In compliance with the provisions of the Clean Water Act, 33 U.S.C. §1251 et seq., as amended by the Water Quality Act of 1987, P.L. 100-4, this Permit is issued under provisions of Alaska Statutes (AS) 46.03; the Alaska Administrative Code (AAC) as amended; and other applicable State laws and regulations.

**OIL SEARCH (ALASKA), LLC**

is authorized to discharge from the Oil Search (Alaska), LLC, Seawater Treatment Plant, Oliktok Point, Simpson Lagoon, Beaufort Sea, Alaska at the following location(s):

<table>
<thead>
<tr>
<th>Outfall</th>
<th>Description</th>
<th>Receiving Water</th>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>Strainer/Filter Backwash</td>
<td>Simpson Lagoon</td>
<td>70.512369</td>
<td>-149.855606</td>
</tr>
</tbody>
</table>

In accordance with the discharge point effluent limitations, monitoring requirements, and other conditions set forth herein:

This Permit and authorization is effective March 1, 2025.

This Permit and the authorization to discharge expires at midnight, February 28, 2030.

The permittee shall reapply for a permit reissuance on or before September 2, 2029, 180 days before the expiration of this Permit, unless waived by the Department, if the permittee intends to continue operations and discharge(s) at the facility beyond the term of this Permit. The Department may waive this deadline upon written request.

The permittee shall post or maintain a copy of this Permit to discharge at the facility and make it available to the public, employees, and subcontractors at the facility.

Signature: ____________
Printed Name: Earl L. Crapps

Date: 03/04/2022
Title: Acting Program Manager
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## SCHEDULE OF SUBMISSIONS

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## 1.0 LIMITATIONS AND MONITORING REQUIREMENTS

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## LIST OF APPENDICIES

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<td>DEFINITIONS</td>
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The Schedule of Submissions summarizes some of the required submissions and activities the permittee must complete and/or submit to either the Permitting Program (P) or the Compliance Program (C) at the Alaska Department of Environmental Conservation (Department or DEC) during the term of this Permit. All deadlines for the Schedule of Submissions are based on the date of the submittal. The permittee is responsible for all submissions and activities even if they are not summarized below.

### Table 1: Schedule of Submissions

<table>
<thead>
<tr>
<th>Permit Section</th>
<th>Submittal or Completion</th>
<th>Frequency</th>
<th>Due Date</th>
<th>Submit to</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.6; Appendix A, Part 3.2</td>
<td>Discharge Monitoring Report (DMR)</td>
<td>Monthly</td>
<td>Must be submitted electronically through the NetDMR system, on or before the 28th of the following month. (^b)</td>
<td>C</td>
</tr>
<tr>
<td>3.1.1</td>
<td>Written notification the Quality Assurance Project Plan (QAPP) has been developed and implemented</td>
<td>1/permit cycle</td>
<td>Within 90 Days after the effective date of the Final Permit</td>
<td>C</td>
</tr>
<tr>
<td>3.2.2</td>
<td>Written notification that the Best Management Practices (BMP) Plan has been developed and implemented</td>
<td>1/permit cycle</td>
<td>Within 90 days after the effective date of the Final Permit</td>
<td>C</td>
</tr>
<tr>
<td>3.2.6 and 3.2.8.3</td>
<td>Written notification of BMP Plan annual review or modification</td>
<td>Annually</td>
<td>On or before January 31st of each year of operation after initial BMP Plan submittal</td>
<td>C</td>
</tr>
<tr>
<td>1.3.4</td>
<td>Annual Chemical Inventory</td>
<td>Annually</td>
<td>On or before January 31st of each year of operation</td>
<td>C</td>
</tr>
<tr>
<td>1.4.2</td>
<td>Written Request for Frequency Reduction for Chronic WET Monitoring</td>
<td>As Necessary</td>
<td>After Three Years or 12 Consecutive Qualifying Samples</td>
<td>P</td>
</tr>
<tr>
<td>1.3.4 and 3.2.5.2</td>
<td>Request to Discharge Pipeline Drain Back Water</td>
<td>As Necessary</td>
<td>Prior to Discharge Pipeline Drain Back Water</td>
<td>P</td>
</tr>
<tr>
<td>Appendix A, Part 1.3</td>
<td>Application for Permit Reissuance</td>
<td>1/permit cycle</td>
<td>180 days before expiration of the Final Permit</td>
<td>P</td>
</tr>
<tr>
<td>Appendix A, Part 3.4, 3.4.4 to 3.4.7</td>
<td>Oral notification of noncompliance</td>
<td>As Necessary</td>
<td>Within 24 hours from the time the permittee becomes aware of the circumstances of noncompliance</td>
<td>C</td>
</tr>
<tr>
<td>Appendix A, Part 3.4</td>
<td>Written documentation of noncompliance</td>
<td>As Necessary</td>
<td>Within 5 days after the permittee becomes aware of the circumstances of noncompliance</td>
<td>C</td>
</tr>
</tbody>
</table>

\(^a\) See Appendix A, Section 1.1 for addresses

\(^b\) This due date and electronic submittal requirement per Section 1.6 supersedes the date shown in Appendix A – Standard Conditions, Section 3.2 on Page A-9.
1.0 LIMITATIONS AND MONITORING REQUIREMENTS

1.1 Discharge Authorization

During the effective period of AK0055921 – Oil Search (Alaska), LLC, Seawater Treatment Plant (Permit), the permittee is authorized to discharge pollutants from Outfall 001 at the Oil Search (Alaska), LLC (OSA) Seawater Treatment Plant (STP) to Simpson Lagoon, Beaufort Sea, within the limits and subject to conditions set forth herein. This Permit authorizes discharge of only those pollutants resulting from facility processes (strainer/filter backwash system), waste streams, and operations clearly identified in this Permit and the permit application process.

1.2 General Requirements

1.2.1 Discharge shall not cause contamination of surface, and shall not cause or contribute to a violation of the Alaska Water Quality Standards (18 AAC 70), except if excursions are authorized therein.

1.2.2 When applying effluent limits to commingled discharges, the more stringent effluent limits apply to the commingled discharge. If a commingled waste stream is not authorized per Section 1.1, then the commingled discharge is not authorized. Monitoring for compliance with technology-based effluent limits must be accomplished prior to commingling.

1.2.3 The permittee must notify DEC prior to the use of any substantially different chemicals than those described in the application process and include these new chemicals in the Annual Chemical Inventory per Section 1.3.4.

1.2.4 Discharges may not alone or in combination with other substances or wastes, make the water unfit or unsafe for the use; cause a film, sheen, or discoloration on the surface of the water or adjoining shorelines; cause leaching of toxic or other deleterious substances; or cause a sludge, solid, or emulsion to be deposited beneath or upon the surface of the water, within the water column, on the bottom, or upon adjoining shorelines.

1.2.5 For all effluent compliance monitoring outlined in Section 1.3, including additional monitoring outlined in Sections 1.4 and 1.5, the permittee must use an analytical test method approved under Code of Federal Regulation Title 40 (40 CFR) Part 136 and adopted by reference at 18 AAC 83.010, that can achieve a reporting limit less than the effluent limit. The permittee must use the method with a sufficiently sensitive method detection limit (See Appendix C – Definitions).

1.3 Effluent Limits and Monitoring

In addition to the requirements in Section 1.2, the permittee must comply with pH limits in standard units (su) and the maximum daily limits (MDLs) and average monthly limits (AMLs) in Table 2 for temperature differential (ΔT) in degrees Celsius (°C) and total residual chlorine (TRC) in micrograms per liter (µg/L) at all times. In addition, the permittee must monitor for chronic whole effluent toxicity (WET) and report results in chronic toxicity units (TUc) quarterly.
Table 2: Effluent Limits and Monitoring Requirements for Strainer/Filter Backwash (Outfall 001)

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Effluent Limits</th>
<th>Monitoring Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Units</td>
<td>MDL</td>
</tr>
<tr>
<td>Flow</td>
<td>mgd</td>
<td>Report</td>
</tr>
<tr>
<td>pH (^{1,3,1})</td>
<td>su</td>
<td>6.0 &lt; pH &lt; 9.0</td>
</tr>
<tr>
<td>Temperature Differential (ΔT)</td>
<td>°C</td>
<td>35.0</td>
</tr>
<tr>
<td>TRC (^{1,3,3})</td>
<td>µg/L</td>
<td>150.0</td>
</tr>
<tr>
<td>Chronic WET (^{1,3,4,1,4})</td>
<td>TUc</td>
<td>Report</td>
</tr>
</tbody>
</table>

Note: Table notes refer to the Permit Sections below this table.

1.3.1 The pH must not be less than 6.0 or greater than 9.0. The permittee must report the monthly maximum and monthly minimum on the DMR. Per 40 CFR 401.17, excursions from the required range are authorized as follows:

1.3.1.1 The total time during which the pH values are outside the required range of pH values shall not exceed 7 hours and 26 minutes in any calendar month;

1.3.1.2 No individual excursion from the range of pH values shall exceed 60 minutes.

1.3.2 Temperature differential (ΔT) is the effluent temperature minus the receiving water temperature taken simultaneously. Receiving water temperature can be monitored at the seawater intake reservoirs. The permittee must record the weekly maximum \(\Delta T\) and in addition to DMR reporting, must submit the data with the next application for permit reissuance.

1.3.3 The compliance level for TRC is 100 µg/L. Because the facility proposes to use continuous inline TRC monitoring equipment calibrated to detect down to 20 µg/L, the following rules for reporting and averaging apply. If equipment modifications result in different calibrations, the new detectable value may be used instead of 20 µg/L.

