTHORIZED FACILITIES, AUTHORIZED DISCHARGES, and UNAUTHORIZED DISCHARGES

1.1 Authorized Facilities

Upon receipt and approval of a complete and timely Notice of Intent (NOI) to be Covered, the following facilities are authorized to discharge under this Permit:

1.1.1 Shorebased Owners and operators of seafood processing facilities discharging through stationary outfalls on St. Paul and on St. George, provided dischargers comply with all requirements and applicable conditions of this Permit.

1.1.2 Vessels Owners and operators of mobile seafood processing vessels discharging within three nautical miles of St. Paul and St. George Islands, provided the dischargers comply with all requirements and applicable conditions of this Permit.

1.1.3 City of St. Paul The city's treated domestic wastewater discharging through a stationary outfall at East Landing, provided the city complies with all requirements and applicable conditions of this Permit.

1.2 Authorized Discharges

This Permit authorizes the discharge of the following pollutants subject to the limitations and conditions set forth herein.

1.2.1 Seafood Processing Wastes Seafood processing wastes, including the waste fluids, organs, flesh, bones, and chitinous shells produced by the conversion of aquatic animals from a raw form to a marketable form, are required to be ground to no larger than 0.5 inches in any dimension prior to discharge.

(a) Seafood wastes from the processing of crab (all species), sea snails, and halibut will be authorized year-round based on the amount projected in an NOI.

(b) Seafood wastes from the processing of finfish, such as salmon, may be authorized based on when the processing is to be done, what amount of waste is to be generated, and where the discharge will be, provided that the finished product is not fillets or mince or surimi and/or fish paste.

1.2.2 Process Disinfectants Disinfectants added to wash down water and scrubber water to facilitate the removal of wastes and to maintain sanitary standards during processing or to sanitize seafood processing areas.

1.2.3 Treated Domestic Wastewater Domestic wastewater (consisting of human body wastes from toilets and urinals) and gray water (consisting of shower, bath, laundry, galley wastewater) treated by the St. Paul municipal septic system and the bunkhouse/galley package treatment plant on St. George. Discharges from certified and operable Type I and Type II Marine Sanitation Devices.

1.2.4 Non-process Wastewater Non-process wastewaters, including non-contact cooling water, freshwater pressure relief water, refrigeration condensate, water used to transfer seafood to the facility, live tank water, and gray water (wastewater discharged from showers, sinks, safety showers, eyewash stations, hand-wash stations, galleys, laundries).

1.3 Non-authorized Discharges

1.3.1 Finfish Processing Wastes Discharge of wastes and wastewaters from the production of surimi and/or fish paste products that are washed repeatedly in water then pressed to remove residual waste; from the processing of fillets and/or mince from pollock, cod, or any type of finfish; or the processing of seafood wastes into fish or bone meal are not authorized under this Permit.

1.3.2 Marine Sanitation Devices Discharges from malfunctioning or undersized marine sanitation devices (MSDs) are not authorized under this Permit. No discharge of raw sewage is allowed within U.S. territorial waters (within the three mile limit).

1.3.3 Other Wastes and pollutants not specifically set out above.

2 EXCLUDED AREAS

This Permit does not authorize the discharge of pollutants to areas of concern (i.e., rookeries, haulout areas, nesting areas, and designated critical habitat) for marine mammals, seabirds, and refuges in the following circumstances and areas [*see* maps at section **14**]:

2.1 Marine Mammals

2.1.1 Steller Sea Lion Rookery Within three nautical miles of Walrus Island year-round, a designated rookery and critical habitat of the Steller sea lion [*see* map at section **14.1**].

2.1.2 Steller Sea Lion Haulouts Within one-half nautical mile of designated Steller sea lion haulout areas year-round (Sea Lion Rock and Northeast Point on St. Paul and Dalnoi Point and South Rookery on St. George) [*see* map at section **14.1**].

2.1.3 Northern Fur Seal Rookeries and Haulouts Within one-half nautical mile of land owned and/or managed by the National Marine Fisheries Service (NMFS) for the protection of northern fur seal rookeries and haulout areas during the period May 1 through December 1 [*see* maps at sections **14.2 and 14.3**].

2.2 Seabirds

2.2.1 Seabirds Within one-half nautical mile of land owned and/or managed by the U.S. Fish and Wildlife Service (USFWS) for the protection of seabirds and seabird nesting areas during the period May 1 through September 30 [*see* maps at sections **14.6 and 14.7**].

2.2.2 National Wildlife Refuge Within one-half nautical mile of the Alaska Maritime National Wildlife Refuge, Bering Sea Unit [*see* maps at sections **14.4 and 14.5**].

3 APPLICATION TO BE COVERED UNDER THIS GENERAL NPDES PERMIT

In order to be authorized under this Permit to discharge any of the pollutants listed in section **1.2** to waters within three nmi of the Pribilof Islands, all operators and owners must apply for coverage [*see* NOI form at section **15**]. This Permit does not authorize any discharges from facilities that have not applied for nor received authorization to discharge within three nmi of the Pribilof Islands.

3.1 Submittal of a Notice of Intent

An applicant wishing authorization to discharge under this Permit shall submit a timely and complete Notice of Intent (NOI) to EPA and ADEC in accordance with the requirements listed below. A qualified applicant will be authorized to discharge under this Permit upon written notification from EPA and the returned receipt of the signed U.S. Postal Service Certified Mail card. EPA's written notification will include assignment of an NPDES permit number designating coverage under the Pribilof General Permit.

In compliance with the Paperwork Reduction Act, 44 U.S.C. § 1501 *et.seq*., the Office of Management and Budget has approved the information required in a Notice of Intent to be equivalent to an NPDES permit application (OMB 2040-008).

3.1.1 Timely NOI In order to be covered under this Permit, all applicants (including permittees authorized under the previous permit) must submit an NOI no later than 30 days after the issuance date of this Permit or 60 days prior to the start-up of processing operations within three nmi of the Pribilof Islands.

3.1.2 NOI Update A permittee authorized to discharge under this Permit shall submit to EPA and ADEC an updated NOI when there is any material change in the information submitted in the original NOI including a proposed increase in the amount of production, additional species of seafood to be processed, and additional types of finished product. Dischargers of treated domestic wastewater must submit an updated NOI if there is any change in the loading or addition of pollutants discharged. Any changes to the original NOI requires a 60 day prior notice period to EPA and ADEC. After consultation with ADEC, EPA will notify the applicant of approval or disapproval.

3.1.4 Individual Permit Requirement EPA may require any discharger applying for coverage under this general NPDES permit to apply for and obtain an individual NPDES permit in accordance with the 40 CFR § 122.28(b)(3).

3.1.5 Expiration of the Permit Each permittee authorized to discharge under this Permit must submit a new Notice of Intent 60 days prior to the expiration date of this Permit.

3.1.6 Submittal An applicant shall submit the NOI to:

U.S. Environmental Protection Agency Region 10
NPDES Compliance Unit OW-133
1200 Sixth Avenue
Seattle, Washington 98101

and

Alaska Department of Environmental Conservation
Attn: Watershed Management Section
555 Cordova Street
Anchorage, Alaska 99501

3.2 Information to be Submitted in the Notice of Intent

3.2.1 Previous NPDES Number The NOI shall include any previous NPDES number(s) and/or state wastewater permit number(s) assigned to the facility or vessel and the ADEC seafood processor license number.

3.2.2 Owner Information The NOI shall include the name and the complete address and telephone number of the owner of the facility or vessel and the name of the duly authorized representative. If a FAX machine is available at this address, it is useful to provide a FAX number.

3.2.3 Managing Company The NOI shall include the name and the complete address and telephone number of the managing company of the facility or vessel and the name of the duly authorized representative. If a FAX machine is available at this address, it is useful to provide a FAX number.

3.2.4 Facility or Vessel Information The NOI shall include the name, address, and telephone number of the facility or vessel. If a FAX machine is available at this address, it is useful to provide a FAX number.

(a) For a shorebased facility, the NOI shall include a description of the physical location of the facility, the location of the outfall terminus using the Global Positioning System (GPS) (latitude/longitude), depth of the outfall, the length of the outfall from shoreline to terminus, and type of grinder; also date of the most recent structural integrity inspection of the outfall and the date of the most recent inspection of grinding size.

(b) For a mobile processing vessel, the NOI shall include the U.S. Coast Guard (USCG) vessel number, vessel length, depth of outfall, and date of most recent pre-operational check.

(c) For seafood processors, the NOI shall include and estimate of the number of seasonal and annual employees of the facility or on the vessel.

(d) For the City of St. Paul and all other domestic wastewater dischargers, the NOI shall include a description of the treatment provided, the amount of people contributing to the system, and the design flow. For MSDs, the NOI shall include when the system was installed, type of system and its capacity in gallons per day, the results of the testing for fecal coliform bacteria and total suspended solids, and when most recent certification was granted.

3.2.5 Projected Production for Seafood Processing The NOI shall include projected production data based upon historical operations and design capacity on a daily and annual basis. Production data includes the quantity of the raw product(s) by species and the maximum quantity of each raw product which can be processed in a 24-hour day. The NOI shall also include the projected number of operating days per month for the facility or vessel under this Permit.

3.2.6 Discharge Information The NOI shall include the following information concerning domestic wastewater and MSD discharges from the facility or vessel.

(a) When the USCG approved MSD was installed, type, capacity (gals/day), number of people on vessel, date of CG certification, and the results of total suspended solids and fecal coliform testing when certified; and whether connected to a municipal system or some other means of treatment of domestic wastewater.

(b) What types and amounts of process disinfectants, cooling water, boiler water, cooking water, refrigeration condensate, transfer water, gray water, live tank water, and freshwater pressure relief water.

3.2.7 Signatory Requirement All NOIs shall be signed by a principal corporate officer or duly appointed representative in accordance with section **12.5**.

4 EFFLUENT REQUIREMENTS

4.1 Seafood Wastes and Wastewater Limitations

4.1.1 Amount of Seafood Waste Discharged The volume in pounds of seafood processing wastes discharged on a daily or annual basis shall not exceed the amount projected in the Notice of Intent to be Covered under this Permit.

4.1.2 Treatment and Limitation of Seafood Wastes All seafood process wastes shall be routed through a waste-handling system which prevents the discharge of waste solids no larger than 0.5 inch in any dimension.

(a) Incidental discharges from scuppers or floor drains must be routed through the waste-handling system or screened to no larger than 0.5 inch in any dimension.

(b) Each permittee shall conduct a daily visual inspection of the waste-handling

system, including a close observation of the sump or other place of observation for, and removal of, gloves, earplugs, rubber bands, or other equipment used in processing seafood that may inadvertently be discharged through the outfall. Discharge of such items is prohibited. Logs of this daily inspection are to be kept at the facility or on-board the vessel. Summaries of any equipment found and removed shall be submitted with the monthly report.

(c) Each permittee shall conduct an inspection of the waste-handling system every two weeks during the processing season to confirm that the grinder(s) are grinding the seafood wastes to no larger than 0.5 inch in any dimension. Each permittee shall report the date of the most recent inspection on the monthly report.

(d) There shall be no discharge of oil and grease that causes a film, sheen, or discoloration on the surface of the water or adjoining shorelines.

(e) No wastes shall accumulate on the shoreline nor float on the receiving water surface.

4.2 Domestic Wastewater

All domestic wastewater shall be routed through a domestic wastewater treatment system.

4.2.1 Shorebased septic system or other wastewater treatment system The treatment system must be designed and capable of properly treating and handling the type and volume of domestic wastewater generated.

4.2.2 Marine Sanitation Devices On-board a USCG-licensed vessel all sewage wastes must be routed through a MSD system that meets the applicable Coast Guard pollution control standards then in effect [33 CFR Part 159: "Marine sanitation devices"] and discharged in accordance with Coast Guard regulations. Malfunctioning or undersized systems are prohibited.

