



# Working with the Division of Water

Alaska Department of Environmental Conservation  
Division of Water  
Alaska Pollutant Discharge Elimination System  
Gina Shirey



# Division of Water

## Mission Statement:

- Improve and protect water quality

## How?

- Establishes standards for water cleanliness
- **Regulates discharges to waters and wetlands**
- Provides financial assistance for water and wastewater facility construction and waterbody assessment and remediation
- Trains, certifies, and assists water and wastewater system operators
- Monitors and reports on water quality



# Working with DOW Video

Please click on this link to watch the video:  
[Working with the Division of Water \(video\)](#)



# Division of Water Programs

## Water Quality Programs

- Water Quality Standards, Assessment, and Restoration
- Wastewater Discharge Authorization
- Compliance
- Cruise Ship

## Facility Programs

- Village Safe Water
- Operations Assistance
- Municipal Grants and Loans



# Village Safe Water



Arctic Village Washateria

# Operations Assistance: Remote Maintenance Worker (RMW)



Installing a Turbidimeter in Karluk

# Operations Assistance: Operator Certification and Training



A class at work on control panels

Improving and Protecting Alaska's Water Quality



# Municipal Grants and Loans



Wrangell Wastewater Treatment Plant

Improving and Protecting Alaska's Water Quality

# National Pollutant Discharge Elimination System (NPDES)



## Clean Water Act

- Established the NPDES Program, which requires a permit for wastewater discharges to U.S. waters
- Authorized states or tribes to implement permit program with EPA approval



# Alaska Pollutant Discharge Elimination System (APDES)



NPDES



APDES

- EPA approved DEC primacy application in October 2008
- Primacy transferred in phases
- Final phase was completed in October 2012
- Division of Water administers the APDES Program

EPA



Remains Permit Authority for

- Metlakatla, Denali National Park, Biosolids program, 3 miles offshore, and 301(h) waiver (primary treatment) facilities

Oversees APDES Program

- Reviews/comments on permits and conducts facility inspections and/or separate enforcement actions



# Tribal Involvement

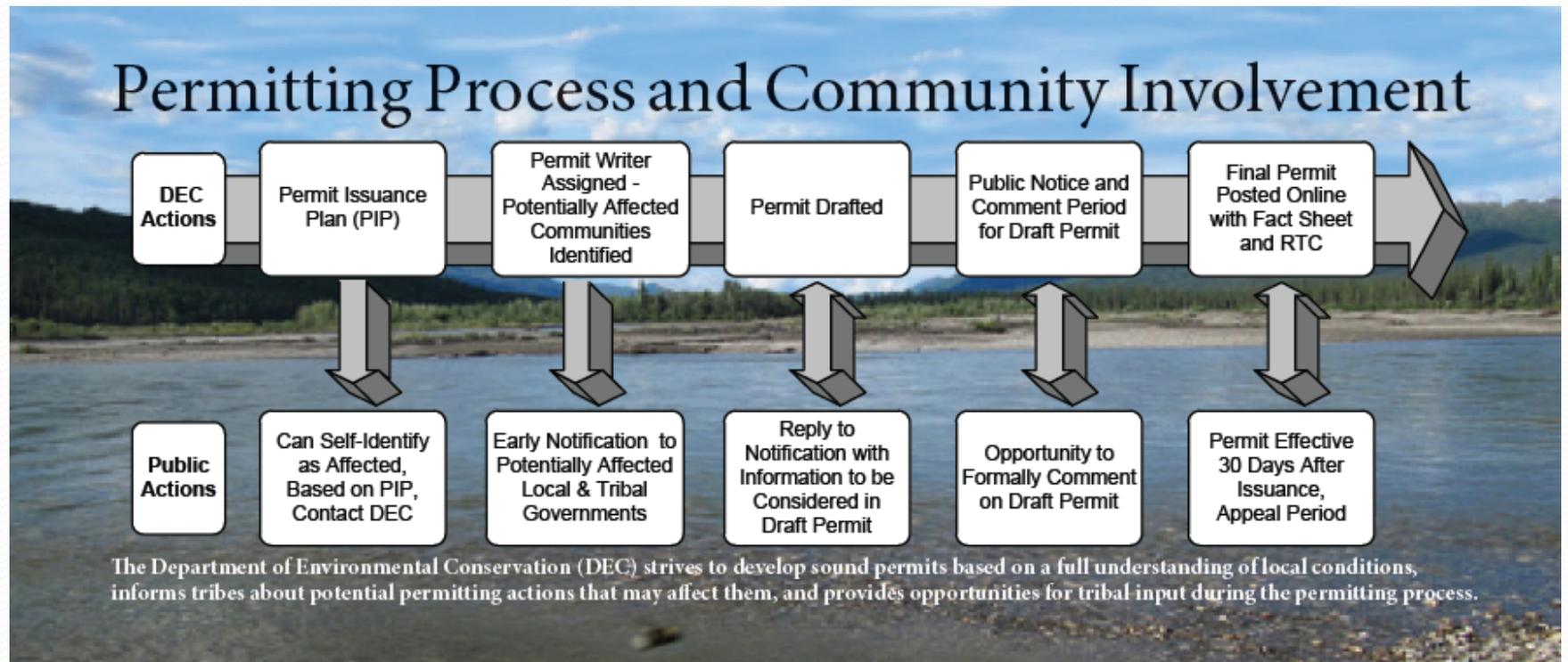
The Division of Water provides resources to facilitate early and effective involvement