For reporting on DMRs, if the monitoring equipment reports values that are less than the original laboratory calibration value, then the permittee reports < [original equipment calibration value in µg/L] on the DMR. If the equipment reports between the original equipment calibration value in µg/L and 100 µg/L, the permittee reports < 100 µg/L on the DMR. If the equipment records 100 µg/L or greater, the permittee reports the actual value on the DMR.

For averaging purposes, if the equipment records a value that is less than the original equipment calibration value in µg/L, the permittee uses zero for averaging. If the equipment records a value between the original equipment calibration value in µg/L and 100 µg/L, the permittee uses the original equipment calibration value in µg/L for averaging. Lastly, if the equipment reports 100 µg/L or greater, the permittee uses the actual value for averaging.
1.3.4 The permittee must maintain an annual inventory of chemical additives used seasonally in the STP treatment system that result in a discharge through Outfall 001 or where chemically treated water is recycled through the treatment system. The annual inventory must include the following three components:

1) type of each chemical (product name) injected into the treatment system or used during chemically enhanced backwash (CEB) or clean-in-place (CIP) operations;

2) estimated concentrations listed in item 1) that are injected for cleaning/maintaining the treatment system; and

3) estimated volume of chemically treated discharges.

The permittee must submit a Chemical Inventory to DEC by January 31 of each year of operation even if no chemicals have been used in the prior year. If no chemicals have been used in the prior year, the report submitted must declare that no chemicals were injected into the STP treatment system.

1.4 Chronic WET Requirements

The permittee must conduct chronic WET testing on effluent collected from Outfall 001 per this section.

1.4.1 Test Species and Methods.

1.4.1.1 Test Species, Invertebrate Screening, and Species Substitutions

The permittee is required to conduct chronic WET monitoring on one vertebrate and one invertebrate species initially on a quarterly basis. During the first three chronic WET tests during the permit term, the permittee must conduct chronic WET testing to screen for the most sensitive invertebrate species in Section 1.4.1.3. The elimination of the less sensitive species over more sensitive invertebrate species must be approved by DEC in writing for use in subsequent chronic WET tests. DEC can also approve written requests to substitute the less sensitive species during periods when the more sensitive species is unavailable. The permittee shall not make any changes to the selection of test species or dilution series without prior written DEC approval.

1.4.1.2 Vertebrate (survival and growth)

*Atherinops affinis* (topsmelt). In the event that topsmelt is not available, *Menidia beryllina* (inland silverside) may be used as a substitute.

1.4.1.3 Invertebrate

For larval development tests, the permittee must use bivalve species *Crassostrea gigas* (Pacific Oyster) or *Mytilus spp.* (mussel) and *Americamysis bahia* (formally *Mysidopsis bahia*, mysid shrimp) for survival and growth. Due to seasonal variability, testing may be performed during reliable spawning periods (e.g., December through February for mussels and June through August for oysters).
1.4.2 Monitoring Frequency

Chronic WET monitoring shall be conducted quarterly for at least three full years, or twelve WET tests, after which the WET frequency may be reduced to semi-annual in accordance. Sampling frequency can be reduced from quarterly to semi-annually after the first three years, or after twelve consecutive chronic WET tests, if the results indicate chronic toxicity in the effluent is no greater than 10 TUc. The permittee must submit a written request to DEC, including representative toxicity data, to reduce the chronic WET frequency. If appropriate, DEC will provide written approval for the frequency reduction and establish the starting date for implementing the reduced frequency. If subsequent annual tests indicate chronic WET is greater than 10 TUc, then DEC may require the permittee to revert back to a quarterly frequency depending on the need for adequate and representative data for future permitting decisions.

1.4.3 Procedures

The permittee must conduct chronic WET testing using the following procedures.

1.4.3.1 For the shrimp and alternate fish species, inland silverside, the presence of chronic toxicity must be estimated as specified in EPA Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition (EPA-821-R-02-014). For the bivalve species and topsmelt, chronic toxicity must be estimated as specified in Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to West Coast Marine and Estuarine Organisms (EPA/600/R-95/136). The WET testing will determine the 25-percent (%) effect concentration (EC25) endpoint estimate of the effluent concentration that would cause a 25% reduction in normal embryo development for the bivalves or in survival for fish and/or mysid shrimp. The WET testing will also determine the inhibition concentration (IC25) point estimate of the effluent concentration that would cause a 25% reduction in the growth of the fish and/or mysid shrimp.

1.4.3.2 Results must be reported on the DMR using TUc, where TUc = 100/EC25 or 100/IC25. The reported EC25 or IC25 must be the lowest point estimate calculated for the applicable survival, growth or normal embryo development endpoints.

1.4.3.3 The permittee must report the no observed effect concentrations (NOECs) in the full WET test report. DEC may compare this information with the IC25 during reissuance of this Permit.

1.4.3.4 Although acute WET testing is not required, the permittee must provide an estimate of acute toxicity based on observations of mortality when appropriate (e.g., vertebrates). Acute toxicity estimates, if available, must be documented in the full report.

1.4.3.5 A series of at least five dilutions and a control must be tested. The recommended initial dilution series to screen for toxicity is 6.25, 12.5, 25, 50, and 75% along with a control of dilution water (0% effluent). In subsequent tests, the dilution series should be modified to bracket toxicity endpoints observed during previous
tests. DEC may provide written direction to modify the previous dilution series or
the permittee may request written approval from DEC to modify the dilution
series based on previous test results.

1.4.3.6 WET sample holding times are established at 36 hours and samples must not
exceed a hold time of 72 hours. The permittee must document the conditions that
resulted in the need for the holding time to exceed 36 hours and the potential
effect on the test results.

1.4.3.7 In addition to those quality assurance measures specified in the methodology, the
following quality assurance procedures must be followed:

1.4.3.7.1 If organisms are not cultured by the testing laboratory, concurrent testing
with reference toxicants must be conducted, unless the test organism
supplier provides control chart data from at least the previous five months
of reference toxicant testing. Where organisms are cultured by the testing
laboratory, monthly reference toxicant testing is sufficient.

1.4.3.7.2 If either of the reference toxicant tests or the effluent tests does not meet
all test acceptability criteria as specified in the test methods manual, then
the permittee shall re-sample and re-test within the following month.

1.4.3.7.3 Control and dilution water must be receiving water, or salinity adjusted
lab water. If the dilution water used is different from the culture water, a
second control, using culture water must also be used.

1.4.4 Reporting

1.4.4.1 The permittee shall submit chronic WET test results on next month’s DMR
following the month of sample collection. The permittee must also submit the full
WET Toxicity Report as an attachment to the DMR per Section 1.7.1.

1.4.4.2 The report of results shall include all relevant information outlined in Section 10
of Report Preparation in the *U.S. EPA Short-Term Methods for Estimating the
Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine
Organisms, Third Edition* (EPA-821-R-02-014).

1.4.4.3 In addition to toxicity test results, the permittee shall report:

- The date and time of sample collection and initiation of each test,
- Facility production rate during sampling event,
- The flow rate at the time of sample collection, and
- A list of scale inhibitors, corrosion inhibitors, biocides, cleaning chemicals, or
  other additives being used by facility that could potentially be in the
  strainer/filter backwash system effluent during the 30-day period preceding
  sampling.
1.5 Additional Monitoring

1.5.1 Monitoring for effluent limitations must use methods with method detection limits that are less than the effluent limitations or are sufficiently sensitive. Monitoring effluent or receiving water for the purpose of comparing to water quality criteria must use methods that are less than the applicable criteria or are sufficiently sensitive. See Appendix C for definition of sufficiently sensitive.

1.5.2 The permittee also has the option of taking more frequent samples than required under the Permit. These additional samples must be used for averaging if they are conducted using the Department approved test methods (generally found in 18 AAC 70 and 40 CFR 136 [adopted by reference in 18 AAC 83.010]). The results of any additional monitoring must be included in the calculation and reporting of the data on DMRs as required by the Permit and Standard Conditions Part 3.2 and 3.3 (Appendix A).

1.5.3 DEC may require additional monitoring of effluent or receiving water for facility or site-specific purposes, including, but not limited to: obtaining data to support applications, demonstrating of water quality protection, obtaining data to evaluate ambient water quality, evaluating causes for elevated parameters in the effluent, and conducting chronic WET toxicity identification and reduction. If additional monitoring is required, DEC will provide the permittee or applicant the request in writing.

1.6 Discharge Monitoring Reports

1.6.1 Monitoring required in Section 1.3 shall be summarized each month on the DEC DMR Form provided to the permittee or a Department-approved equivalent that provides the same information in a similar format.

1.6.2 This Permit requires the permittee to submit DMRs required in Section 1.3 even for months when discharges do not occur. The Permittee must submit a DMR with the box checked indicating no discharge has occurred.

1.6.3 The DMR must be submitted to DEC by the 28th day of the following calendar month as postmarked, faxed, e-mailed, or signed electronically and mailed to the address in Appendix A, Part 1.1.2 unless superceded by Section 1.7.1.

1.7 Electronic Reporting

1.7.1 E-Reporting Rule - Phase I (DMRs).

The permittee must submit a DMR for each month by the 28th day of the following month. DMRs shall be submitted electronically through NetDMR per Phase I of the E-Reporting Rule (40 CFR 127). For access to the NetDMR Portal, go to https://cdxnodengn.epa.gov/oeca-netdmr-web/action/login. DMRs submitted in compliance with the E-Reporting Rule are not required to be submitted as described in Appendix A – Standard Conditions and Section 1.6.3 unless requested or approved by the Department. Any DMR data required by the Permit that cannot be reported in a NetDMR field (e.g. mixing zone receiving water data, etc…), shall be included as an attachment to the NetDMR submittal. DEC has established an e-Reporting Information.