4.3 Other Seafood Processing Wastewaters

There shall be no discharge of any other wastewaters that contain foam, floating solids, grease, or oily wastes which causes a film, sheen, or discoloration on the water surface, and no discharge of seafood wastes that are deposited on the shoreline or accumulate on the seafloor. Wastewaters that have not had contact with seafood processing wastes are not required to be discharged through the seafood processing waste-handling system. However, all discharges of transfer water, refrigerated sea water, and live tank water shall be discharged below the surface of any receiving waters.

4.4 State Water Quality Standards

All discharges shall be in compliance with Alaska Water Quality Standards [18 ACC Part 70].

4.5 Vessel Wastes

Vessels must comply with the requirements outlined in 33 CFR Part 151 ("Vessels carrying oil, noxious liquid substances, garbage, municipal or commercial wastes, and ballast water").

4.6 Discharge Pipe Location and Condition

4.6.1 Stationary Outfalls Facilities or vessels shall discharge seafood processing wastes through stationary outfalls that are at least fifteen feet below the sea surface at MLLW. The stationary outfalls on St. Paul and St. George shall be inspected for structural integrity, to verify the location relative to original placement, and to verify that there is no accumulation of any seafood processing wastes at the end of the outfall(s). This inspection shall be conducted in years two and four of the Permit within 60 days of the close of the winter crab processing season.

Each permittee shall submit a letter certifying the absence or presence of any seafood processing wastes at the end of the outfalls within 30 days of the inspection in years two and four of the Permit. The letter shall meet the signatory requirements in accordance with section **12.5**.

4.6.2 Mobile Vessels Mobile vessels shall discharge seafood processing wastes at least three feet below the sea surface at MLLW (except for mobile vessels that have through-the-hull discharge points). Permittees shall perform a pre-operational check of the outfall lines at the beginning of each processing season to ensure that it is not broken and extends to at least three feet below the sea surface; the date of the check shall be reported on the appropriate monthly report.

4.6.3 Outfall Problems There shall be no discharge if the outfall line is severed, fails, leaks, or is displaced from designed specifications or location.

5 MONITORING

5.1 Outfalls

5.1.1 Stationary Outfalls Shorebased facilities on St. Paul and St. George will be required to conduct an inspection of the condition and integrity of the outfall lines during the second and fourth years of the Permit. While making these inspections, the divers will make note of any seafood processing waste accumulations observed on the seafloor during the inspection. Permittees must report any accumulations to EPA and ADEC [*see* at section **4.6.1**] who may require a more extensive seafloor survey as outlined at section **5.2**.

5.1.2 Vessels Mobile vessels will not be required to conduct a seafloor survey unless violations of this Permit occur or new information leads EPA and ADEC to determine that seafloor surveys (as outlined at section **5.2**) are necessary.

5.2 Seafloor Monitoring

5.2.1 Purpose The seafloor monitoring program is to determine compliance with the Alaska water quality standards for settleable residues in marine waters. Alaska Administrative

Code (AAC) Part 18.70.020 states that "(settleable residues) shall not . . . cause a sludge, solids, or emulsion to be deposited . . . on the bottom."

5.2.2 Objective The seafloor monitoring program shall determine the areal extent (in square feet) of any continuous deposit of sludge, solids, or emulsion from seafood processing wastes on the seafloor bottom. [*See* at section **4.6.1** for requirements concerning the outfall survey.]

5.2.3 Applicability If any accumulations of seafood wastes are found at the end of the outfalls either on St. Paul or St. George, the seafood processing permittees discharging through that particular stationary outfall shall participate in a seafloor survey.

5.2.4 Method If a seafloor survey is required by EPA and/or ADEC, the survey shall include the following elements:

(a) Areal extent in square feet of any accumulation of seafood wastes;

(b) Description of the size of particles making up the waste pile, the percentage of particles exceeding 0.5 inch in any dimension, and kind of wastes;

(c) Description of the methodology used by the surveyor including transects and location devices;

(d) Description of marine fauna and flora near the survey area;

(e) Dates, time, tidal movements, weather conditions, name and signature of surveyor, name of company, the name of the mobile vessel, if applicable, and NPDES permit number(s); and

(f) Video and/or other photographic documentation of any findings.

5.2.5 Schedule A seafloor survey as described above will only be required if during surveys of the structural integrity of the stationary outfalls, there is evidence of any accumulation of seafood wastes. The seafood processors discharging through the stationary outfalls will be required to conduct the survey as soon as possible with consideration for local weather and sea conditions.

5.2.6 Submittal Results of the seafloor survey shall be submitted to EPA and ADEC within 45 days following the completion of the survey. The report shall be signed by the diver and the appropriate company representative. The report shall be submitted to the addresses at section **3.1.6**.

5.3 Sea Surface and Shoreline Monitoring

5.3.1 Purpose The sea surface and shoreline monitoring program is to determine compliance with the Alaska water quality standards for floating residues in marine waters. Alaska Administrative Code Part 18 -- 70.020 states that "(floating solids, debris, foam and scum) shall not . . . cause a film, sheen, or discoloration on the surface of the water

. . . or cause a sludge, solid or emulsion to be deposited . . . upon adjoining shorelines.

5.3.2 Objective The sea surface and shoreline monitoring program is to provide daily assessment during periods of operation and discharge: for the sea surface monitoring an estimate of the areal extent of continuous films, sheens, or mats of foam; for the shoreline an estimate of the areal extent of deposits of seafood waste solids on the adjacent shore.

5.3.3 Applicability All seafood processing permittees covered under this Permit shall participate in a sea surface and shoreline monitoring program during all periods of operation and discharge.

(a) Shorebased facilities shall include the harbor areas that are adjacent to their facilities as well as observations of the shorelines nearest to outfall locations.

(b) Mobile vessels shall conduct sea surface monitoring around and adjacent to their individual vessels.

(c) Shorebased facilities and mobile vessels may participate in a joint survey of appropriate shoreline areas adjacent to where mobile vessels are anchored.

5.3.4 Method This monitoring program shall include a description of the observation method and equipment used, the name of the surveyor, and where the observations were done. The observation shall include the date and time, an estimate of the area of scum, sheen, film, or foam on the sea surface, and/or the area of sludge, solids, emulsion, or scum deposited on the shoreline. Also any observation of marine mammals and/or seabirds, if any, interacting with the seafood wastes shall be reported. Photographs, video, or other visual documentation are required.

5.3.5 Submittal The presence of wastes on the shoreline shall be reported by telephone as required at section **10**. A written report shall be submitted to EPA and ADEC with the monthly report to the addresses at section **3.1.6**.

5.3.6 Waiver Individual monitoring days may be waived upon notification by FAX to EPA and ADEC [*see at s*ection **6.1.3**] when conditions (e.g., weather or sea conditions) which make this monitoring hazardous to human health and safety.

5.4 Discharge Monitoring

5.4.1 Purpose The discharge monitoring program is to assess the impact of the discharges from seafood waste and wastewater and treated domestic wastewater on the receiving water quality, sediment, benthic, and biological environment.

5.4.2 Objective The discharge monitoring program is to provide assessment and characterization of the discharges from shorebased facilities, including domestic wastewater treatment facilities, and from mobile vessels.

5.4.3 Applicability All permittees authorized to discharge under this Permit shall participate

in the discharge monitoring program.

The discharge monitoring program for permittees covered under this Permit may be satisfied by arranging to participate in a joint effort with other permittees.

5.4.4 Methods The discharge monitoring program shall include the following requirements:

(a) Effluent samples shall be taken after grinding of the seafood processing wastes and before any commingling with any other waste stream.

(b) Treated domestic wastewater discharges from the City of St. Paul, the bunkhouse/galley at St. George, or any other treated domestic wastewater discharge shall be sampled prior to any commingling with other waste streams.

(c) All permittees shall submit a Quality Assurance Plan (QAP) for effluent sampling to EPA for approval. This approval will be in effect for the period of the Permit unless there is a change in the monitoring program. Permittees required to participate in the 2001 sediment chemistry study on St. Paul shall submit a QAP.

(d) Sampling and analysis of all parameters shall be in accordance with the requirements at section **9.1**. Samples to be taken shall be grab samples. Flow measurements may be estimated provided the permittee explains the basis for the estimated amounts. EPA Method 1664 for oil and grease has been approved as an alternative test procedure for Region 10.

5.4.5 Monitoring Parameters The following parameters are to be sampled for effluent, water quality, sediment chemistry, and benthic community monitoring.

(a) Shorebased facilities and mobile vessels shall conduct sampling of the effluent for the following:

<u>Conventional pollutants</u>

Biochemical Oxygen Demand (five day)	pH
Chemical Oxygen Demand	Oil and Grease
Total Suspended Solids	Total residual chlorine
Total Phosphorous	Flow
Ammonia-N	Total Organic Carbon
Temperature	

<u>Other pollutants</u>

Metals, including Mercury
Volatile Organic Compounds

(b) The city of St. Paul, the bunkhouse/galley on St. George, or any other domestic wastewater discharge (other than MSDs), shall conduct sampling of the effluent for the following:

Conventional pollutants

Biochemical Oxygen Demand (five day)	Fecal Coliform Bacteria
Total Suspended Solids	pH
Oil and Grease	Flow
Total Phosphorous	Ammonia-N
Chemical Oxygen Demand	Total Organic Carbon
Temperature	

Other pollutants

Metals, including Mercury
Volatile Organic Compounds

If there is a significant change in the effluent from any tested source that causes concern and/or there are any accumulations on the seafloor, EPA and ADEC may determine that additional sampling and testing is necessary to protect the marine environment. The additional sampling may include a seafloor survey [*see* at section **5.2**], water quality, sediment chemistry, and/or benthic community monitoring as follows:

(c) Water quality sampling

Dissolved Oxygen	Salinity
Oil and Grease	Temperature
Total Phosphorus	Ammonia
Nitrate/Nitrite	Total Organic Carbon
Biochemical Oxygen Demand (five-day)	Total Suspended Solids
Settleable Solids	Total Kjeldahl Nitrogen
Ortho-phosphate	pH

(d) Sediment chemistry sampling for conventional pollutants and chemicals of concern

Particle Size	Chemical Oxygen Demand
Total Organic Carbon	Total Nitrogen
Total Solids	Total Volatile Solids
Petroleum Oil Hydrocarbons	Total Sulfides
Biochemical Oxygen Demand (five-day)	E. Coli
Fecal Coliform Bacteria	Selected Metals (cadmium, copper, zinc, silver)

(e) Benthic community sampling

Number of Individuals	Number of Species
Dominance	Infaunal index

Abundances of Pollution-sensitive Species
Abundance of Opportunistic and Pollution-tolerate species

5.4.6 Location The locations for discharge monitoring sampling shall be as follows:

(a) Water quality samples shall be taken at St. Paul at (1) four fixed monitoring stations in the vicinity of the stationary outfalls, two approximately 100 meters from point of discharge following the plume (to the south-southwest), one approximately 300 meters from the point of discharge, one approximately 500 meters from the point of discharge; (2) two fixed monitoring stations approximately 0.5 mile off-shore on the south side area of St. Paul, one near English Bay and one near Zolotoi Bay/Village Cove); and (3) three fixed monitoring stations approximately 0.5 miles off-shore on the East Side/East Landing area of St. Paul, one near Sea Lion Rock, one adjacent to Lukanin Point, and one adjacent to Stony Point (control site) [*see* map at section **14.8**].

(b) Water quality samples shall be taken at St. George at four fixed monitoring stations in the vicinity of the stationary outfall, two approximately 100 meters from point of discharge following the plume (to the north-northwest), one approximately 300 meters from point of discharge and one approximately 500 meters from point of discharge; a control site station shall be approximately 500 meters to the south of the discharge point [*see* map at section **14.9**].