- Permit Issuance Plan
- Early Notification Letters
- Public Notice
- Tribal Website
  - <http://dec.alaska.gov/water/TribalCommunication/tribes.html>
- Tribal Communication Protocol





# Permitting Process and Community Involvement





# Permit Issuance Plan (PIP)

Plan for permits expected to be developed during the next two years

- Updated annually
- Posted on Division of Water website
  - [http://dec.alaska.gov/water/wwdp/pdfs/PIP\\_2015-2016.pdf](http://dec.alaska.gov/water/wwdp/pdfs/PIP_2015-2016.pdf)
  - Can self-identify as affected based on PIP





# Notifications

- Early Notification

- Sent to potentially affected tribes and local governments
- Provides opportunity for those affected to provide information before the public notice period



- Public Notice

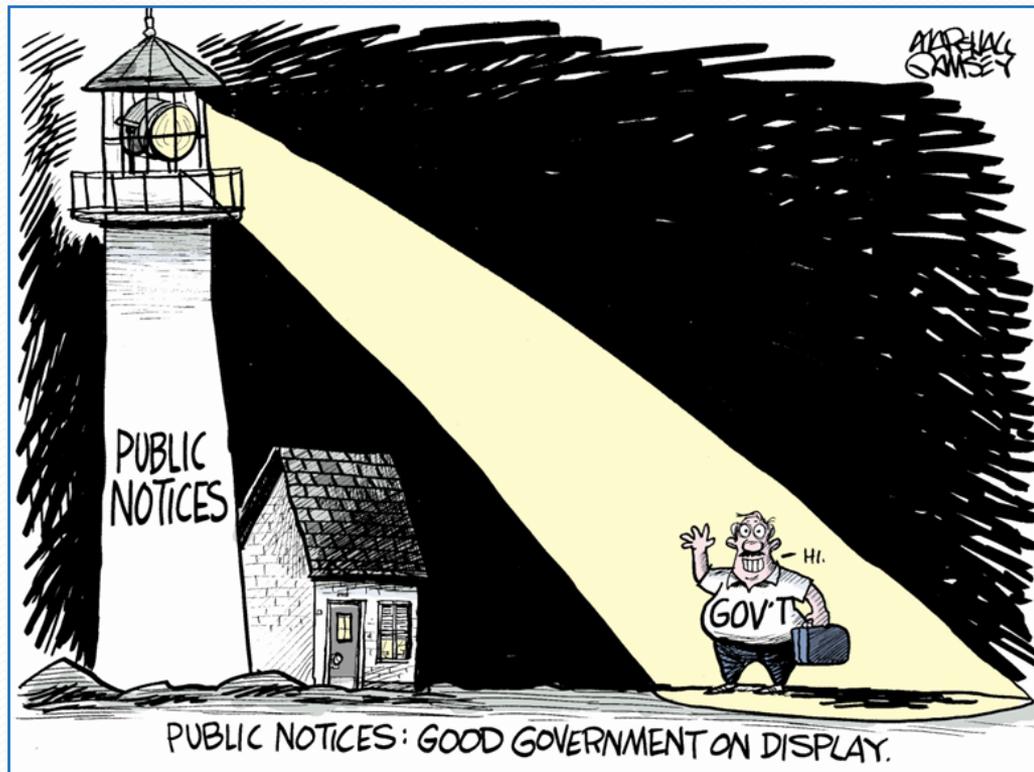
- Mailed to potentially affected local and tribal governments
- Posted online



