

**Department of Environmental Conservation
Response to Comments**

For

**Alyeska Seafoods, Inc. – Unalaska Facility
APDES Permit No. AK0000272**

**Public Noticed
July 15, 2021 – August 16, 2021**

October 1, 2021



**Alaska Department of Environmental Conservation
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501**

1 Introduction

1.1 Summary of Facility / Permit

The Alaska Department of Environmental Conservation (DEC or the Department) proposes to reissue an Alaska Pollutant Discharge Elimination System (APDES) individual permit to Alyeska Seafoods, Inc. – Unalaska Facility for discharge of seafood processing waste and wastewater to waters of the U.S. The permit authorizes discharges to South Unalaska Bay and Iliuliuk Harbor. The permit is the reissuance of AK0000272, previously issued on April 1, 2003.

In order to ensure protection of water quality and human health, the permit places limits on the types and amounts of pollutants that can be discharged from the facility, outlines best management practices (BMPs) to which the facility must adhere, and requires effluent and receiving water monitoring.

1.2 Opportunities for Public Participation

DEC proposed to reissue an APDES wastewater discharge individual permit, *Alyeska Seafoods, Inc. – Unalaska Facility*. To ensure public, agency, and tribal notification and opportunities for participation, the Department:

- identified the permit on the annual Permit Issuance Plan posted online at: <http://dec.alaska.gov/water/wastewater.aspx>
- notified potentially affected tribes and local governments that the Department would be working on this permit via letter, fax, and/or email on June 22, 2018 and on August 14, 2020
- posted a preliminary draft of the permit online for a 10-day applicant review May 25, 2021 and notified tribes, local government(s), and other agencies
- formally published public notice of the draft permit on July 15, 2021 in the Anchorage Daily News and the Dutch Harbor Fisherman and posted the public notice on the Department’s public notice web page
- posted the proposed final permit online for a 5-day applicant review on September 15, 2021
- sent email notifications via the APDES Program Listserv when the preliminary draft, draft, and proposed final permits were available for review

The Department received comments from one interested party on the draft permit and supporting documents. The Department requested comment from the Department of Natural Resources (DNR), the Alaska Department of Fish and Game (ADF&G), the National Marine Fisheries Service (NMFS), the U.S. Fish and Wildlife Service (USFWS), and the U.S. Environmental Protection Agency (EPA). The Department did not receive comments from any government agencies.

This document summarizes the comments submitted and the justification for any action taken or not taken by DEC in response to the comments.

1.3 Final Permit

The final permit was adopted by the Department on October 1, 2021. There were changes from the public noticed permit. Significant changes are identified in the response to comments and reflected in the final fact sheet for the permit.

2 General Requirements (Part 1.4)

2.1 Comment Summary

Comment was received requesting that the Hach TNTPlus method 10205 be allowed for ammonia analysis under the permit and that Part 1.4.5.4.1 be amended to add that methods designated by a vendor as EPA-equivalent be allowed for use if approved by the Department.

Response:

The regulations at 40 CFR §136.6(b) state that “those who develop or use a modification to an approved (Part 136) method must document that the performance of the modified method, in the matrix to which the modified method will be applied, is equivalent to the performance of the approved method. If such a demonstration cannot be made and documented, then the modified method is not an acceptable alternative to the approved method. Supporting documentation must, if applicable, include the routine initial demonstration of capability and ongoing QC including determination of precision and accuracy, detection limits, and matrix spike recoveries. Initial demonstration of capability typically includes analysis of four replicates of a mid-level standard and a method detection limit study. Ongoing quality control typically includes method blanks, mid-level laboratory control samples, and matrix spikes (QC is as specified in the method). The method is considered equivalent if the quality control requirements in the reference method are achieved...” The required performance demonstration has not been made and documented, neither by Hach nor by Alyeska Seafoods. The Hach TNTPlus ammonia analysis 10205 method has not been reviewed by EPA and accepted for use in compliance monitoring. DEC will evaluate any submittal, including method performance data, submitted during the current permit cycle for consideration during the next permit reissuance.