(c) Sediment chemistry samples shall be taken in conjunction with the seafloor survey along the transects determined by where mobile vessels operated during the previous processing seasons. Stationary outfall locations shall follow the same protocols as the summer 1997 monitoring study.

(d) Benthic community samples shall be also be taken in conjunction with the seafloor survey transects for both vessels and stationary outfalls.

(e) Sediment chemistry samples for the summer of 2001 study shall be taken from the area immediately adjacent to the St. Paul stationary outfalls and at one control site.

5.4.7 Schedule During the effective period of the Permit all permittees authorized to discharge seafood processing wastes and/or treated domestic wastewater through the stationary outfalls on St. Paul or St. George and from mobile vessels shall be required to participate in the discharge monitoring program according to the following schedule:

(a) Shorebased processing facilities shall sample conventional pollutants [*see* at section **5.4.5(a)**] no more than four times but not less than two times during each winter crab processing season with the first sampling to be done two weeks after the beginning of the processing season and continuing at two week intervals until the end of the processing season. One of the samples may be taken during a cleanup period.

Shorebased processing facilities operating during the spring, summer, or fall shall sample conventional pollutants during the third year (2001) of the Permit in each waste stream discharge from the processing of different species, i.e., halibut, sea snails, and any other type of seafood.

Metals, including Mercury, and Volatile Organic Compounds shall be sampled one time during the winter crab season in the third year (2001) of the Permit.

(b) Mobile processing vessels discharging within three nmi of the Pribilof Islands shall sample conventional pollutants [*see* at section **5.4.5(a)**] no more than four times but not less than two times during each winter crab processing season with the first sampling to be done two weeks after the beginning of the processing season and continuing at two week intervals until the end of the processing season. One of the samples may be taken during a cleanup period.

Metals, including Mercury, and Volatile Organic Compounds shall be sampled one time during the winter crab season in the third year (2001) of the Permit.

(c) The city of St. Paul shall sample the discharge at the East Landing manhole for conventional pollutants and volatile organic compounds [*see* at section **5.4.5(b)**] each February and May and at least four times between August 1 and September 30 during each year of the Permit.

Metals, including Mercury, shall be sampled in February 2001. [*See* other specific requirements at section **8.3.3**]

The city may participate in the sampling program with the seafood processing facilities.

(d) The bunkhouse/galley on St. George or any other treated domestic wastewater discharge (other than MSDs) shall be sampled for conventional pollutants [*see* at section **5.4.5(b)**] one time during each winter crab processing season.

Metals, including Mercury, and Volatile Organic Compounds shall be sampled one time during the winter crab season in the third year (2001) of the Permit.

(e) The city of St. Paul and the seafood processors discharging through the stationary outfalls on St. Paul shall conduct a sediment chemistry study during the summer of the third year (2001) of the Permit in the area immediately adjacent to the stationary outfalls and at one control site. The results of the study shall be submitted by October 31, 2001.

(f) All permittees shall submit a Quality Assurance Plan (QAP) for effluent monitoring to EPA for approval within 30 days of issuance of this Permit, and prior to any sampling. The city of St. Paul and the processors discharging through the stationary outfalls on St. Paul shall submit a QAP for the year 2001sediment chemistry study by April 30, 2001.

(g) Results of all winter monitoring of conventional pollutants and/or volatile organic compounds shall be submitted within 30 days of being analyzed. The results of the third year winter monitoring program (conventional pollutants, volatile organic compounds, and metals) shall also be submitted within 30 days of being analyzed. The results of the summer monitoring program conducted by the shorebased seafood processors in the third year of the Permit (2001) shall be submitted by October 31, 2001.

5.4.8 Waiver Effluent sampling may be temporarily waived upon notification by telephone or FAX to EPA and ADEC [*see* at section **6.1.3**] when conditions (e.g., local weather or sea conditions) make getting the samples off vessels or to the airport for transport to the laboratory hazardous to human health and safety. This waiver determination will be made on a case-by-case basis.

5.4.9 Submittals Submittals shall be made to EPA and ADEC to the addresses at section **3.1.6**.

5.4.10 Modification of the Monitoring Program The discharge effluent monitoring program may be modified if, on the basis of any new data, EPA and ADEC determine that the discharge is adversely affecting the marine environment. The modified program may include changes in survey methods, locations, schedule, parameters, and scope.

5.5 Biological Monitoring

5.5.1 Definition Biological monitoring, for the purposes of this Permit, is defined as observations of marine mammals and/or seabirds and their interaction with discharges from the stationary outfalls or from mobile vessels which may cause floating wastes on the surface of the water or wastes on the shoreline.

5.5.2 Purpose The biological monitoring program is to gather information on whether or not marine mammals and seabirds interact with the discharges from the shorebased outfalls and mobile vessels.

5.5.3 Objective The objective is to have specific observations of marine mammals and seabirds and their behaviors with the outfall plume, floating wastes on the receiving waters, accumulated seafood wastes and processing equipment, if present, on the shoreline.

5.5.4 Applicability The seafood processors authorized to discharge under this Permit are required to make observations of marine mammals and/or seabirds when performing the shoreline and sea surface monitoring program. Members of the community may also take part in this biological monitoring program.

5.5.5 Method The observers, permittees or members of the community, may use the following questions as a guide to develop a program for reporting observations: whether or not seabirds and marine mammals are attracted to the outfalls and are seen eating the wastes being discharged; whether or not seabirds and marine mammals are attracted to any seafood waste on the shoreline and are feeding on the wastes, getting wastes on their feathers or fur; whether or not the interaction with discharge plumes causes seabirds or marine mammals to accumulate oils on their feathers or fur; whether or not the discharge is attracting gulls or other birds that are not usually found in the Pribilof Islands; identification of the types of marine mammals or seabirds, how many, when, where, behavior; and what were the weather conditions, wind direction, tides, or other pertinent information.

5.5.6 Reporting This type of observation can be done in conjunction with the shoreline and sea surface monitoring program, including the safety provisions. Any observations of sea

lions, northern fur seals, or seabirds near the outfalls, mobile vessels, or shorelines by the seafood processors will be submitted with the monthly reports. Other observers may submit reports to the addresses at section **3.1.6** or fax numbers at section **6.1.3**. Photographs or video tapes are good methods to record the biological monitoring.

6 SPECIAL CONDITIONS AND REQUIREMENTS

6.1 Discharges from Mobile Vessels

During the period of May 1 to December 1, there shall be no discharges of any kind within the one-half nautical mile of the exclusion zone described at section **2** except as provided below at section **6.1.1** and **6.1.2**.

6.1.1 Safety Exception Notwithstanding the provisions of section **2**, mobile processing vessels may anchor within the one-half nmi exclusion zone when conditions exist that would threaten the safety of the vessel or there is no other location that is reachable for the safety of the vessel.

6.1.2 Processing and Transit in the Exclusion Zone Mobile vessels may complete processing of any raw product on-board the vessel if transit into the exclusion zone is for safety of the vessel. No new product shall be brought on-board or processed. There shall be no discharge of wastewaters including gray water, deck or processing area wash down, net washing, bilge water, MSD treated wastewater, or other materials. There shall be no refueling within the exclusion zone.

6.1.3 Location Reporting When any processing vessel enters the one-half nautical mile exclusion zone, the permittee must report their location by GPS and the reason for being in the exclusion zone to the appropriate following parties:

EPA--FAX (206) 553-1280 or telephone (206) 553-1846;
and
ADEC--FAX (907) 269-7508 or telephone (907) 269-7500;
and
St. Paul--FAX (907) 546-3194 or telephone (907) 546-3179;
or
St. George--FAX (907) 829-2212 or telephone (907) 859-2263;
and
Local harbor master/public safety office by radio.

6.1.4 Excluded Area Discharge Mobile vessels must notify EPA and ADEC within 24 hours, either by telephone (206) 553-1846 or (907) 269-7500, respectively) or by FAX [*see* at section **6.1.3**] if any discharge of seafood wastes or any other discharge, occurs during the period of May 1 through December 1 within the one-half nautical mile exclusion zone. Any such report must include an official Bering Sea weather report.

6.2 Discharges from Stationary Outfalls

Notwithstanding the provisions of section **2**, dischargers (i.e., UniSea, Trident, Arctic Star, city of St. Paul) previously permitted to discharge from the existing stationary outfalls on St. Paul and dischargers (i.e., Snopac, Blue Wave) previously permitted to discharge from the stationary outfall on St. George, may apply for authorization under the Permit, provided that each facility or mobile vessel complies with all other provisions of this Permit.

6.3 Ocean Disposal

Shorebased facilities may dispose of seafood wastes ground to 0.5 inch and unground snail shells by dumping the seafood wastes into depths of at least 45-50 fathoms and at least seven nmi west of St. Paul and at least three nmi west of St. George.

6.3.1 Conditions Disposal must be done while the vessel is underway. No disposal shall occur if marine mammals and/or a concentration of seabirds (100+ individuals) are observed in the disposal area.

6.3.2 Logs A log shall be kept of the disposal operations and include the following information:

(a) Dates and start/stop time of each disposal occurrence,

(b) Description and approximate volume of the material being dumped,

(c) The location (GPS) where dumped, and

(d) Notation of weather and wind conditions in the area and Beaufort Sea state.

6.3.3 Submittal A copy of the log is to be submitted to EPA with the monthly report.

6.4 Pollution Prevention and Best Management Practices for Seafood Processors

Permittees shall discharge from the facility or vessel in accordance with best management practices which address the provisions of the Pollution Prevention Act.

6.4.1 Best Management Practices (BMPs) Best management practices (BMPs) are to control or abate the discharge of pollutants. In-plant management of water and materials has been found to be central in a waste management effort. Materials accounting, audits of in-plant utilization of water and materials, and best management practices are recommended as the profitable approach to waste management in seafood processing plants and vessels.

6.4.2 Development and Implementation Each seafood processor shall develop and implement an BMP plan which prevents or minimizes the generation and release of pollutants to receiving waters. Mobile vessel operating and discharging more than 0.5 nmi from shore shall implement BMPs which minimize process waste solids and disperse process wastes and wastewaters through mobility. Shorebased facilities shall implement BMPs which focus upon the minimization of process waste solids and wastewaters.

6.4.3 Other Pollution Prevention

(a) The use of disinfectants and other products on-board a vessel or at a shorebased facility shall be used in a way to reduce over-disinfecting or over-use. The disposal of such products and containers shall be in such a way as to reduce potential contamination of the work areas and personnel.

(b) Seafood processors shall comply with existing local ordinances, state and federal law and other health requirements for exclusion of pests (e.g., rats) in and around the shorebased facilities and on-board processing vessels.

(c) Seafood processors shall implement any measures necessary, including employee training, to keep processing equipment (i.e., gloves, ear plugs, packing bands) out of the discharge.

(d) Good-housekeeping, use of "green" products including low phosphate detergents, grease traps in galleys, and any other means of reducing pollution shall become part of the BMP plan.

7 MONTHLY REPORTING REQUIREMENTS FOR SEAFOOD PROCESSING FACILITIES AND VESSELS [*See* form at section **15**]

7.1 Schedule

Reporting shall be on a calendar basis; reports are due by the end of the month following any month processing occurs in the Pribilof Islands (e.g., January report due no later than the 28th of February, February due no later than the 31st of March).

7.2 No Processing

Permittees shall notify EPA and ADEC when no processing occurs during any month in the Pribilof Islands, by submitting the form marked "no processing."