1.7.2 E-Reporting Rule - Phase II (Other Reports).

Phase II of the E-Reporting rule will integrate electronic reporting for all other reports required by the Permit (e.g., Annual Reports and Certifications) and implementation is expected to begin during the permit cycle. Permittees should monitor DEC’s E-Reporting website (https://dec.alaska.gov/water/compliance/electronic-reporting-rule/) for updates on Phase II of the E-Reporting Rule and will be notified when they must begin submitting all other reports electronically. Until such time, other reports required by the Permit may be submitted in accordance with Appendix A – Standard Conditions.

1.7.3 Rollout of New DEC Database and DMR Portal

DEC is currently developing a new database with a permittee portal that may affect reporting under the Permit. This database/portal may be an added enhancement for NetDMR or be a complete substitute. DEC will communicate with permittees as necessary during the rollout of this new database/portal without minor modification to this Permit.

2.0 MIXING ZONES

2.1 Parameters Authorized

An acute and chronic mixing zone is authorized for Outfall 001 as summarized below:

2.1.1 Outfall 001: Parameters authorized in the acute mixing zone include TRC. Parameters authorized in the chronic mixing zone include TRC, chronic WET, pH, temperature (as $\Delta T ^\circ C$), and salinity.

2.2 Mixing Zone Sizes, Orientations, and Dilution Factors

The acute and chronic mixing zones for Outfall 001 are rectangular in shape with the area centered on the port diffuser and extend from the seafloor to the unfrozen sea surface. The areal dimensions of these mixing zones are described as follows:

2.2.1 The acute mixing zone is rectangular with the center at the discharge port and has a length of 20 meters (m) (10 meters in each prevailing current direction) aligned perpendicular to the diffuser and a width of 30 m. The associated dilution factor is 11.5.

2.2.2 The chronic mixing zone is rectangular with the center at the discharge port and has a length of 410 m (205 m in each prevailing current direction) aligned perpendicular to the diffuser and a width 120 m. The associated dilution factor is 21.5.
3.0 SPECIAL CONDITIONS

3.1 Quality Assurance Project Plan

3.1.1 The permittee must develop a facility-specific QAPP for all monitoring required by this Permit. The permittee must submit written notice to DEC affirming that its QAPP is up to date and is being implemented within 90 days of the effective date of this Permit. Any existing QAPP may be modified under this Section.

3.1.2 Composite sampling methods for monitoring chronic WET must be described in the QAPP.

3.1.3 The QAPP must be designed to assist in planning for the collection and analysis of effluent and other water samples in support of the Permit and to help explain data anomalies whenever they occur.

3.1.4 The permittee may use the generic DEC Wastewater Treatment Facility Quality Assurance Project Plan (DEC QAPP) as a template to develop a facility-specific QAPP required per Section 3.1.1. If using the generic DEC template, the developed QAPP must be specific for the facility.

3.1.5 Throughout all sample collection and analysis activities, the permittee must use DEC-approved QA/QC and chain-of-custody procedures, as described in the Requirements for Quality Assurance Project Plans (EPA/QA/R-5) and Guidance for Quality Assurance Project Plans (EPA/QA/G-5). The QAPP must be prepared in the format specified in these documents.

3.1.6 At a minimum, a QAPP must include:

3.1.6.1 Details on number of samples, sample collection methods (e.g., grab or composite), type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements;

3.1.6.2 Maps indicating the location of each sampling point;

3.1.6.3 Qualification and training of personnel; and

3.1.6.4 Name, address, and telephone number of all laboratories used by or proposed to be used by the permittee.

3.1.7 The permittee must amend the QAPP whenever sample collection, sample analysis, or other procedure addressed by the QAPP is modified.

3.1.8 Copies of the QAPP must be kept on site and made available to DEC upon request.
3.2 Best Management Practices Plan

3.2.1 Purpose

Through implementation of the BMP Plan the permittee must prevent or minimize the generation and the potential for release of pollutants from the facility to the waters of the United States (U.S.) through normal and ancillary activities.

3.2.2 Development and Implementation Schedule

The permittee must develop and implement a BMP Plan which achieves the objectives and the specific requirements listed below. The permittee must submit written notice to DEC that the Plan has been developed and implemented within 90 days of the effective date of the Permit. An existing BMP Plan may be modified for compliance with this Section.

3.2.3 Objectives

The permittee must develop and amend the BMP Plan consistent with the following objectives for the control of pollutants.

3.2.3.1 The number and quantity of pollutants and the toxicity of effluent generated, discharged, or potentially discharged at the facility must be minimized by the permittee to the extent feasible by managing each waste stream in the most appropriate manner.

3.2.3.2 Under the BMP Plan and especially within any standard operating procedures in the BMP Plan, the permittee must ensure proper operation and maintenance of water management and wastewater treatment systems. BMP Plan elements must be developed in accordance with good engineering practices.

3.2.3.3 Each facility component or system must be examined for its waste minimization opportunities and its potential for causing a release of significant amounts of pollutants to waters of the U.S. due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc. The examination must include all normal operations and ancillary activities including material storage areas, storm water, in-plant transfer, material handling and process handling areas, loading or unloading operations, spillage or leaks, sludge and waste disposal, or drainage from raw material storage.

3.2.4 Elements of the BMP Plan. The BMP Plan must be consistent with the objectives above and the general guidance contained in Guidance Manual for Developing Best Management Practices (EPA 833-B-93-004, October 1993), Storm Water Management for Industrial Activities, Developing Pollution Prevention Plans and Best Management Practices (EPA 832-R-92-006) or any subsequent revision to these guidance documents.

3.2.4.1 Plan Components. The BMP Plan must include, at a minimum, the following items:

3.2.4.1.1 Statement of BMP Policy. The BMP Plan must include a statement of management commitment to provide the necessary financial, staff,
equipment, and training resources to develop and implement the BMP Plan on a continuing basis.

3.2.4.1.2 The BMP Plan must establish a BMP Committee responsible for developing, implementing, and maintaining the BMP Plan. Specify the structure, functions, and procedures of the BMP Committee.

3.2.4.1.3 Description of potential pollutant sources.

3.2.4.1.4 Risk identification and assessment.

3.2.4.1.5 Standard operating procedures to achieve the above objectives and specific best management practices (see Section 3.2.3).

3.2.4.1.6 Reporting of BMP incidents. The reports must include a description of the circumstances leading to the incident, corrective actions taken and recommended changes to operating and maintenance practices to prevent recurrence.

3.2.4.1.7 Materials compatibility.

3.2.4.1.8 Good housekeeping.

3.2.4.1.9 Inspections.

3.2.4.1.10 Preventative maintenance and repair.

3.2.4.1.11 Security.

3.2.4.1.12 Employee training.

3.2.4.1.13 Record keeping and reporting.

3.2.4.1.14 Prior evaluation of any planned modifications to the facility to ensure that the requirements of the BMP plan are considered as part of the modifications.

3.2.4.1.15 Final constructed site plans, drawings, and maps (including detailed storm water outfall/culvert configurations).

3.2.5 Specific BMP Requirements. In addition to the BMPs requirements in Section 3.2.4, the Permit requires that the BMP Plan include specific BMP’s for chemical optimization and make-up water pipeline drain back.

3.2.5.1 Chemical Optimization

A specific BMP (e.g., a chemical-dosing matrix) to optimize the use of cleaning chemicals in the treatment system that will be discharged through Outfall 001, including chemically treated water that is recycled through the treatment system See also Chemical Inventory in Section 1.3.4.
3.2.5.2 Waterflood Pipeline Drain back

The permittee must develop a specific BMP for preventing chemicals in waterflood that could be drained back to the outfall tank to facilitate pipeline maintenance and repairs. In order to discharge waterflood pipeline drain back water, the permittee is required to contact DEC to discuss the specific characteristics of the drain-back water and options to evacuate the pipeline in compliance with the permit and/or regulations. If there are no chemicals in the waterflood as a result of successful implementation of the BMP, then the approval will be expedited. If any emergency circumstance prevents removal of waterflood chemicals from drained-back water prior to discharge, the permittee may be required to conduct chronic WET testing on the waterflood to demonstrate that the discharge will not exceed 21.5 TUc. This data must demonstrate chronic toxicity to aquatic organisms, expressed as 1.0 chronic toxic unit, will not be exceeded at the boundary of the chronic mixing zone in accordance with 18 AAC 70.030.

In order to discharge waterflood pipeline drain back water through Outfall 001, the permittee must submit sufficient information for the Department to approve the conditional discharge based on successful implementation of the BMP (e.g., chemical injection ceased resulting in no toxicity concerns) or by providing characterization data (e.g., chronic WET results) that demonstrate no anticipated exceedance of the chronic toxicity criteria at the boundary of the chronic mixing zone (i.e., < 21.5 TUc). The Department must coordinate submittal requirements with the permittee that are necessary to ensure compliance with water quality standards and provide written approval prior to discharging waterflood pipeline drainback water containing residual chemicals.

3.2.6 Review and Certification. The BMP must be reviewed and certified as follows:

3.2.6.1 Annual review by the plant manager and BMP Committee.

3.2.6.2 Certified statement that the above reviews were completed and the BMP Plan fulfills the requirements set forth in this Permit. The statement must be certified by the dated signatures of each BMP Committee member. The statement must be submitted to DEC on or before January 31st of each year of operation.

3.2.7 Documentation. The permittee must maintain a copy of the BMP at the facility and make it available to DEC or an authorized representative upon request.

3.2.8 BMP Plan Modification.

3.2.8.1 The permittee must amend the BMP Plan whenever a change in the facility or in the operation of the facility materially increases the generation of pollutants or their release or potential release to receiving waters.