- Potential Additional Notification

- 10-day preliminary draft permit applicant review
- 5-day proposed final draft permit applicant review

# Public Notice

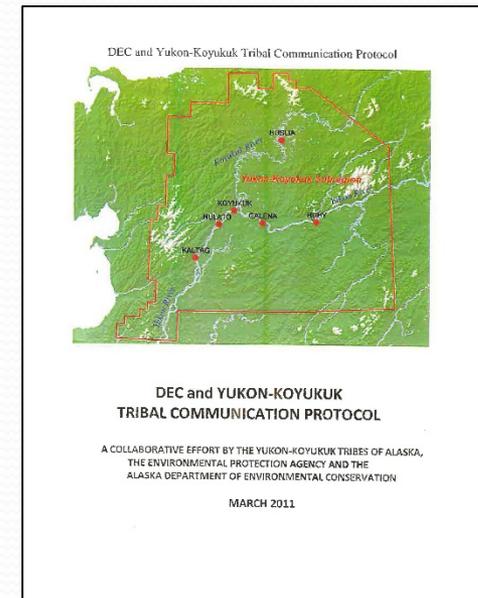


- Minimum of 30 day public review and comment period
- For complex projects, the public review and comment period can be longer



# Tribal Information

- APDES Information for Tribes
  - <http://dec.alaska.gov/water/TribalCommunication/tribes.html>
- DEC and Yukon-Koyukuk Tribal Communications Protocol





# Supplemental Process

- Can be used for projects that are
  - Large or complex with multiple discharges
  - Controversial or locally or regionally important
  - Of concern to subsistence or recreational resources or users
- Additional tools
  - Project Liaison – interface with tribes, public, organizations
  - Communication Plan – project specific
  - Workshops, meetings, hearings
  - Extended comment periods
  - Supplemental notice and information





# Public Comment Period

- Formally state concerns about permit in the record
- Substantive comments
  - Is information accurate?
  - Are assumptions and methodology adequate?
  - Is there other relevant information to consider?
  - Do changes need to be made?
- Out of scope comments
  - Beyond authority of the agency
  - Out of the project scope
  - Opinions or perceptions
  - Generally speculative

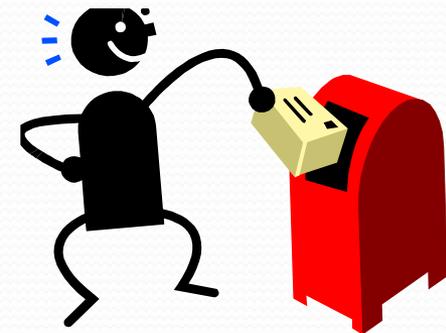




# Your Comment

Becomes part of the Administrative Record and is therefore accessible by the public

- Must be submitted within the comment period
- Will be responded to in the Response to Comments
- May impact development of permit
- Is public record and subject to FOIA





# Response to Comments

Describes public participation that occurred and comments received during the public process

- Legal document that contains
  - Short summary of facility and permit
  - List of comments received
  - Responses to comments received
  - Discussion of changes made from draft permit to final permit as result of comments received





# Administrative Record

Information used and developed during permitting process part of administrative record

- Administrative record includes
  - Background information, such as emails, phone logs, early notifications, monitoring data, photographs, inspection reports, etc.
- Permit and legal supporting documentation including
  - Fact Sheet, public comments, response to comments, calculations
- Available for public review and subject to FOIA requests
- Retained for at least 5 years





# Resources

- Wastewater and Tribal websites
  - <http://dec.alaska.gov/water/wwdp/index.htm>
  - <http://dec.alaska.gov/water/TribalCommunication/tribes.html>
- Guidance documents
- Electronic listserv
- Wastewater Permits in Alaska
- Enforcement and Compliance





# Technical Assistance

- Local and Tribal Government Coordinator
  - Gina Shirey (907) 465-5272
  - Updates contact information, answers questions about PIP, and answers non-technical permit questions
- Permit Writer
  - Varies, will be stated in early notification letters
  - Answers technical questions about permit or facility



# Suggestions?

The Division of Water is always interested in improving our process!



Questions?  
Thank you for your time!

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