7.3. Facility Reporting

7.3.1 Vessels Mobile vessels shall report the following:

(a) Daily GPS log of anchored location or locations while processing; this log to be submitted in both map-charted and written form;

(b) Processing data including number of pounds of raw product processed per day and number of pounds of finished product; and

(c) Seafood wastes, if any, on the shoreline and/or floating solids on the sea surface as described in the sea surface and shoreline monitoring program at section **5.3;** and.

(d) Results of outfall check and results of grinding size inspection.

7.3.2 Stationary Outfalls Shorebased facilities or vessels discharging through stationary outfalls shall report the following:

(a) Processing data including number of pounds of raw product processed per day and type and number of pounds of finished product;

(b) Seafood wastes, if any, on the shoreline and/or floating solids on the sea surface as described in the sea surface and shoreline monitoring program at section **5.3**; and

(c) Amount, type (if ground or unground), and location of wastes disposed of by ocean dumping as described at section **6.3**.

7.4 Signatory Requirement

A permittee shall ensure that the monthly report is signed by a principal officer or a duly appointed company representative in accordance with section **12.5**.

7.5 Submittal

The monthly reports shall be submitted to EPA and ADEC. Reports may sent via FAX [*see* at section **6.1.3**] or mailed to EPA and ADEC [*see* at section **3.1.6**].

7.6 Paperwork Reduction Act

In compliance with the Paperwork Reduction Act, 44 U.S.C. Section 3501, *et seq.,* the Office of Management and Budget has approved the collection of information in a monthly report as equivalent to a discharge monitoring report (OMB No. 2040-0004).

8 REQUIREMENTS FOR THE CITY OF ST. PAUL WASTEWATER TREATMENT SYSTEM

8.1 Discharge Limitations

8.1.1 Amount of Discharge The discharge shall be limited to treatment not to exceed 143,500 gallons/day. Treated wastewater shall be discharged to the Bering Sea via an outfall.

8.1.2 Water Quality There shall be no discharge of floating solids, garbage, grease, foam, oily waste, or wastewater which may produce a film, sheen, or coloration on surface waters. The discharge shall not cause contamination of surface or ground waters and shall be in compliance with the Alaska Water Quality Standards [18 AAC Part 70].

8.1.3 Adverse Effects The discharge shall not cause adverse effects on aquatic or terrestrial plant or animal life, their reproduction, or habitat.

8.2 Septic Tank System

8.2.1 Operation and Maintenance The permittee shall maintain the septic tank system in

good working order at all times. The accumulated solids in the septic tanks shall be pumped from the tanks at least every two years and disposed of by an approved method.

8.2.2 Spills In the event of a spill of sewage on the ground resulting from the operation, maintenance, or failure of the septic tank system, the permittee shall immediately disinfect the area and report the spill as required at section **10.1**. Additionally the permittee shall correct the cause of the spill in the shortest practicable amount of time.

8.3 Monitoring

8.3.1 Sampling The city of St. Paul shall conduct sampling for the pollutants listed at section **5.4.5(b)**.

8.3.2 Schedule

(a) The city of St. Paul shall sample the effluent discharge at the East Landing manhole for conventional pollutants and volatile organic compounds one time each February and May and at least four times between August 1 and September 30 during each year of the Permit. The results shall be submitted as follows: February sampling by April 30; May sampling by July 31; and the August/September sampling by November 30 of each year.

Metals, including Mercury, shall be sampled in February 2001 and results submitted by May 31, 2001.

The city may participate in the sampling program with the shorebased facilities.

(b) The city shall participate in the sediment chemistry study to be conducted during the summer of the <u>third</u> year (2001) of the Permit [*see* at section **8.3.3(b)**].

8.3.3 Additional Sampling and Testing

(a) If the volatile organic compounds sampling results from the February 2002 sampling show presence of 1.4-Dichlorobenzene in excess of 0.011 mg/L and/or Toluene in excess of 0.09 mg/L, sampling for volatile organic compounds will be required at Ellerman Heights lift station, Old Town lift station, and at East Landing manhole within 60 days of the April 30 submittal of the February 2002 results.

(b) The city of St. Paul and the seafood processors discharging through the stationary outfalls on St. Paul shall conduct a sediment chemistry study during the summer of the third year (2001) of the Permit in the area immediately adjacent to the stationary outfalls and at one control site. The results of the sediment chemistry study shall be submitted by December 31, 2001.

8.3.4 Quality Assurance Plan Sampling and testing for effluent shall be conducted according to the prepared Quality Assurance Plan (QAP); the plan is to be submitted to EPA for approval within 30 days of issuance of this Permit, and prior to any sampling. This approval will be in effect for the period of this Permit unless there is a change in the

monitoring program.

The QAP for the sediment chemistry study in 2001 shall be submitted by April 30, 2001.

8.3.5 Submittal Submittals shall be to the addresses at section **3.1.6**.

8.4 Waiver from Secondary Treatment

The ADEC grants a waiver from secondary treatment standards to the city of St. Paul for the discharge of sanitary wastes. This waiver was originally contained in the State of Alaska's wastewater permit previously issued to the city of St. Paul.

In accordance with State Regulations 18 AAC 72.040(c), ADEC may reduce the level of treatment of domestic waste from secondary standards as defined in 18 AAC 72.990(64). The level of treatment may not be less than primary treatment as defined in 18 AAC 72.990(52). The city of St. Paul has a community septic tank that provides primary treatment of the sanitary wastes. This reduced level of treatment will not impact the overall health of the Bering Sea as a water body and is in conformance with the State's antidegradation policy.

8.5 City of St. Paul Pollution Prevention Program

The city of St. Paul shall develop and implement a pollution prevention program to identify hazardous products used in the community in homes and businesses; provide information to the community on the handling and reduction of hazardous products used; recycle hazardous products when and where possible; and establish a collection of hazardous product wastes for the community.

8.5.1 Objective The objective of this program is to reduce and eliminate the potential for hazardous materials dumped into the city's domestic wastewater treatment system and discharged into the marine environment where there is the potential to impact the marine mammals and seabirds as well as pollute the nearshore areas of St. Paul Island.

8.5.2 Schedule The pollution prevention program shall be developed and implemented no later than one year after the issuance of the Permit and shall include an information/collection event to be held in June 2001 and in June 2003. A copy of the program shall be submitted to EPA and ADEC [*see* at section **3.1.6**] for review and approval by October 31, 1999.

8.5.3 Monitoring The effluent sampling for Volatile Organic Compounds in February 2002 will demonstrate the effectiveness of the program. If the conditions at section **8.3.3(a)** are met, the city may reduce the monitoring for Volatile Organic Compounds to once in May and once between August 1 and September 30. If any test results show Volatile Organic Compounds (i.e., toluene and/or 1,4-dichlorobenzene) in the discharge, the city shall immediately test at Ellerman Heights lift station, Old Town lift station, and at East Landing manhole to try to find the source.

9 GENERAL MONITORING and RECORDS REQUIREMENTS

9.1 General Monitoring

9.1.1 Monitoring Procedures Monitoring shall be conducted according to test procedures approved under 40 CFR Part 136 or EPA approved methods. EPA Method 1664 for Oil and Grease has been approved as an alternative test procedure for Region 10.

9.1.2 Representative Effluent Sampling Samples taken in compliance with the effluent monitoring requirements of the Permit shall be collected from the effluent stream prior to discharge into the receiving waters. Samples and measurements shall be representative of the volume and nature of the monitored discharge.

9.2 Records Requirements

9.2.1 Records Contents All effluent monitoring records shall bear the hand-written signature of the person who prepared them. In addition, all records of monitoring information shall include: the date, exact place, and time of sampling or measurements; the names of the individual(s) who performed the sampling or measurements; the date(s) analyses were performed; the names of the individual(s) who performed the analyses; the analytical techniques or methods used; and the results of such analyses.

9.2.2 Retention of Records Each permittee shall retain copies of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for this Permit, for a period of at least five years from the date of the sample, measurement, report, or application. This period may be extended by request of the Director or ADEC at any time.

9.2.3 On-site Availability of Records and Reports Copies of this NPDES Permit, monitoring reports, and other technical documents required under the Permit shall be maintained on-site where the discharge occurs.

10 NON-COMPLIANCE REPORTING REQUIREMENTS

10.1 Twenty-four Hour Notice of Noncompliance

The following occurrences of noncompliance shall be reported by telephone to EPA (206-553-1846) and ADEC (907-269-7500) within 24 hours from the time the permittee becomes aware of the circumstances:

10.1.1 Endangerment Any noncompliance which may endanger human health or the environment.

10.1.2 Unanticipated Bypass Any unanticipated bypass which exceeds any effluent limitations in the Permit [*see* “Bypass of Treatment Facilities” at section **11.6**].

10.1.3 Upset Any upset which exceeds any effluent limitation in the Permit [*see* “Upset

Conditions" at section **11.7**].

10.1.4 Environmental Effects Instances of floating solids, foam, or oily wastes, and/or seafood wastes on the shoreline.

10.2 Written Notice

A written notice of the preceding occurrences of noncompliance shall be provided to EPA and ADEC within five days of the time that a permittee becomes aware of the circumstances which lead to the noncompliance.

10.2.1 Report The written notice shall contain:

(a) A description of the noncompliance and its cause;

(b) The period of noncompliance, including exact dates and times;

(c) The estimated time noncompliance is expected to continue if it has not been corrected; and

(d) Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

10.2.2 Written Report Waiver The Director may waive the written report on a case-by-case basis if the telephone report has been received within 24 hours by the NPDES Compliance Unit in Seattle, Washington, by telephone or FAX.

10.2.3 Submittal Written reports shall be submitted to the addresses at section **3.1.6**.

10.3 Other Noncompliance Reporting

A permittee shall document all instances of noncompliance, other than those specified at section **10.1**, and submit a written report with the monthly report.

10.4 Planned Changes

A permittee shall give 60 days advance notice to EPA and ADEC of any planned physical alterations or additions to the permitted facility. Notice is required only when the alteration of, or addition to, the facility could result in noncompliance with the explicit effluent limitation of the Permit; the alteration of, or addition to, the facility could significantly change the nature or increase the quantity of pollutants discharged which are not limited explicitly in the Permit; or the alteration of, or addition to, the facility may meet one of the criteria for determine whether the facility is a new source as determined in 40 CFR § 122.29(b).

10.5 Notice of New Introduction of Pollutants

The permittee shall provide 60 days advance notice to EPA and ADEC of any new introduction of pollutants into the treatment works from an indirect discharger which would be subject to Sections 301 or 306 of the Act if it were directly discharging those pollutants; and any substantial change

in the volume or character of pollutants being introduced into the treatment works by a source introducing pollutants into the treatment works at the time of issuance of the Permit.

10.6 Anticipated Noncompliance

The permittee shall also give advance notice to EPA and ADEC of any planned changes in the permitted facility or activity which may result in noncompliance with Permit requirements.

11 GENERAL COMPLIANCE RESPONSIBILITIES

11.1 Duty to Comply

Each permittee shall comply with all conditions of this Permit. Any noncompliance of this Permit constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Nothing in this Permit shall be construed to relieve authorized permittees of the requirements of applicable federal and state laws or regulations and local laws and ordinances

Except as provided in permit conditions in "Bypass of Treatment Facilities" [*see* at section **11.6**] and "Upset Conditions" [see at section **11.7**], nothing in this Permit shall be construed to relieve a permittee of the civil or criminal penalties for noncompliance.

11.2 Penalties for Violations of Permit Conditions

11.2.1 Civil and Administrative Penalties Any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act shall be subject to a civil or administrative penalty, not to exceed the maximum amounts authorized by Sections 309(d) and 309(g) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note).

11.2.2 Criminal Penalties

(a) Negligent Violations Any person who negligently violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Act shall be punished by a fine of not less than $2,500 nor more than $25,000 per day of violation, or by imprisonment for not more than 1 year, or by both.