3.2.8.2 The permittee must amend the BMP Plan whenever the plan is found to be ineffective in achieving the general objective of preventing and minimizing the generation and the potential for the release of pollutants from the facility to waters of the U.S.
3.2.8.3 Any changes to the BMP Plan must be consistent with the objectives and specific requirements listed above. All changes in the BMP Plan must be reported to DEC with the annual certification required under Section 3.2.6.
Appendix A

Standard Conditions
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Appendix A of the permit contains standard regulatory language that must be included in all APDES permits. These requirements are based on the regulations and cannot be challenged in the context of an individual APDES permit action. The standard regulatory language covers requirements such as monitoring, recording, reporting requirements, compliance responsibilities, and other general requirements. Appendix A, Standard Conditions is an integral and enforceable part of the permit. Failure to comply with a Standard Condition in this Appendix constitutes a violation of the permit and is subject to enforcement.

1.0 Standard Conditions Applicable to All Permits

1.1 Contact Information and Addresses

1.1.1 Permitting Program

Documents, reports, and plans required under the permit and Appendix A are to be sent to the following address:

<table>
<thead>
<tr>
<th>State of Alaska</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Environmental Conservation</td>
</tr>
<tr>
<td>Division of Water</td>
</tr>
<tr>
<td>Wastewater Discharge Authorization Program</td>
</tr>
<tr>
<td>555 Cordova Street</td>
</tr>
<tr>
<td>Anchorage, Alaska 99501</td>
</tr>
<tr>
<td>Telephone (907) 269-6285</td>
</tr>
<tr>
<td>Fax (907) 269-3487</td>
</tr>
<tr>
<td>Email: <a href="mailto:DEC.Water.WQPermit@alaska.gov">DEC.Water.WQPermit@alaska.gov</a></td>
</tr>
</tbody>
</table>

1.1.2 Compliance and Enforcement Program

Documents and reports required under the permit and Appendix A relating to compliance are to be sent to the following address:

<table>
<thead>
<tr>
<th>State of Alaska</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Environmental Conservation</td>
</tr>
<tr>
<td>Division of Water</td>
</tr>
<tr>
<td>Compliance and Enforcement Program</td>
</tr>
<tr>
<td>555 Cordova Street</td>
</tr>
<tr>
<td>Anchorage, Alaska 99501</td>
</tr>
<tr>
<td>Telephone Nationwide (877) 569-4114</td>
</tr>
<tr>
<td>Anchorage Area / International (907) 269-4114</td>
</tr>
<tr>
<td>Fax (907) 269-4604</td>
</tr>
<tr>
<td>Email: <a href="mailto:dec-wqreporting@alaska.gov">dec-wqreporting@alaska.gov</a></td>
</tr>
</tbody>
</table>

1.2 Duty to Comply

A permittee shall comply with all conditions of the permittee’s APDES permit. Any permit noncompliance constitutes a violation of 33 U.S.C 1251-1387 (Clean Water Act) and state law and is grounds for enforcement action including termination, revocation and reissuance, or modification of a permit, or denial of a permit renewal application. A permittee shall comply with effluent standards or prohibitions established under 33 U.S.C. 1317(a) for toxic pollutants within the time provided in the regulations that establish those effluent standards or prohibitions even if the permit has not yet been modified to incorporate the requirement.
1.3 **Duty to Reapply**

If a permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee must apply for and obtain a new permit. In accordance with 18 AAC 83.105(b), a permittee with a currently effective permit shall reapply by submitting a new application at least 180 days before the existing permit expires, unless the Department has granted the permittee permission to submit an application on a later date. However, the Department will not grant permission for an application to be submitted after the expiration date of the existing permit.

1.4 **Need to Halt or Reduce Activity Not a Defense**

In an enforcement action, a permittee may not assert as a defense that compliance with the conditions of the permit would have made it necessary for the permittee to halt or reduce the permitted activity.

1.5 **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.

1.6 **Proper Operation and Maintenance**

   1.6.1 A permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances that the permittee installs or uses to achieve compliance with the conditions of the permit. The permittee’s duty to operate and maintain properly includes using adequate laboratory controls and appropriate quality assurance procedures. However, a permittee is not required to operate back-up or auxiliary facilities or similar systems that a permittee installs unless operation of those facilities is necessary to achieve compliance with the conditions of the permit.

   1.6.2 Operation and maintenance records shall be retained and made available at the site.

1.7 **Permit Actions**

A permit may be modified, revoked and reissued, or terminated for cause as provided in 18 AAC 83.130. If a permittee files a request to modify, revoke and reissue, or terminate a permit, or gives notice of planned changes or anticipated noncompliance, the filing or notice does not stay any permit condition.

1.8 **Property Rights**

A permit does not convey any property rights or exclusive privilege.

1.9 **Duty to Provide Information**

A permittee shall, within a reasonable time, provide to the Department any information that the Department requests to determine whether a permittee is in compliance with the permit, or whether cause exists to modify, revoke and reissue, or terminate the permit. A permittee shall also provide to the Department, upon request, copies of any records the permittee is required to keep under the permit.
1.10 Inspection and Entry

A permittee shall allow the Department, or an authorized representative, including a contractor acting as a representative of the Department, at reasonable times and on presentation of credentials establishing authority and any other documents required by law, to:

1.10.1 Enter the premises where a permittee’s regulated facility or activity is located or conducted, or where permit conditions require records to be kept;

1.10.2 Have access to and copy any records that permit conditions require the permittee to keep;

1.10.3 Inspect any facilities, equipment, including monitoring and control equipment, practices, or operations regulated or required under a permit; and

1.10.4 Sample or monitor any substances or parameters at any location for the purpose of assuring permit compliance or as otherwise authorized by 33 U.S.C. 1251-1387 (Clean Water Act).

1.11 Monitoring and Records

A permittee must comply with the following monitoring and recordkeeping conditions:

1.11.1 Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.

1.11.2 The permittee shall retain records in Alaska of all monitoring information for at least three years, or longer at the Department’s request at any time, from the date of the sample, measurement, report, or application. Monitoring records required to be kept include:

   1.11.2.1 All calibration and maintenance records,
   1.11.2.2 All original strip chart recordings or other forms of data approved by the Department for continuous monitoring instrumentation,
   1.11.2.3 All reports required by a permit,
   1.11.2.4 Records of all data used to complete the application for a permit,
   1.11.2.5 Field logbooks or visual monitoring logbooks,
   1.11.2.6 Quality assurance chain of custody forms,
   1.11.2.7 Copies of discharge monitoring reports, and
   1.11.2.8 A copy of this APDES permit.

1.11.3 Records of monitoring information must include:

   1.11.3.1 The date, exact place, and time of any sampling or measurement;
   1.11.3.2 The name(s) of any individual(s) who performed the sampling or measurement(s);
   1.11.3.3 The date(s) and time any analysis was performed;
   1.11.3.4 The name(s) of any individual(s) who performed any analysis;
   1.11.3.5 Any analytical technique or method used; and
   1.11.3.6 The results of the analysis.

1.11.4 Monitoring Procedures

Analyses of pollutants must be conducted using test procedures approved under 40 CFR Part 136, adopted by reference at 18 AAC 83.010, for pollutants with approved test procedures, and using test procedures specified in the permit for pollutants without approved methods.
1.12 Signature Requirement and Penalties

1.12.1 Any application, report, or information submitted to the Department in compliance with a permit requirement must be signed and certified in accordance with 18 AAC 83.385. Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, or other document filed or required to be maintained under a permit, or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be subject to penalties under 33 U.S.C. 1319(c)(4), AS 12.55.035(c)(1)(B), (c)(2) and (c)(3), and AS 46.03.790(g).

1.12.2 In accordance with 18 AAC 83.385, an APDES permit application must be signed as follows:

1.12.2.1 For a corporation, a responsible corporate officer shall sign the application; in this subsection, a responsible corporate officer means:

1.12.2.1.1 A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation; or

1.12.2.1.2 The manager of one of more manufacturing, production, or operating facilities, if

1.12.2.1.2.1 The manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental statutes and regulations;

1.12.2.1.2.2 The manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and

1.12.2.1.2.3 Authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

1.12.2.2 For a partnership or sole proprietorship, by the general partner or the proprietor, respectively, shall sign the application

1.12.2.3 For a municipality, state, federal, or other public agency, either a principal executive officer or ranking elected official shall sign the application; in this subsection, a principal executive officer of an agency means:

1.12.2.3.1 The chief executive officer of the agency; or

1.12.2.3.2 A senior executive officer having responsibility for the overall operations of a principal geographic unit or division of the agency.

1.12.3 Any report required by an APDES permit, and a submittal with any other information requested by the Department, must be signed by a person described in Appendix A, Part 1.12.2, or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1.12.3.1 The authorization is made in writing by a person described in Appendix A, Part 1.12.2;
1.12.3.2 The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, including the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility; or an individual or position having overall responsibility for environmental matters for the company; and

1.12.3.3 The written authorization is submitted to the Department to the Permitting Program address in Appendix A, Part 1.1.1.

1.12.4 If an authorization under Appendix A, Part 1.12.3 is no longer effective because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Appendix A, Part 1.12.3 must be submitted to the Department before or together with any report, information, or application to be signed by an authorized representative.

1.12.5 Any person signing a document under Appendix A, Part 1.12.2 or Part 1.12.3 shall certify as follows:

"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."

1.13 Proprietary or Confidential Information

1.13.1 A permit applicant or permittee may assert a claim of confidentiality for proprietary or confidential business information by stamping the words “confidential business information” on each page of a submission containing proprietary or confidential business information. The Department will treat the stamped submissions as confidential if the information satisfies the test in 40 CFR §2.208, adopted by reference at 18 AAC 83.010, and is not otherwise required to be made public by state law.