DEC has re-evaluated the monitoring frequency for ammonia and determined that monthly (instead of weekly) ammonia monitoring is adequate to characterize the discharge.

The hold time for the EPA-approved method (4500-NH₃) is 28 days. This allows sufficient time for the facility to collect a monthly ammonia sample and have it analyzed at a laboratory prior to the 20th of the next month, when the results must be reported on the DMR.

Table 2 of the permit was edited to reflect a monthly ammonia monitoring frequency.

3 Effluent Limits and Monitoring Requirements (Part 1.5)

3.1 Comment Summary

Comment was received requesting that Table 4 be edited to allow for reducing or eliminating non-contact cooling water pH monitoring after two years of monitoring and reporting if results indicate no detections outside of applicable water quality criteria. The commenter also requested that no response by the agency within 60 days of a request for monitoring reduction or elimination be considered a default approval.

Response:

Table 4 was edited to allow for pH monitoring reduction or elimination, as requested. However, the requirement for DEC approval of the request remains. The Department will review the submitted monitoring data and ensure that water quality criteria are being met before approval is granted for the reduction or elimination of the monitoring requirement.

The incorporated revisions are specified as follows (additions are underlined).

Table 4, footnote c: The permittee may request in writing that monitoring frequencies be reduced or eliminated for these ~~monitor only~~ parameters after two years of monitoring and reporting if results indicate no detections above outside of applicable water quality criteria. Monitoring reductions can only occur if prior written approval from the Department is received.

3.2 Comment Summary

Comment was received that the timelines in Part 1.5.2.4 regarding the settleable solids conversion factor development are inconsistent, as the text references both 12 months and 180 days. The commenter also requested that if no response from the Department is received within 60 days of proposed method submission, the proposed method for determining the conversion factor shall be considered approved.

Response:

Part 1.5.2.4 requires two separate actions, on separate (not inconsistent) timelines. First, within 180 days of the permit effective date, the permittee must submit to the Department proposed methods to determine a facility-specific settleable solids conversion factor for Outfall 001A. Then, within 12 months from the permit effective date, the permittee must actually determine the conversion factor and begin to use it for discharge calculations. The timelines remain unchanged. The provision for default approval due to agency non-response was not added as requested, as 60 days is sufficient time for DEC staff to review and respond to a proposed method submission.

There were no revisions to the permit documents based on this comment.

4 Receiving Water Quality Monitoring (Part 1.7)

4.1 Comment Summary

Comment was received requesting that proposed receiving water monitoring locations be considered approved if no response is received by the Department within 60 days of submitting a request for approval.

Response:

The permit language was not updated as requested, as 60 days is sufficient time for DEC staff to review and respond to proposed monitoring locations.

There were no revisions to the permit documents based on this comment.

5 Project Area Zone of Deposit (Part 1.8)

5.1 Comment Summary

Comment was received that the seafloor survey timeline in Part 1.8.3.5.1 (April – June) should be consistent with the timeline in Appendix F, page F-6, which states that the survey should take place the last quarter of the year.

Response:

The appendix language was updated as requested. The incorporated revisions are specified as follows (additions are underlined).

Appendix F, F-6: The permittee shall complete a seafloor survey (primarily an observation and photographic survey) of the project area Zone of Deposit (ZOD) during the first year of permit coverage in the second quarter of the year (April – June) as soon as practicable after discharge cessation, but no later than 60 days after cessation of processing during the last quarter of the year, by December 31st the first year of permit coverage. December 31st is given as a deadline if processing is year-round and there is not cessation in processing at the end of a specific fishing season.

6 Additional Comment During 5-Day Applicant Review

6.1 Comment Summary

Comment was received that the ammonia monitoring frequency should have been changed from weekly to monthly for Outfall 003 (Table 5), not only for Outfall 001 (Table 2) (see Response to Comment 2.1).

Response:

Table 5 of the permit was edited to reflect a monthly ammonia monitoring frequency.