(b) Knowing Violations Any person who knowingly violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the act shall be punished by a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than 3 years, or by both.

(c) Knowing Endangerment Any person who knowingly violates a permit condition implementing Sections 301, 302, 303, 306, 307, 308, 318, or 405 of the Act, and who knows at that time that another person may be placed in imminent danger of

death or serious bodily injury shall, upon conviction, be subject to a fine of not more than $250,000 or imprisonment of not more than 15 years, or both. A person which is an organization shall be subject to a fine of not more than $1,000,000.

(d) False Statements Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this Act or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this Act, shall be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or by both.

11.3 Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

11.4 Duty to Mitigate

A permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this Permit that has a reasonable likelihood of adversely affecting human health or the environment.

11.5 Proper Operation and Maintenance

A permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by a permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when the operation is necessary to achieve compliance with the conditions of this Permit.

11.6 Bypass of Treatment Facilities

11.6.1 Bypass Not Exceeding Limitations Bypass of treatment is prohibited if such bypass will produce a discharge which exceeds the effluent limitations of the Permit. EPA or ADEC may take enforcement action against a permittee for a bypass, unless:

(a) The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment shall have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

(c) A permittee submitted notices as follows:

Notice of an anticipated bypass If a permittee knows in advance of the need for

a bypass, it shall submit prior notice, if possible, at least 10 days before the date of the bypass.

Notice of an unanticipated bypass A permittee shall submit notice of an unanticipated bypass as required under "Noncompliance Reporting" [*see* at section **10**].

11.6.2 Bypass Approval EPA and ADEC may approve an anticipated bypass, after considering its adverse effects, if EPA and ADEC determine that it will meet the three conditions listed above at section **11.6.1** of this Permit.

11.7 Upset Conditions

11.7.1 Effect of an Upset An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if a permittee meets the requirements of section **11.7.2**. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

11.7.2 Conditions Necessary for a Demonstration of Upset A permittee who wishes to establish the affirmative defense of upset shall demonstrate through properly signed, contemporaneous operating logs or other relevant evidence that:

(a) An upset occurred and that a permittee can identify the cause(s) of the upset;

(b) The permitted facility was at the time being properly operated;

(c) The permittee submitted notice of the upset as required under "Reporting of Noncompliance" [*see* at section **10**]; and

(d) The permittee complied with any remedial measures as required under "Duty to Mitigate" [*see* at section **11.4**].

11.7.3 Burden of Proof In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

11.8 Toxic Pollutants

Each permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions.

12 GENERAL PROVISIONS

12.1 Permit Actions

This Permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by a permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

12.2 Duty to Reapply

If a permittee intends to continue an activity regulated by this Permit after the expiration date of this Permit, a permittee must submit a new NOI 60 days before the expiration of this Permit.

12.3 Duty to Provide Information

A permittee shall furnish to EPA and ADEC, within the time specified in the request, any information that EPA or ADEC may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit, or to determine compliance with this Permit. A permittee shall also furnish to EPA or ADEC, upon request, copies of records required to be kept by this Permit.

EPA may require any discharger authorized by a general permit to apply for and obtain an individual NPDES permit in accordance with 40 CFR 122.28(b)(3).

12.4 Other Information

When a permittee becomes aware that it failed to submit any relevant facts in a permit application or NOI, or that it submitted incorrect information in a permit application, NOI, or any report to EPA or ADEC, it shall promptly submit the omitted facts or corrected information.

12.5 Signatory Requirements

All applications, reports. or information submitted to EPA and ADEC shall be signed and certified.

12.5.1 Permit Applications All permit applications shall be signed as follows:

(a) For a corporation: by a responsible corporate officer.

(b) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

(c) For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

12.5.2 Required Reports and Information All reports required by this Permit and other information requested by EPA or ADEC shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(a) The authorization is made in writing by a person described above and submittal to EPA and ADEC, and

(b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of

plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

12.5.3 Changes to Authorization If an authorization under "Signatory Requirements" [*see* at section **12.5**] is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of this section must be submitted to EPA and ADEC prior to or together with any reports, information, or applications to be signed by an authorized representative.

12.5.4 Certification Any person signing a document required by this Permit shall make the following certification:

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

12.6 Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with this Permit shall be available for public inspection at the offices of EPA and ADEC. A permittee may claim certain types of information as business confidential. When the information is submitted in response to a permit requirement, the permittee will need to identify which documents or portions of documents are company confidential [*see* 40 CFR § 2.203(b)]. As required by the Act, permit applications, permits, and effluent data shall not be considered confidential.

12.7 Inspection and Entry

A permittee shall allow EPA, ADEC, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by law, to enter a permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit; have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit; inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

12.8 Oil and Hazardous Substance Liability

Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve a permittee from any responsibilities, liabilities, or penalties to which a permittee is or may be subject under Section 311 of the Act.

12.9 Property Rights

The issuance of this Permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.

12.10 Severability

The provisions of this Permit are severable. If any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

12.11 Transfers

This Permit may be automatically transferred to a new permittee if the current permittee notifies EPA at least 30 days in advance of the proposed transfer date; the notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and EPA does not notify the existing permittee and the proposed new permittee of EPA's intent to modify, or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.

12.12 State Laws

Nothing in this Permit shall be construed to preclude the institution of any legal action or relieve a permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

13 DEFINITIONS and ACRONYMS

AAC means Alaska Administrative Code.

Accumulation means any deposit of ground or unground solid seafood processing wastes gathered or heaped up at and around the terminus of an outfall which could reasonably be attributed to a discharge from the outfall.

ADEC means Alaska Department of Environmental Conservation.

Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

CFR means the Code of Federal Regulations.

Coastal zone means the waters within three nautical miles of the Pribilof Islands.

Cooling water means once-through non-contact cooling water.

CWA means the Clean Water Act.

Discharge of a pollutant means any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source".

Domestic wastewater means waterborne human wastes and gray water.

EPA means the United States Environmental Protection Agency.

Exclusion zone means within one-half nmi of areas of special concerns or in the case of Steller sea lion rookeries, 3 nmi.

Garbage means all kinds of victual, domestic, and operational waste, excluding fresh fish and parts thereof, generated during the normal operation and liable to be disposed of continuously or periodically except dishwater, gray water, and those substances that are defined or listed in other Annexes to MARPOL 73/78.

GPS means Global Positioning System.

Gray water means materials discharged from sinks, safety showers, eye-wash stations, hand-washing stations, galley, laundries, bath, and shower wastewater which do not contain human body wastes.

Marine environmen*t* means that territorial seas, the contiguous zone and the oceans.

Marine sanitation device includes any equipment for installation on-board a vessel which is designed to receive, retain, treat, or discharge sewage, or any process to treat such sewage (discharge of raw sewage is not allowed within the three mile limit of U.S. waters).

MLLW means mean lower low water.

MSD means marine sanitation device.

NMFS means United States National Marine Fisheries Service.

NOI means a "Notice of Intent," that is, an application, to be authorized to discharge under a general NPDES permit.

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.

Seafood means the raw material, including freshwater and saltwater fish and shellfish, to be processed, in the form in which it is received at the processing plant.

Seafood process waste means the waste fluids, organs, flesh, bones, and chitinous shells produced in the conversion of aquatic animals from a raw form to a marketable form.

Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

Severe property damage does not mean economic loss caused by delays in production.

Sewage means human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes.

Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

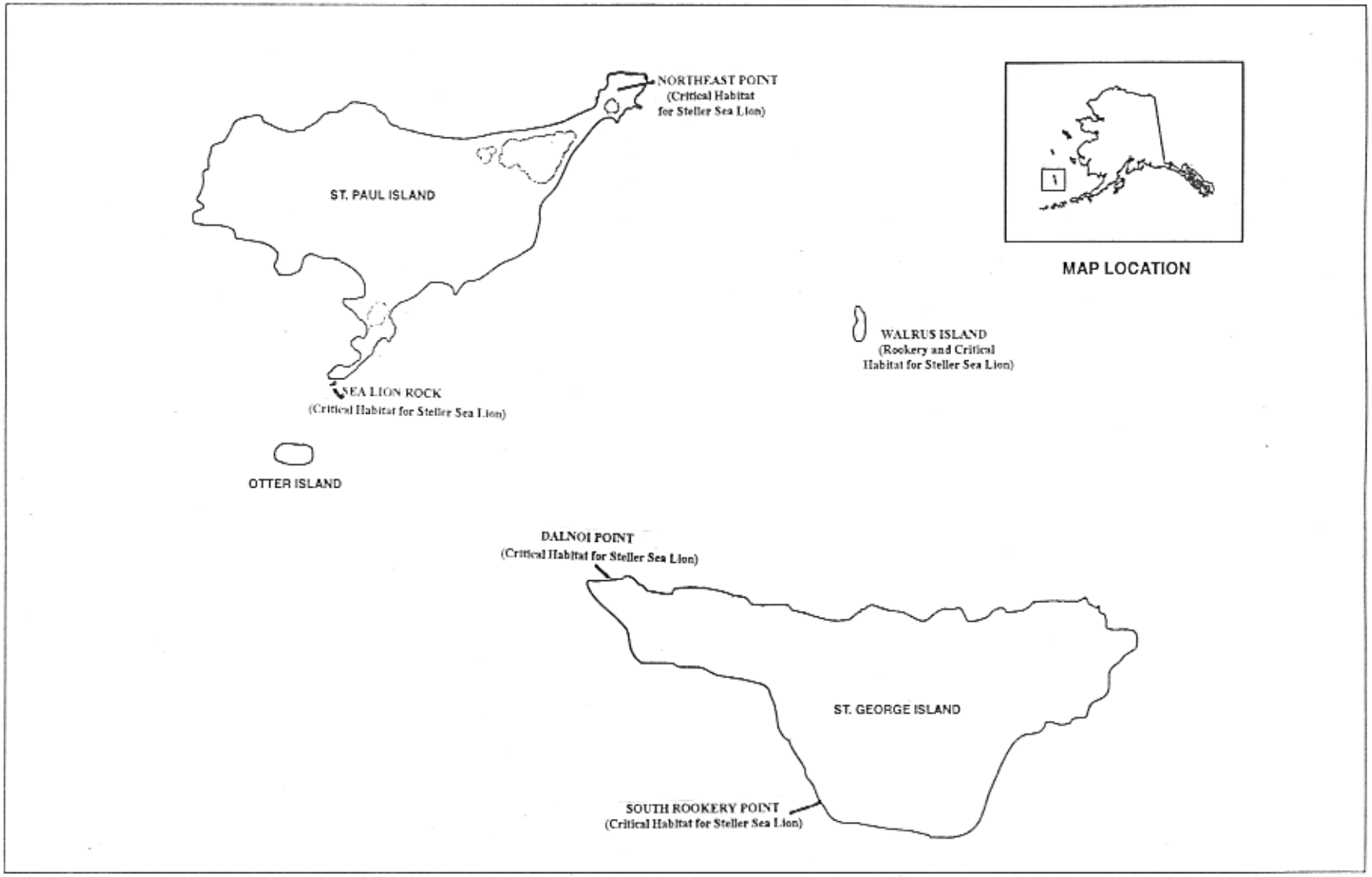
U.S.C. means United States Code.

USFWS means United States Fish and Wildlife Service.

Water depth means the depth of the water between the surface and the seafloor as measured at mean lower low water (0.0).