1.13.2 A claim of confidentiality under Appendix A, Part 1.13.1 may not be asserted for the name and address of any permit applicant or permittee, a permit application, a permit, effluent data, sewage sludge data, and information required by APDES or NPDES application forms provided by the Department, whether submitted on the forms themselves or in any attachments used to supply information required by the forms.

1.13.3 A permittee’s claim of confidentiality authorized under Appendix A, Part 1.13.1 is not waived if the Department provides the proprietary or confidential business information to the EPA or to other agencies participating in the permitting process. The Department will supply any information obtained or used in the administration of the state APDES program to the EPA upon request under 40 CFR §123.41, as revised as of July 1, 2005. When providing information submitted to the Department with a claim of confidentiality to the EPA, the Department will notify the EPA of the confidentiality claim. If the Department provides the EPA information that is not claimed to be confidential, the EPA may make the information available to the public without further notice.

1.14 Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any action or relieve a permittee
from any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under state laws addressing oil and hazardous substances.

1.15 Cultural and Paleontological Resources
If cultural or paleontological resources are discovered because of this disposal activity, work that would disturb such resources is to be stopped, and the Office of History and Archaeology, a Division of Parks and Outdoor Recreation of the Alaska Department of Natural Resources (http://www.dnr.state.ak.us/parks/oha/), is to be notified immediately at (907) 269-8721.

1.16 Fee
A permittee must pay the appropriate permit fee described in 18 AAC 72.

1.17 Other Legal Obligations
This permit does not relieve the permittee from the duty to obtain any other necessary permits from the Department or from other local, state, or federal agencies and to comply with the requirements contained in any such permits. All activities conducted and all plan approvals implemented by the permittee pursuant to the terms of this permit shall comply with all applicable local, state, and federal laws and regulations.

2.0 Special Reporting Obligations

2.1 Planned Changes
2.1.1 The permittee shall give notice to the Department as soon as possible of any planned physical alteration or addition to the permitted facility if:
2.1.1.1 The alteration or addition may make the facility a “new source” under one or more of the criteria in 18 AAC 83.990(44); or
2.1.1.2 The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged if those pollutants are not subject to effluent limitations in the permit or to notification requirements under 18 AAC 83.610.

2.1.2 If the proposed changes are subject to plan review, then the plans must be submitted at least 30 days before implementation of changes (see 18 AAC 15.020 and 18 AAC 72 for plan review requirements). Written approval is not required for an emergency repair or routine maintenance.

2.1.3 Written notice must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.2 Anticipated Noncompliance
2.2.1 A permittee shall give seven days’ notice to the Department before commencing any planned change in the permitted facility or activity that may result in noncompliance with permit requirements.

2.2.2 Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.
2.3 Transfers

2.3.1 A permittee may not transfer a permit for a facility or activity to any person except after notice to the Department in accordance with 18 AAC 83.150. The Department may modify or revoke and reissue the permit to change the name of the permittee and incorporate such other requirements under 33 U.S.C. 1251-1387 (Clean Water Act) or state law.

2.3.2 Written notice must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.4 Compliance Schedules

2.4.1 A permittee must submit progress or compliance reports on interim and final requirements in any compliance schedule of a permit no later than 14 days following the scheduled date of each requirement.

2.4.2 Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.5 Corrective Information

2.5.1 If a permittee becomes aware that it failed to submit a relevant fact in a permit application or submitted incorrect information in a permit application or in any report to the Department, the permittee shall promptly submit the relevant fact or the correct information.

2.5.2 Information must be sent to the Permitting Program address in Appendix A, Part 1.1.1.

2.6 Bypass of Treatment Facilities

2.6.1 Prohibition of Bypass

Bypass is prohibited. The Department may take enforcement action against a permittee for any bypass, unless:

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

2.6.1.2 There were no feasible alternatives to the bypass, including use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. However, this condition is not satisfied if the permittee, in the exercise of reasonable engineering judgment, should have installed adequate back-up equipment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

2.6.1.3 The permittee provides notice to the Department of a bypass event in the manner, as appropriate, under Appendix A, Part 2.6.2.

2.6.2 Notice of bypass

2.6.2.1 For an anticipated bypass, the permittee submits notice at least 10 days before the date of the bypass. The Department may approve an anticipated bypass, after considering its adverse effects, if the Department determines that it will meet the conditions of Appendix A, Parts 2.6.1.1 and 2.6.1.2.

2.6.2.2 For an unanticipated bypass, the permittee submits 24-hour notice, as required in 18 AAC 83.410(f) and Appendix A, Part 3.4, Twenty-four Hour Reporting.

2.6.2.3 Written notice must be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

2.6.3 Notwithstanding Appendix A, Part 2.6.1, a permittee may allow a bypass that:
2.6.3.1 Does not cause an effluent limitation to be exceeded, and
2.6.3.2 Is for essential maintenance to assure efficient operation.

2.7 Upset Conditions

2.7.1 In any enforcement action for noncompliance with technology-based permit effluent limitations, a permittee may claim upset as an affirmative defense. A permittee seeking to establish the occurrence of an upset has the burden of proof to show that the requirements of Appendix A, Part 2.7.2 are met.

2.7.2 To establish the affirmative defense of upset, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:

2.7.2.1 An upset occurred and the permittee can identify the cause or causes of the upset;
2.7.2.2 The permitted facility was at the time being properly operated;
2.7.2.3 The permittee submitted 24-hour notice of the upset, as required in 18 AAC 83.410(f) and Appendix A, Part 3.4, Twenty-four Hour Reporting; and
2.7.2.4 The permittee complied with any mitigation measures required under 18 AAC 83.405(e) and Appendix A, Part 1.5, Duty to Mitigate.

2.7.3 Any determination made in administrative review of a claim that noncompliance was caused by upset, before an action for noncompliance is commenced, is not final administrative action subject to judicial review.

2.8 Existing Manufacturing, Commercial, Mining, and Silvicultural Discharges

2.8.1 In addition to the reporting requirements under 18 AAC 83.410, an existing manufacturing, commercial, mining, and silvicultural discharger shall notify the Department as soon as that discharger knows or has reason to believe that any activity has occurred or will occur that would result in:

2.8.1.1 The discharge, on a routine or frequent basis, of any toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

2.8.1.1.1 One hundred micrograms per liter (100 µg/L);
2.8.1.1.2 Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile, 500 micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol, and one milligram per liter (1 mg/L) for antimony;
2.8.1.1.3 Five times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g); or
2.8.1.1.4 The level established by the Department in accordance with 18 AAC 83.445.

2.8.1.2 Any discharge, on a non-routine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

2.8.1.2.1 Five hundred micrograms per liter (500 µg/L);
2.8.1.2.2 One milligram per liter (1 mg/L) for antimony;
Ten times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g); or

The level established by the Department in accordance with 18 AAC 83.445.

3.0 Monitoring, Recording, and Reporting Requirements

3.1 Representative Sampling

A permittee must collect effluent samples from the effluent stream after the last treatment unit before discharge into the receiving waters. Samples and measurements must be representative of the volume and nature of the monitored activity or discharge.

3.2 Reporting of Monitoring Results

At intervals specified in the permit, monitoring results must be reported on the EPA discharge monitoring report (DMR) form, as revised as of March 1999, adopted by reference.

3.2.1 Monitoring results shall be summarized each month on the DMR or an approved equivalent report. The permittee must submit reports monthly postmarked by the 15th day of the following month.

3.2.2 The permittee must sign and certify all DMRs and all other reports in accordance with the requirements of Appendix A, Part 1.12, Signatory Requirements and Penalties. All signed and certified legible original DMRs and all other documents and reports must be submitted to the Department at the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.

3.2.3 If, during the period when this permit is effective, the Department makes available electronic reporting, the permittee may, as an alternative to the requirements of Appendix A, Part 3.2.2, submit monthly DMRs electronically by the 15th day of the following month in accordance with guidance provided by the Department. The permittee must certify all DMRs and other reports, in accordance with the requirements of Appendix A, Part 1.12, Signatory Requirements and Penalties. The permittee must retain the legible originals of these documents and make them available to the Department upon request.

3.3 Additional Monitoring by Permittee

If the permittee monitors any pollutant more frequently than the permit requires using test procedures approved in 40 CFR Part 136, adopted by reference at 18 AAC 83.010, or as specified in this permit, the results of that additional monitoring must be included in the calculation and reporting of the data submitted in the DMR required by Appendix A, Part 3.2. All limitations that require averaging of measurements must be calculated using an arithmetic means unless the Department specifies another method in the permit. Upon request by the Department, the permittee must submit the results of any other sampling and monitoring regardless of the test method used.

3.4 Twenty-four Hour Reporting

A permittee shall report any noncompliance event that may endanger health or the environment as follows:

3.4.1 A report must be made:

3.4.1.1 Orally within 24 hours after the permittee becomes aware of the circumstances, and

3.4.1.2 In writing within five days after the permittee becomes aware of the circumstances.
3.4.2 A report must include the following information:

3.4.2.1 A description of the noncompliance and its causes, including the estimated volume or weight and specific details of the noncompliance;

3.4.2.2 The period of noncompliance, including exact dates and times;

3.4.2.3 If the noncompliance has not been corrected, a statement regarding the anticipated time the noncompliance is expected to continue; and

3.4.2.4 Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

3.4.3 An event that must be reported within 24 hours includes:

3.4.3.1 An unanticipated bypass that exceeds any effluent limitation in the permit (see Appendix A, Part 2.6, Bypass of Treatment Facilities).