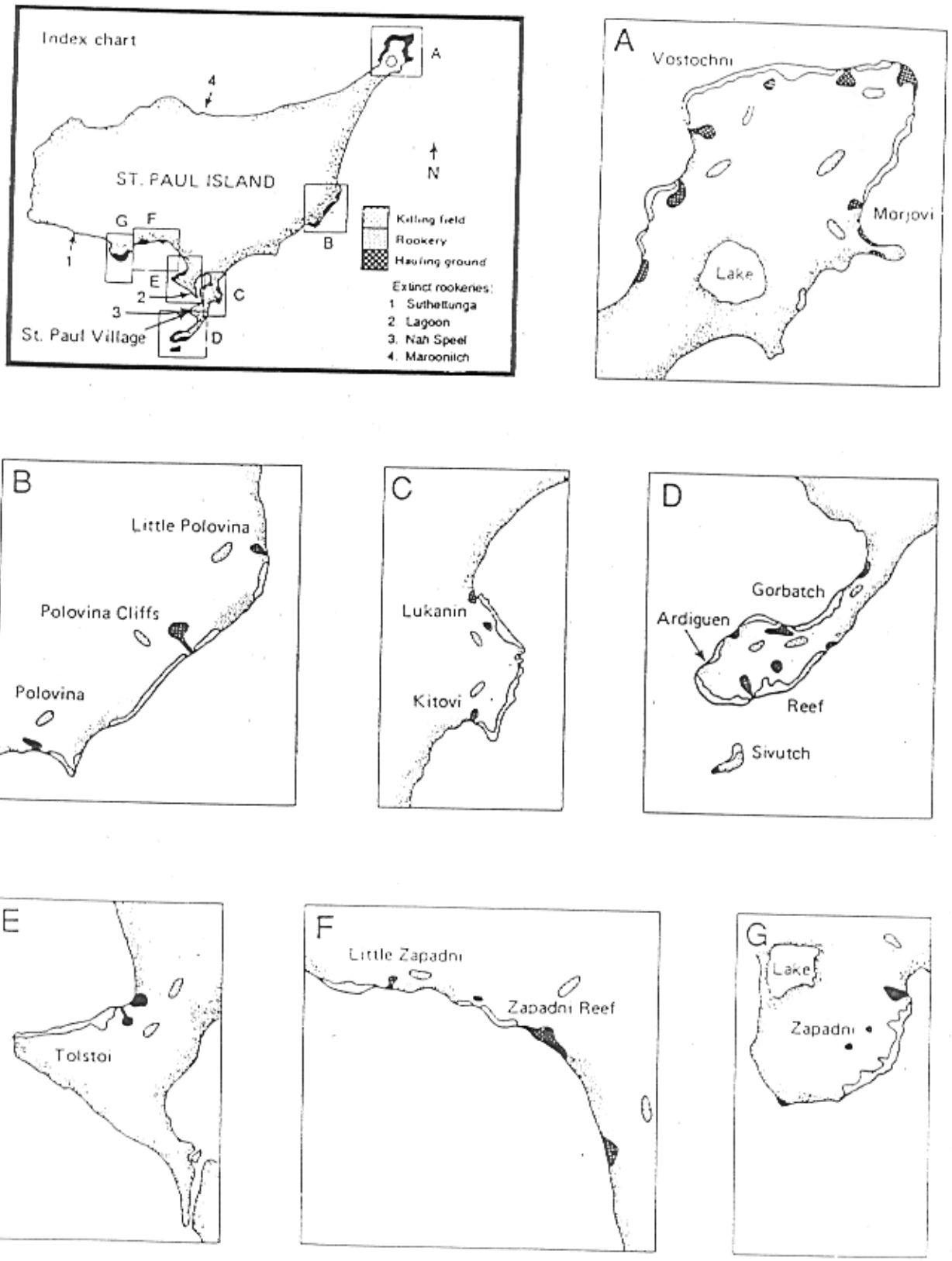
14 MAPS

14.1 Rookery and Critical habitats for Steller Sea Lion on St. Paul and St. George Islands
14.2 Location of Northern Fur Seal Rookeries and Haulouts on St. Paul Island
14.3 Location of Northern Fur Seal Rookeries and Haulouts on St. George Island
14.4 Locations of Alaska Maritime Refuge Land on St. Paul Island
14.5 Locations of Alaska Maritime Refuge Land on St. George Island
14.6 Habitat for Seabirds on St. Paul Island
14.7 Habitat for Seabirds on St. George Island
14.8 Locations of Monitoring points for St. Paul
14.9 Locations of Monitoring points for St. George



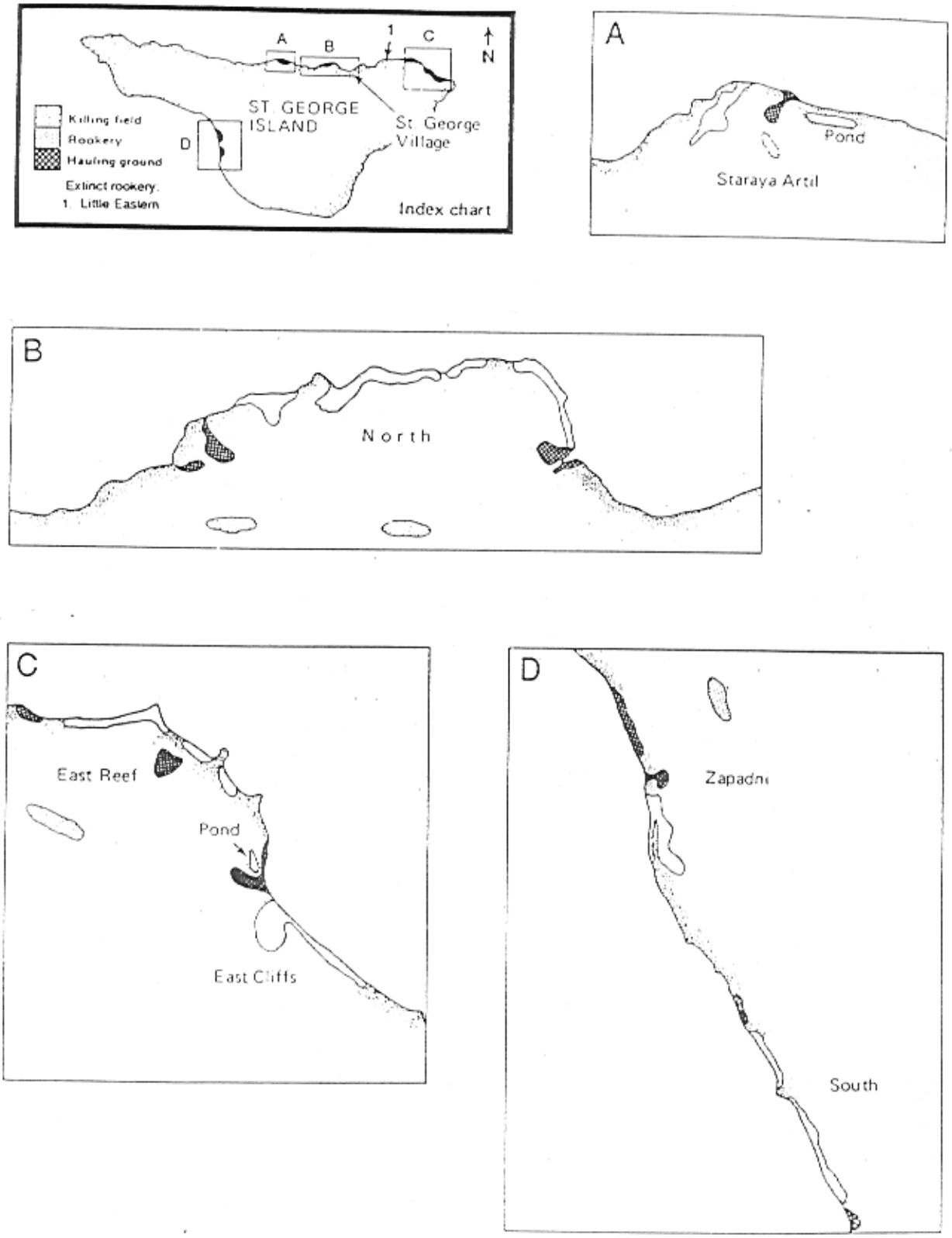
ROOKERY AND CRITICAL HABITATS FOR STELLER SEA LION ON ST. PAUL AND ST. GEORGE ISLANDS

Location of northern fur seal rookeries (present and extinct), hauling grounds and harvesting areas, St. Paul Island, Alaska.



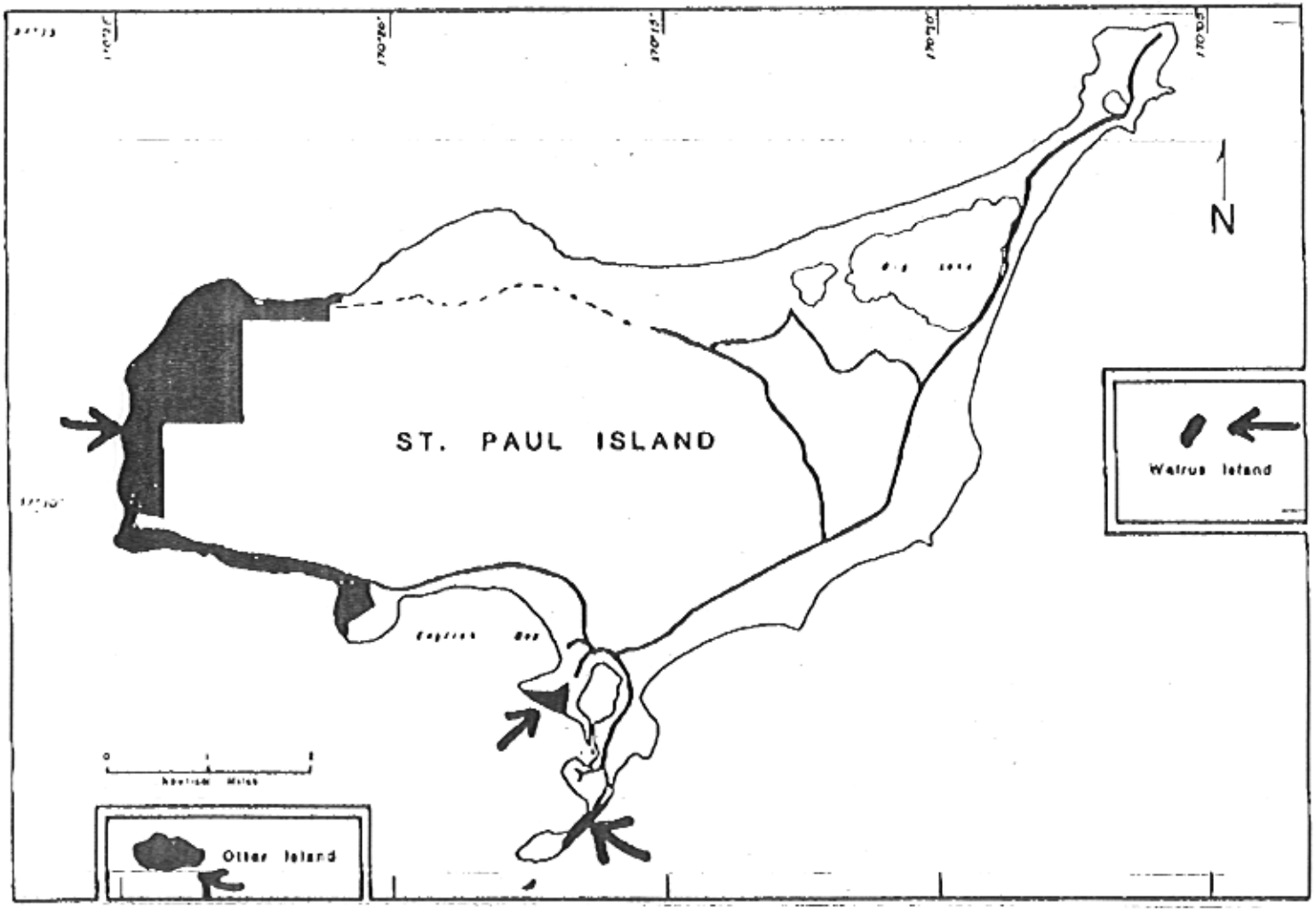
Source: Conservation Plan for the Northern Fur Seal NMFS

Location of northern fur seal rookeries (present and extinct), hauling grounds and harvesting areas, St. George Island, Alaska.