3.4.3.2 An upset that exceeds any effluent limitation in the permit (see Appendix A, Part 2.7, Upset Conditions).

3.4.3.3 A violation of a maximum daily discharge limitation for any of the pollutants listed in the permit as requiring 24-hour reporting.

3.4.4 The Department may waive the written report on a case-by-case basis for reports under Appendix A, Part 3.4 if the oral report has been received within 24 hours of the permittee becoming aware of the noncompliance event.

3.4.5 The permittee may satisfy the written reporting submission requirements of Appendix A, Part 3.4 by submitting the written report via e-mail, if the following conditions are met:

3.4.5.1 The Noncompliance Notification Form or equivalent form is used to report the noncompliance;

3.4.5.2 The written report includes all the information required under Appendix A, Part 3.4.2;

3.4.5.3 The written report is properly certified and signed in accordance with Appendix A, Parts 1.12.3 and 1.12.5.;

3.4.5.4 The written report is scanned as a PDF (portable document format) document and transmitted to the Department as an attachment to the e-mail; and

3.4.5.5 The permittee retains in the facility file the original signed and certified written report and a printed copy of the conveying email.

3.4.6 The e-mail and PDF written report will satisfy the written report submission requirements of this permit provided the e-mail is received by the Department within five days after the time the permittee becomes aware of the noncompliance event and the e-mail and written report satisfy the criteria of Part 3.4.5. The e-mail address to report noncompliance is: dec-wqreporting@alaska.gov

3.5 Other Noncompliance Reporting

A permittee shall report all instances of noncompliance not required to be reported under Appendix A, Parts 2.4 (Compliance Schedules), 3.3 (Additional Monitoring by Permittee), and 3.4 (Twenty-four Hour Reporting) at the time the permittee submits monitoring reports under Appendix A, Part 3.2 (Reporting of Monitoring Results). A report of noncompliance under this part must contain the information listed in Appendix A, Part 3.4.2 and be sent to the Compliance and Enforcement Program address in Appendix A, Part 1.1.2.
4.0 Penalties for Violations of Permit Conditions

Alaska laws allow the State to pursue both civil and criminal actions concurrently. The following is a summary of Alaska law. Permittees should read the applicable statutes for further substantive and procedural details.

4.1 Civil Action

Under AS 46.03.760(e), a person who violates or causes or permits to be violated a regulation, a lawful order of the Department, or a permit, approval, or acceptance, or term or condition of a permit, approval or acceptance issued under the program authorized by AS 46.03.020 (12) is liable, in a civil action, to the State for a sum to be assessed by the court of not less than $500 nor more than $100,000 for the initial violation, nor more than $10,000 for each day after that on which the violation continues, and that shall reflect, when applicable:

4.1.1 Reasonable compensation in the nature of liquated damages for any adverse environmental effects caused by the violation, that shall be determined by the court according to the toxicity, degradability, and dispersal characteristics of the substance discharged, the sensitivity of the receiving environment, and the degree to which the discharge degrades existing environmental quality;

4.1.2 Reasonable costs incurred by the State in detection, investigation, and attempted correction of the violation;

4.1.3 The economic savings realized by the person in not complying with the requirements for which a violation is charged; and

4.1.4 The need for an enhanced civil penalty to deter future noncompliance.

4.2 Injunctive Relief

4.2.1 Under AS 46.03.820, the Department can order an activity presenting an imminent or present danger to public health or that would be likely to result in irreversible damage to the environment be discontinued. Upon receipt of such an order, the activity must be immediately discontinued.

4.2.2 Under AS 46.03.765, the Department can bring an action in Alaska Superior Court seeking to enjoin ongoing or threatened violations for Department-issued permits and Department statutes and regulations.

4.3 Criminal Action

Under AS 46.03.790(h), a person is guilty of a Class A misdemeanor if the person negligently:

4.3.1 Violates a regulation adopted by the Department under AS 46.03.020(12);

4.3.2 Violates a permit issued under the program authorized by AS 46.03.020(12);

4.3.3 Fails to provide information or provides false information required by a regulation adopted under AS 46.03.020(12);

4.3.4 Makes a false statement, representation, or certification in an application, notice, record, report, permit, or other document filed, maintained, or used for purposes of compliance with a permit issued under or a regulation adopted under AS 46.03.020(12); or

4.3.5 Renders inaccurate a monitoring device or method required to be maintained by a permit issued or under a regulation adopted under AS 46.03.020(12).
4.4 Other Fines

Upon conviction of a violation of a regulation adopted under AS 46.03.020(12), a defendant who is not an organization may be sentenced to pay a fine of not more than $10,000 for each separate violation (AS 46.03.790(g)). A defendant that is an organization may be sentenced to pay a fine not exceeding the greater of: (1) $200,00; (2) three times the pecuniary gain realized by the defendant as a result of the offense; or (3) three times the pecuniary damage or loss caused by the defendant to another, or the property of another, as a result of the offense (AS 12.55.035(c)(B), (c)(2), and (c)(3)).
Appendix B

Acronyms
The following acronyms are common terms that may be found in an Alaska Pollutant Discharge Elimination System (APDES) permit.

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>18 AAC 15</td>
<td>Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 15: Administrative Procedures</td>
</tr>
<tr>
<td>18 AAC 70</td>
<td>Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 70: Water Quality Standards</td>
</tr>
<tr>
<td>18 AAC 72</td>
<td>Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 72: Wastewater Disposal</td>
</tr>
<tr>
<td>18 AAC 83</td>
<td>Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 83: Alaska Pollutant Discharge Elimination System</td>
</tr>
</tbody>
</table>

All chapters of Alaska Administrative Code, Title 18 are available at the Alaska Administrative Code database [http://www.legis.state.ak.us/cgi-bin/folioisa.dll/aac](http://www.legis.state.ak.us/cgi-bin/folioisa.dll/aac)

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAC</td>
<td>Alaska Administrative Code</td>
</tr>
<tr>
<td>ACMP</td>
<td>Alaska Coastal Management Program</td>
</tr>
<tr>
<td>ADEC</td>
<td>Alaska Department of Environmental Conservation</td>
</tr>
<tr>
<td>APDES</td>
<td>Alaska Pollutant Discharge Elimination System</td>
</tr>
<tr>
<td>AS</td>
<td>Alaska Statutes</td>
</tr>
<tr>
<td>AS 46.03</td>
<td>Alaska Statutes Title 46, Chapter 03: Environmental Conservation. Available at <a href="http://www.legis.state.ak.us/default.htm">http://www.legis.state.ak.us/default.htm</a></td>
</tr>
<tr>
<td>BOD₅</td>
<td>Biochemical Oxygen Demand, 5-day</td>
</tr>
<tr>
<td>BPJ</td>
<td>Best Professional Judgement</td>
</tr>
<tr>
<td>BMP</td>
<td>Best Management Practice</td>
</tr>
<tr>
<td>C°</td>
<td>Degrees Centigrade</td>
</tr>
<tr>
<td>CFR</td>
<td>Code of Federal Regulations</td>
</tr>
<tr>
<td>COD</td>
<td>Chemical Oxygen Demand</td>
</tr>
<tr>
<td>CWA</td>
<td>Clean Water Act</td>
</tr>
<tr>
<td>DMR</td>
<td>Discharge Monitoring Report</td>
</tr>
<tr>
<td>eDMR</td>
<td>Electronic Discharge Monitoring Report</td>
</tr>
<tr>
<td>DO</td>
<td>Dissolved Oxygen</td>
</tr>
<tr>
<td>EFH</td>
<td>Essential Fish Habitat</td>
</tr>
<tr>
<td>ELG</td>
<td>Effluent Limit Guideline</td>
</tr>
<tr>
<td>ESA</td>
<td>Endangered Species Act</td>
</tr>
<tr>
<td>EPA</td>
<td>U.S. Environmental Protection Agency</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------</td>
<td>------------</td>
</tr>
<tr>
<td>GPD or gpd</td>
<td>Gallons per day</td>
</tr>
<tr>
<td>GPY or gpy</td>
<td>Gallons per year</td>
</tr>
<tr>
<td>IC&lt;sub&gt;25&lt;/sub&gt;</td>
<td>Inhibition Concentration 25%</td>
</tr>
<tr>
<td>LC&lt;sub&gt;50&lt;/sub&gt;</td>
<td>Lethal Concentration 50%</td>
</tr>
<tr>
<td>MDL</td>
<td>Method Detection Limit</td>
</tr>
<tr>
<td>mg/L</td>
<td>Milligrams per Liter</td>
</tr>
<tr>
<td>MGD or mgd</td>
<td>Million gallons per day</td>
</tr>
<tr>
<td>ML</td>
<td>Minimum Level</td>
</tr>
<tr>
<td>MLLW</td>
<td>Mean Lower Low Water</td>
</tr>
<tr>
<td>MMPA</td>
<td>Marine Mammal Protection Act</td>
</tr>
<tr>
<td>MZ</td>
<td>Mixing Zone</td>
</tr>
<tr>
<td>N/A</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>NMFS</td>
<td>National Marine Fisheries Service</td>
</tr>
<tr>
<td>NOAA</td>
<td>National Oceanic and Atmospheric Administration</td>
</tr>
<tr>
<td>NOEC</td>
<td>No Observed Effect Concentration</td>
</tr>
<tr>
<td>OSA</td>
<td>Oil Search (Alaska), LLC</td>
</tr>
<tr>
<td>POC</td>
<td>Pollutant of Concern</td>
</tr>
<tr>
<td>POTW</td>
<td>Publicly Owned Treatment Works</td>
</tr>
<tr>
<td>PQL</td>
<td>Practical Quantification Limit</td>
</tr>
<tr>
<td>QA</td>
<td>Quality Assurance</td>
</tr>
<tr>
<td>QA/QC</td>
<td>Quality Assurance/Quality Control</td>
</tr>
<tr>
<td>QAPP</td>
<td>Quality Assurance Project Plan</td>
</tr>
<tr>
<td>QC</td>
<td>Quality Control</td>
</tr>
<tr>
<td>RL</td>
<td>Reporting Limit</td>
</tr>
<tr>
<td>RPA</td>
<td>Reasonable Potential Analysis</td>
</tr>
<tr>
<td>RWC</td>
<td>Receiving Water Concentration</td>
</tr>
<tr>
<td>SBS</td>
<td>Strainer Backwash System</td>
</tr>
<tr>
<td>SIP</td>
<td>Seawater Injection Plant</td>
</tr>
<tr>
<td>SIU</td>
<td>Significant Industrial User</td>
</tr>
<tr>
<td>SOP</td>
<td>Standard Operating Procedure</td>
</tr>
<tr>
<td>SU</td>
<td>Standard Units</td>
</tr>
<tr>
<td>STP</td>
<td>Seawater Treatment Plant</td>
</tr>
<tr>
<td>TBEL</td>
<td>Technology Based Effluent Limitation</td>
</tr>
<tr>
<td>TIE</td>
<td>Toxicity Identification Evaluation</td>
</tr>
<tr>
<td>TRC</td>
<td>Total Residual Chlorine</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Description</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>TRE</td>
<td>Toxicity Reduction Evaluation</td>
</tr>
<tr>
<td>TSS</td>
<td>Total Suspended Solids</td>
</tr>
<tr>
<td>TUc</td>
<td>Toxic Unit, Chronic</td>
</tr>
<tr>
<td>µg/L</td>
<td>Micrograms per Liter</td>
</tr>
<tr>
<td>FWS</td>
<td>United States Fish and Wildlife Service</td>
</tr>
<tr>
<td>WET</td>
<td>Whole Effluent Toxicity</td>
</tr>
<tr>
<td>WQS</td>
<td>Water Quality Standards</td>
</tr>
<tr>
<td>WQBEL</td>
<td>Water Quality Based Effluent Limitation</td>
</tr>
<tr>
<td>WWTF</td>
<td>Wastewater Treatment Facility</td>
</tr>
</tbody>
</table>
Appendix C