Source: Conservation Plan for the Northern Fur Seal NMFS

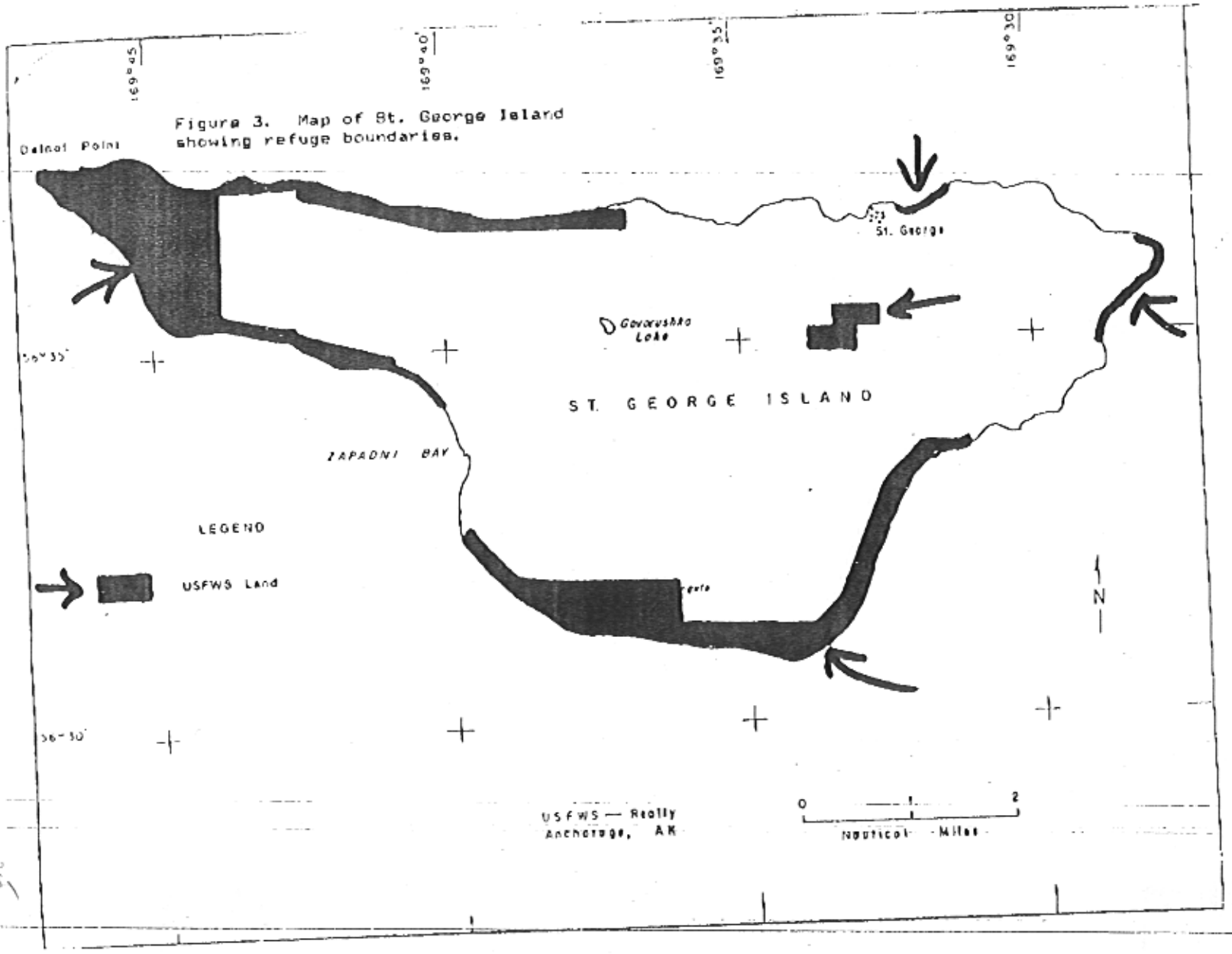
1



Locations of Alaska Maritime Refuge lands on St. Paul Island.