Definitions
The following are common definitions of terms associated with APDES permits. Not all the terms listed may appear in a permit. Consult the footnote references for a complete list of terms and definitions.

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrator</td>
<td>Means the Administrator of the EPA or an authorized representative.</td>
</tr>
<tr>
<td>Alaska Pollutant Discharge Elimination System (APDES)</td>
<td>Means the state’s program, approved by EPA under 33 U.S.C. 1342(b), for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits and imposing and enforcing pretreatment requirements under 33 U.S.C. 1317, 1328, 1342, and 1345.</td>
</tr>
<tr>
<td>Annual</td>
<td>Means once per calendar year.</td>
</tr>
<tr>
<td>Aquaculture</td>
<td>Means the cultivation of aquatic plants or animals for human use or consumption.</td>
</tr>
<tr>
<td>Average</td>
<td>Means an arithmetic mean obtained by adding quantities and dividing the sum by the number of quantities.</td>
</tr>
<tr>
<td>Average Monthly Discharge Limitation</td>
<td>Means the highest allowable average of “daily discharges” over a calendar month calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured for that month.</td>
</tr>
<tr>
<td>Backwash</td>
<td>Means wash water resulting from the backwashing of a water filter.</td>
</tr>
<tr>
<td>Best Management Practices (BMPs)</td>
<td>Means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage areas.</td>
</tr>
<tr>
<td>Biochemical Oxygen Demand (BOD)</td>
<td>Means the amount, in milligrams per liter, of oxygen used in the biochemical oxidation of organic matter in five days at 20º C.</td>
</tr>
<tr>
<td>Boundary</td>
<td>Means line or landmark that serves to clarify, outline, or mark a limit, border, or interface.</td>
</tr>
<tr>
<td>Bypass</td>
<td>Means the intentional diversion of waste streams from any portion of a treatment facility.</td>
</tr>
<tr>
<td>Chemical Oxygen Demand (COD)</td>
<td>Is used as a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant.</td>
</tr>
<tr>
<td>Clean Water Act (CWA)</td>
<td>Means the federal law codified at 33 U.S.C. 1251-1387, also referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972.</td>
</tr>
<tr>
<td>Color</td>
<td>Means the condition that results in the visual sensations of hue and intensity as measured after turbidity is removed.</td>
</tr>
<tr>
<td>Commissioner</td>
<td>Means the commissioner of the Alaska Department of Environmental Conservation or the commissioner’s designee.</td>
</tr>
<tr>
<td>Composite Samples</td>
<td>Composite samples must consist of at least eight equal volume grab samples. 24 hour composite sample means a combination of at least eight discrete samples of equal volume collected at equal time intervals over a 24-hour period at the same location. A &quot;flow proportional composite&quot; sample means a combination of at least eight discrete samples collected at equal time intervals over a 24-hour period with each sample volume proportioned according to the flow volume. The sample aliquots must be collected and stored in accordance with procedures prescribed in the most recent edition of Standard Methods for the Examination of Water and Wastewater.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Contact Recreation&lt;sup&gt;b&lt;/sup&gt;</td>
<td>Means activities in which there is direct and intimate contact with water. Contact recreation includes swimming, diving, and water skiing. Contact recreation does not include wading.</td>
</tr>
<tr>
<td>Cooling Water</td>
<td>Means once-through non-contact cooling water.</td>
</tr>
<tr>
<td>Criterion&lt;sup&gt;b&lt;/sup&gt;</td>
<td>Means a set concentration or limit of a water quality parameter that, when not exceeded, will protect an organism, a population of organisms, a community of organisms, or a prescribed water use with a reasonable degree of safety. A criterion might be a narrative statement instead of a numerical concentration or limit.</td>
</tr>
<tr>
<td>Daily Discharge&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for the purposes of sampling. For pollutants measured in units of mass, the “daily discharge” is calculated as the total mass of the pollutant discharged over the day. For pollutants with a limitation expressed in other units of measurement, the “daily discharge” is calculated as the average measurement of the pollutant over the day.</td>
</tr>
<tr>
<td>Datum</td>
<td>A datum defines the position of the spheroid, a mathematical representation of the earth, relative to the center of the earth. It provides a frame of reference for measuring locations on the surface of the earth by defining the origin and orientation of latitude and longitude lines.</td>
</tr>
<tr>
<td>Department&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Means the Alaska Department of Environmental Conservation.</td>
</tr>
<tr>
<td>Design Flow&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Means the wastewater flow rate that the plant was designed to handle.</td>
</tr>
<tr>
<td>Director&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Means the commissioner or the commissioner’s designee assigned to administer the APDES program or a portion of it, unless the context identifies an EPA director.</td>
</tr>
<tr>
<td>Discharge&lt;sup&gt;a&lt;/sup&gt;</td>
<td>When used without qualification, discharge means the discharge of a pollutant.</td>
</tr>
<tr>
<td>Discharge of a Pollutant&lt;sup&gt;a&lt;/sup&gt;</td>
<td>Means any addition of any pollutant or combination of pollutants to waters of the United States from any point source or to waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft that is being used as a means of transportation. Discharge includes any addition of pollutants into waters of the United States from surface runoff that is collected or channeled by humans; discharges through pipes, sewers, or other conveyances owned by a state, municipality, or other person that do not lead to a treatment works; discharges through pipes, sewers, or other conveyances leading into privately owned treatment works; and does not include an addition of pollutants by any indirect discharger.</td>
</tr>
<tr>
<td>Dissolved Oxygen (DO)&lt;sup&gt;b&lt;/sup&gt;</td>
<td>Means the concentration of oxygen in water as determined either by the Winkler (iodometric) method and its modifications or by the membrane electrode method. The oxygen dissolved in water or wastewater and usually expressed in milligrams per liter or percent saturation.</td>
</tr>
<tr>
<td>Ecosystem&lt;sup&gt;b&lt;/sup&gt;</td>
<td>Means a system made up of a community of animals, plants, and bacteria and the system’s interrelated physical and chemical environment.</td>
</tr>
<tr>
<td>Effect Concentration</td>
<td>A point estimate of the toxicant concentration that would cause an observable adverse effect on a quantal, “all or nothing,” response (e.g., death, immobilization, or serious incapacitation) in a given percent of the test organisms, calculated by point estimation techniques.</td>
</tr>
</tbody>
</table>
Effluent\(^b\)  
Means the segment of a wastewater stream that follows the final step in a treatment process and precedes discharge of the wastewater stream to the receiving environment.

Estimated  
Means a way to estimate the discharge volume. Approvable estimations include, but are not limited to, the number of persons per day at the facility, volume of potable water produced per day, lift station run time, etc.

Excluded area  
Means an area not authorized as a receiving water under a permit.

Fecal Coliform Bacteria (FC)\(^b\)  
Bacteria that can ferment lactose at 44.5° + 0.2°C to produce gas in a multiple tube procedure. Fecal coliform bacteria also means all bacteria that produce blue colonies in a membrane filtration procedure within 24 ± 2 hours of incubation at 44.5° + 0.2°C in an M-FC broth.

Final Approval to Operate  
Means the approval that the Department issues after it has reviewed and approved the construction and operation of the engineered wastewater treatment works plans submitted to the Department in accordance with 18 AAC 72.215 through 18 AAC 72.280 or as amended.

Geometric Mean  
The geometric mean is the N\(^{th}\) root of the product of N. All sample results of zero will use a value of 1 for calculation of the geometric mean. Example geometric mean calculation: \(\sqrt[3]{12 \times 34 \times 990} = 55\).

Grab Sample  
Means a single instantaneous sample collected at a particular place and time that represents the composition of wastewater only at that time and place.

Influent  
Means untreated wastewater before it enters the first treatment process of a wastewater treatment works.

Inhibition Concentration 25% (IC\(_{25}\))\(^e\)  
Means the point estimate of the toxicant concentration that would cause 25% reduction in a nonquantal biological measurement of the test organisms, such as reproduction or growth.

Lethal Concentration 50% (LC\(_{50}\))\(^f\)  
Means the point estimate of the toxicant that would be lethal to 50% of the test organisms during a specific period.

Maximum Daily Discharge Limitation\(^a\)  
Means the highest allowable “daily discharge.”

Mean\(^b\)  
Means the average of values obtained over a specified period and, for fecal coliform analysis, is computed as a geometric mean.

Mean Lower Low Water\(^b\)  
Means the tidal datum plane of the average of the lower of the two low waters of each day, as would be established by the National Geodetic Survey, at any place subject to tidal influence.

Measured  
Means the actual volume of wastewater discharged using appropriate mechanical or electronic equipment to provide a totalized reading. Measure does not provide a recorded measurement of instantaneous rates.

Method Detection Limit (MDL)\(^d\)  
Means the minimum concentration of a substance (analyte) that can be measured and reported with 99 percent confidence that the analyte concentration is greater than zero and is determined from analysis of a sample in a given matrix containing the analyte.

Micrograms per Liter (µg/L)\(^b\)  
Means the concentration at which one millionth of a gram (10\(^{-6}\) g) is found in a volume of one liter.
**Milligrams per Liter**\(^{b}\)  
Means the concentration at which one thousandth of a gram \((10^{-3}\text{ g})\) is found in a volume of one liter. It is approximately equal to the unit “parts per million (ppm),” formerly of common use.

**Minimum Level (ML)**\(^{e}\)  
Means the concentration at which the entire analytical system must give a recognizable signal and an acceptable calibration point. The ML is the concentration in a sample that is equivalent to the concentration of the lowest calibration standard analyzed by a specific analytical procedure, assuming that all the method-specified sample weights, volumes, and processing steps have been followed. This level is used as the compliance level if the effluent limit is below it.

**Mixing Zone**\(^{b}\)  
Means a volume of water adjacent to a discharge in which wastes discharged mix with the receiving water.

**Month**  
Means the time period from the 1\(^{st}\) of a calendar month to the last day in the month.

**Monthly Average**  
Means the average of daily discharges over a monitoring month calculated as the sum of all daily discharges measured during a monitoring month divided by the number of daily discharges measured during that month.

**No Observed Effect Concentration (NOEC)**\(^{e}\)  
Means the highest concentration of an effluent or a toxicant at which no adverse effects are observed on the aquatic test organisms at a specific time of observation. NOEC is determined using hypothesis testing.

**Permittee**  
Means a company, organization, association, entity, or person who is issued a wastewater permit and is responsible for ensuring compliance, monitoring, and reporting as required by the permit.

**pH**\(^{g}\)  
Means a measure of the hydrogen ion concentration of water or wastewater; expressed as the negative log of the hydrogen ion concentration in mg/L. A pH of 7 is neutral. A pH less than 7 is acidic, and a pH greater than 7 is basic.

**Practical Quantification Limit (PQL)**\(^{g}\)  
Means the lowest level that can be reliably achieved within specified limits of precision and accuracy during routine laboratory operating conditions.

**Quality Assurance Project Plan (QAPP)**  
Means a system of procedures, checks, audits, and corrective actions to ensure that all research design and performance, environmental monitoring and sampling, and other technical and reporting activities are of the highest achievable quality.

**Quarter**  
Means the time period of three months based on the calendar year beginning with January.
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receiving Water Body</td>
<td>Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, straits, passages, canals, the Pacific Ocean, Gulf of Alaska, Bering Sea, and Arctic Ocean, in the territorial limits of the state, and all other bodies of surface water, natural or artificial, public or private, inland or coastal, fresh or salt, which are wholly or partially in or bordering the state or under the jurisdiction of the state. (See “Waters of the U.S.” at 18 AAC 83.990(77)).</td>
</tr>
<tr>
<td>Recorded</td>
<td>A permanent record using mechanical or electronic equipment to provide a totalized reading, as well as a record of instantaneous readings.</td>
</tr>
<tr>
<td>Report</td>
<td>Report results of analysis.</td>
</tr>
<tr>
<td>Residual Chlorine</td>
<td>Chlorine remaining in water or wastewater at the end of a specified contact period as combined or free chlorine.</td>
</tr>
<tr>
<td>Responsible Corporate Officer</td>
<td>A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function or any other person who performs similar policy or decision making functions for the corporation. The Responsible Corporate Officer can also be the manager of one or more manufacturing, production, or operating facilities if the requirements of 18 AAC 83.385(a)(1)(B)(i)-(iii) are met.</td>
</tr>
<tr>
<td>Secondary Recreation</td>
<td>Activities in which incidental water use can occur. Secondary recreation includes boating, camping, hunting, hiking, wading, and recreational fishing. Secondary contact recreation does not include fish consumption.</td>
</tr>
<tr>
<td>Settleable Solids</td>
<td>Solid material of organic or mineral origin that is transported by and deposited from water, as measured by the volumetric Imhoff cone method and at the method detection limits specified in method 2540(F), Standard Methods for the Examination of Water and Wastewater, 18th edition (1992), adopted by reference in 18 AAC 70.020(c)(1).</td>
</tr>
<tr>
<td>Severe Property Damage</td>
<td>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.</td>
</tr>
<tr>
<td>Sheen</td>
<td>An iridescent appearance on the water surface.</td>
</tr>
<tr>
<td>Shellfish</td>
<td>A species of crustacean, mollusk, or other aquatic invertebrate with a shell or shell-like exoskeleton in any stage of its life cycle.</td>
</tr>
<tr>
<td>Significant Industrial User (SIU)</td>
<td>An indirect discharger that is the focus of control efforts under the national pretreatment program; includes all indirect dischargers subject to national categorical pretreatment standards, and all other indirect dischargers that contribute 25,000 gpd or more of process wastewater, or which make up five percent or more of the hydraulic or organic loading to the municipal treatment plant, subject to certain exceptions [40 CFR 403.3(t)].</td>
</tr>
<tr>
<td>Sufficiently Sensitive Methods</td>
<td>Per 40 CFR 122.21(a)(3), a method approved under 40 CFR 136 is sufficiently sensitive when:</td>
</tr>
<tr>
<td></td>
<td>(A) The method minimum level (ML) is at or below the level of the applicable water quality criterion for the measured parameter, or</td>
</tr>
<tr>
<td></td>
<td>(B) The method ML is above the applicable water quality criterion, but the amount of the pollutant or pollutant parameter in the discharge is high enough that the method</td>
</tr>
</tbody>
</table>
detects and quantifies the level of the pollutant or pollutant parameter in the discharge, or

(C) The method has the lowest ML of the analytical methods approved under 40 CFR 136 for the measured pollutant or pollutant parameter.

**Suspended Solids**

Means insoluble solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids. The quantity of material removed from wastewater in a laboratory test, as prescribed in *Standard Methods for the Examination of Water and Wastewater* and referred to as nonfilterable.

**Total Suspended Solids (TSS)**

Means a measure of the filterable solids present in a sample, as determined by the method specified in 40 CFR Part 136.

**Toxic Unit, Chronic (TUc)**

Means the reciprocal of the effluent concentration that causes no observable effect on the test organisms by the end of the chronic exposure period (i.e., 100/NOEC).

**Untreated Waterflood**

Untreated waterflood is water from the same source as normal waterflood without the concomitant contamination from chemicals or compounds used to treat normal waterflood prior to its injection into an oil formation. Typical chemicals or compounds usually consist of de-scalers, biocides, and oxygen scavengers.

**Upset**

Means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based 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.

**Wastewater Treatment**

Means any process to which wastewater is subjected in order to remove or alter its objectionable constituents and make it suitable for subsequent use or acceptable for discharge to the environment.

**Water Depth**

Means the depth of the water between the surface and the seafloor as measured at MLLW.

**Waterflood**

Waterflooding or water injection is where water is injected into an oil field, usually to increase pressure and thereby stimulate production.

**Waters of the United States or Waters of the U.S.**

Has the meaning given in 18 AAC 83.990(77).

**Water Recreation**

See contact recreation or secondary recreation.

**Water Supply**

Means any of the waters of the United States that are designated in 18 AAC 70 to be protected for fresh water or marine water uses. Water supply includes waters used for drinking, culinary, food processing, agricultural, aquacultural, seafood processing, and industrial purposes. Water supply does not necessarily mean that water in a waterbody that is protected as a supply for the uses listed in this paragraph is safe to drink in its natural state.

**Week**

Means the time period of Sunday through Saturday.
Zone of Deposit  Means the total area of the bottom in marine or estuarine waters in which DEC has authorized the deposit of substances in exceedance of the water quality criteria in 18 AAC 70.020(b) and the antidegradation requirement in 18 AAC 70.010(c).

Notes:

a) See 18 AAC 83
b) See 18 AAC 70.990
c) See 18 AAC 72.990
d) See 40 CFR Part 136
e) See EPA Technical Support Document
f) See Standard Methods for the Examination of Water and Wastewater 18th Edition
g) See EPA Permit Writers Manual