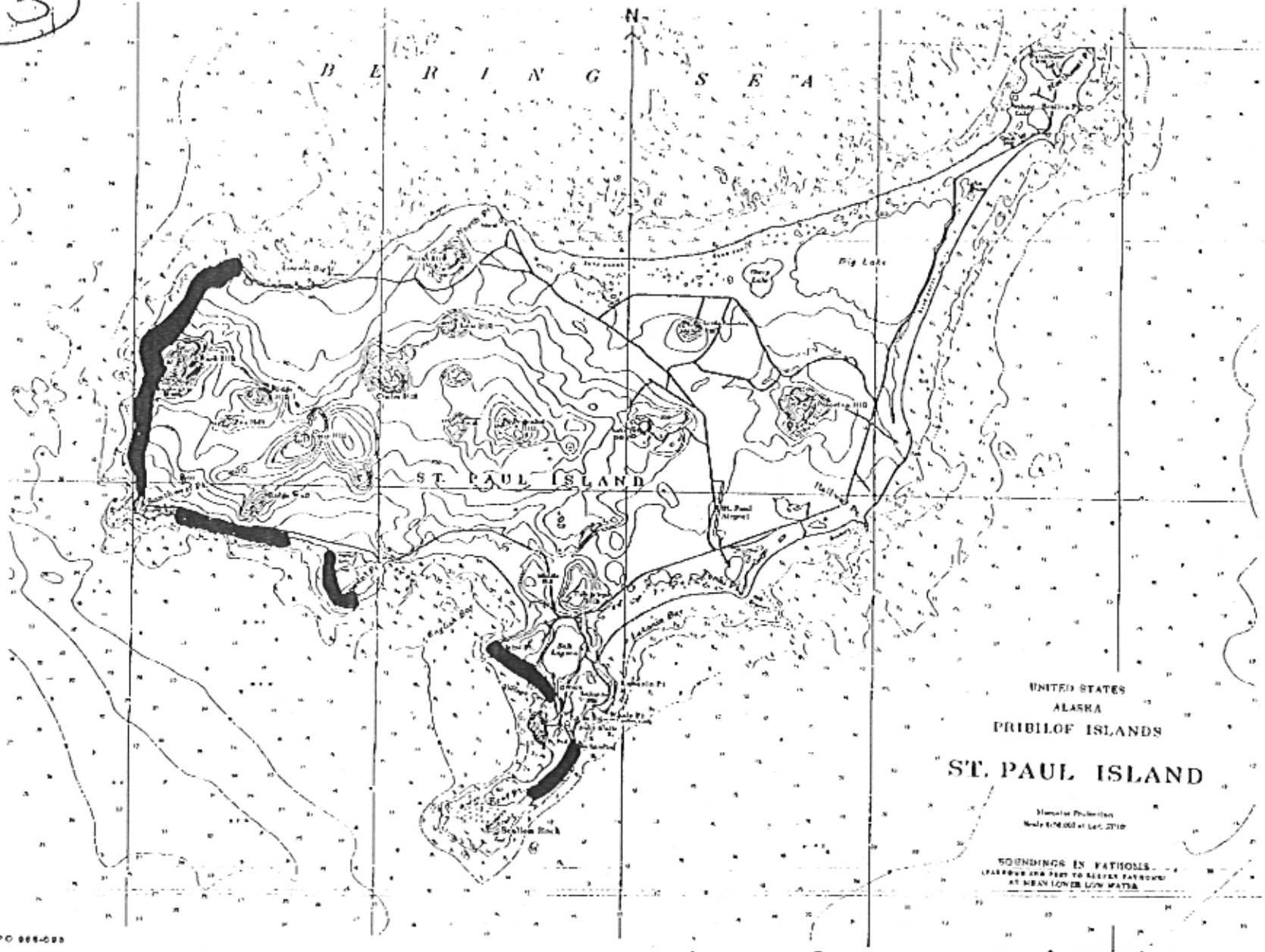
34

2



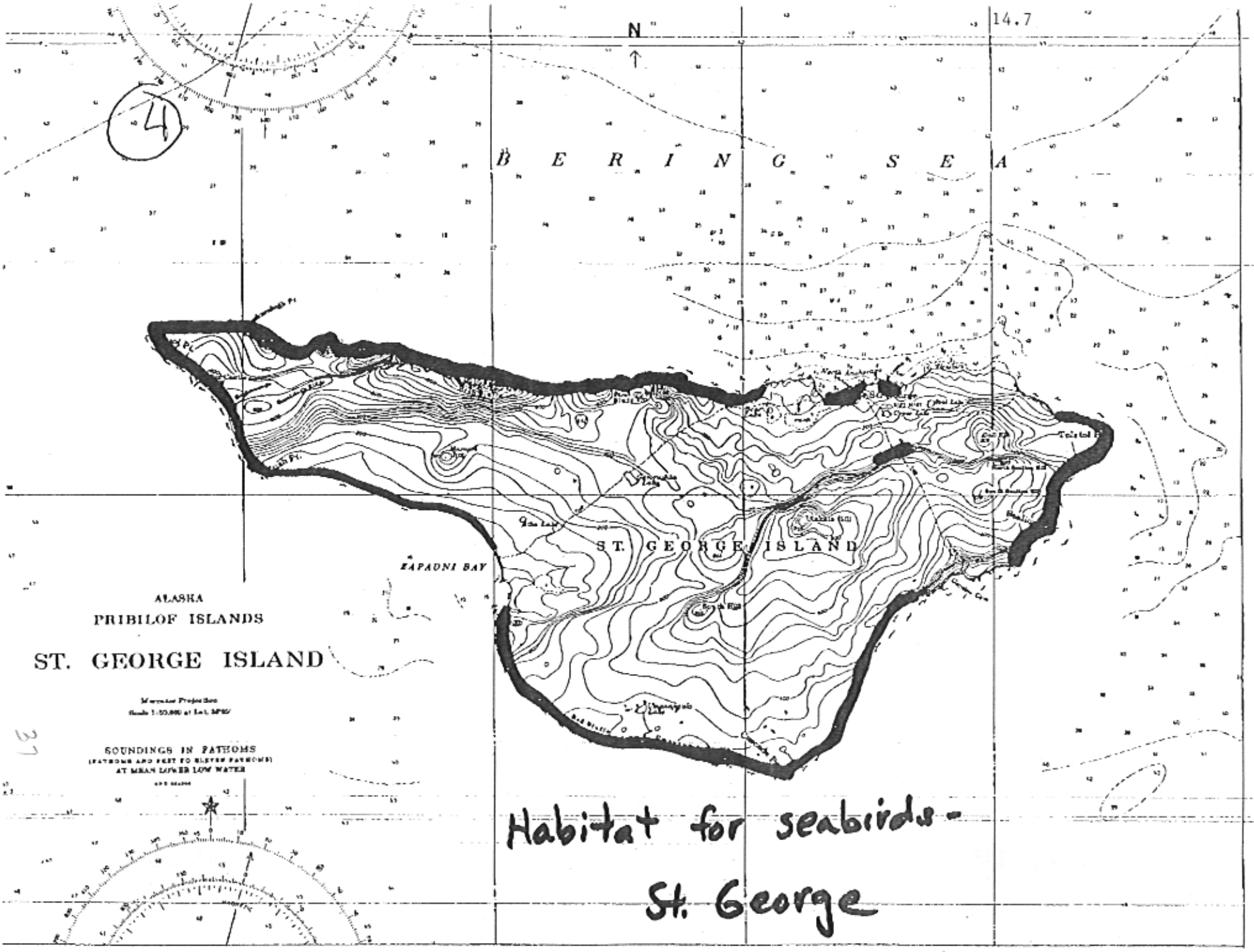
LOCATIONS OF ALASKA MARITIME REFUGE LAND ON ST. GEORGE ISLAND

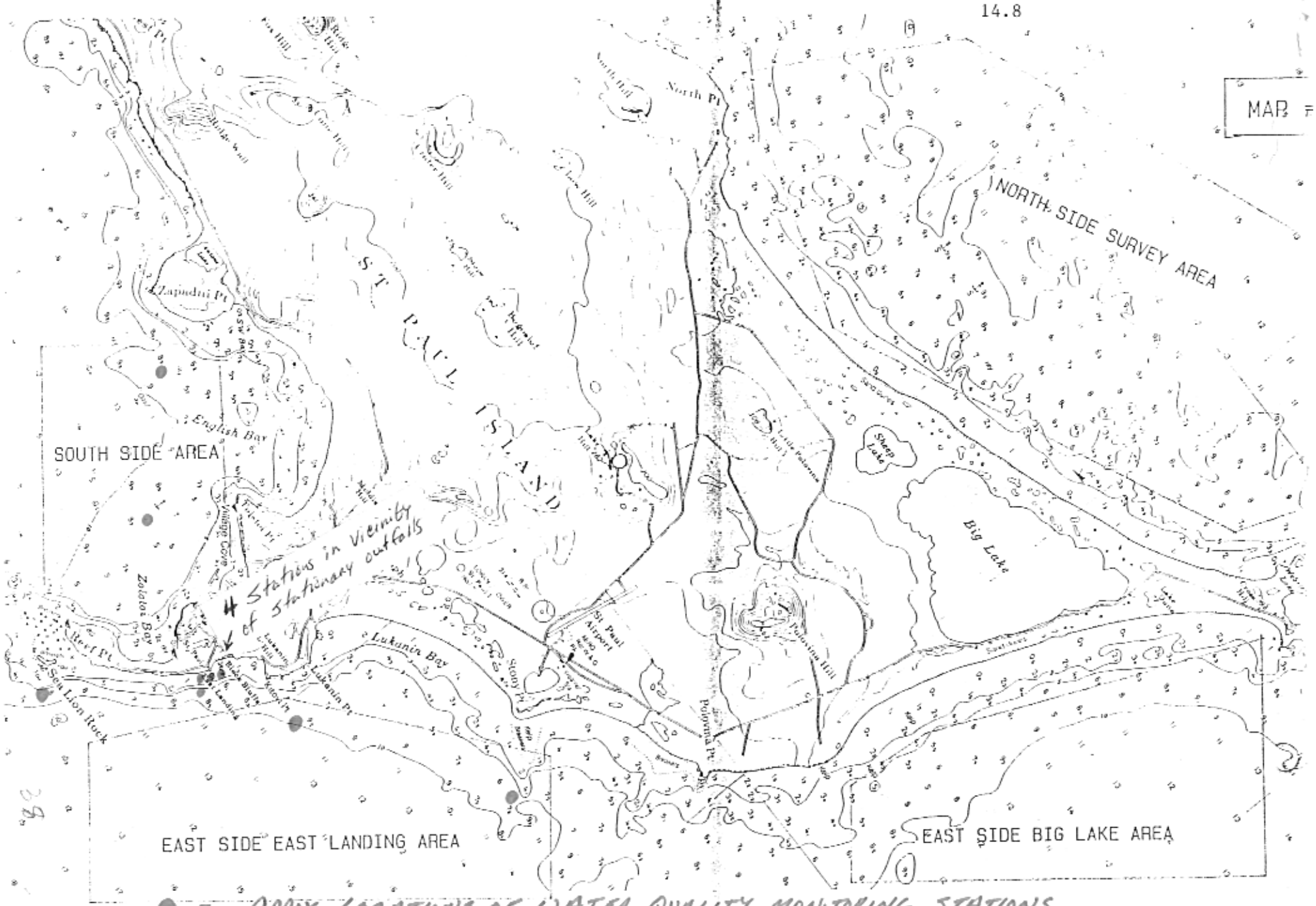
3



Habitat for seabirds

- St. Paul


14.7
N
4
BERING SEA
ST. GEORGE ISLAND
ZAPADNI BAY
ALASKA
PRIBILOF ISLANDS
ST. GEORGE ISLAND
SOUNDINGS IN FATHOMS
AT MEAN LOWER LOW WATER
37
Habitat for seabirds -
St. George


MAP F
NORTH SIDE SURVEY AREA
SOUTH SIDE AREA
EAST SIDE EAST LANDING AREA
EAST SIDE BIG LAKE AREA
ST PAUL ISLAND
Zapudni Pt
English Bay
Zolotoi Bay
Reef Pt
Sea Lion Rock
Lukanin Bay
Lukanin Pt
Stony Pt
St Paul Airport
North Pt
Polovina Pt
Polovina Hill
Big Lake
Sheep Lake
Little Polovina
Hill
Station in vicinity of stationary outfalls
= APROX. LOCATIONS OF WATER QUALITY MONITORING STATIONS

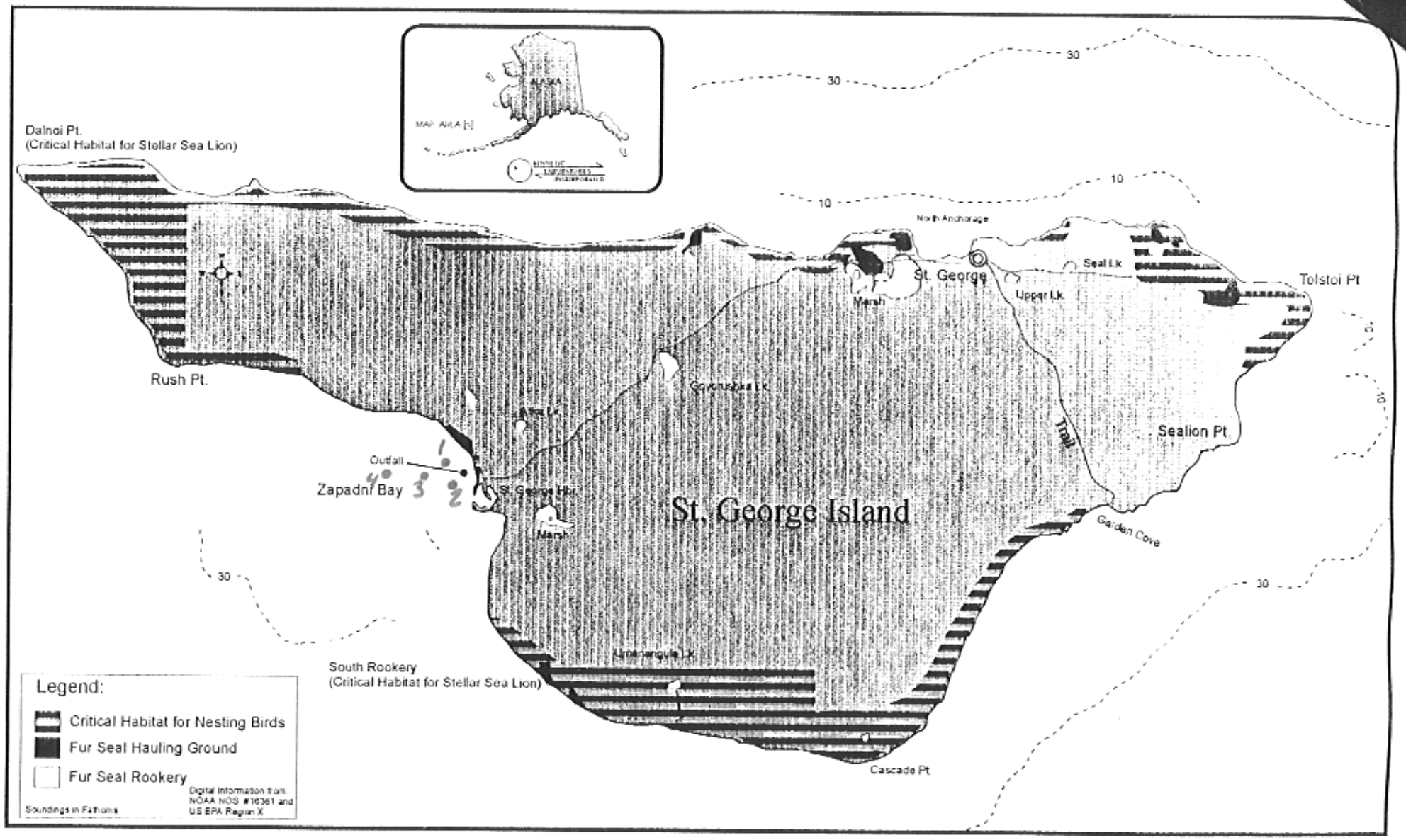


Figure 3. St. George Island with Critical Habitat Areas.

Proposed Monitoring Stations (Water Quality) at St. George (#1-4)

15 FORMS

15.1 Notice of Intent to be Covered
15.2 Monthly Report

NOTICE OF INTENT

TO BE COVERED UNDER NPDES GENERAL PERMIT AK-G52-7000 FOR SEAFOOD PROCESSORS OPERATING WITHIN THREE NAUTICAL MILES OF THE PRIBILOF ISLANDS, ALASKA

Submission of this document constitutes notice that the owner/operation identified below intends to be covered by the NPDES general permit authorizing discharges from seafood processing activities and obligates the permittee to comply with the terms and conditions of the permit.

NPDES PERMIT NO. AK-G52 -7 (currently or previously assigned)	ADEC Number (Seafood Processor License)

FACILITY OWNER/OPERATOR INFORMATION

Company Name	
Owner	
Address	Telephone
City/State/Zip	FAX
Representative	
Managing Company	
Address	Telephone
City/State/Zip	FAX
Representative	

FACILITY/VESSEL INFORMATION

Facility Name		
Address		Telephone
City/State/Zip		FAX
Number of annual employees	Number of Seasonal Employees	
Outfall–GPS (Lat/Long of outfall terminus (shorebased)		
Shorebased--distance of outfall from shore at MLLW ft	Depth at MLLW ft	
Date of most recent structural integrity inspection	In compliance?	
Vessel name	USCG number	Length of vessel
Vessels--discharge depth under surface of water ft or through the hull	Yes	No
Date of most recent pre-operational outfall line check	In compliance?	
Grinder(s)--Type/Name	Grinds to inch	
Date of most recent inspection of grinding size	In compliance?	

Domestic Wastewater

USCG MSD: When installed	Type (I, II, III)	Capacity (gals/day)	No. of people
Date of CG certification	TSS testing mg/L	Fecal coliform testing	/100 mL

	Connected to municipal system		Other

OTHER WASTEWATERS (Check which apply and estimate number of gallons/day)

	Process disinfectants gals/day		Transfer water gals/day
	Cooling water gals/day		Gray water gals/day
	Cooking water gals/day		Live tank water gals/day
	Refrigeration condensate gals/day		Boiler water gals/day
	Freshwater pressure relief gals/day		Other gals/day

PROJECTED PRODUCTION DATA

Raw Product (by species)	Maximum Raw Product (lbs/day)	Anticipated Processing -- Number of days per month											
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec

SIGNATURE AND CERTIFICATION

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

Signature	Title/Company
Print Name	Date

This form is provided under the State of Alaska Certification of NPDES Permit No. AK-G52-70000.

Please submit to EPA Region 10, NPDES Compliance Unit, OW-133, 1200 Sixth Ave., Seattle, WA 98101 with a copy to ADEC Watershed Management Section, 555 Cordova St., Anchorage, AK 99501.