



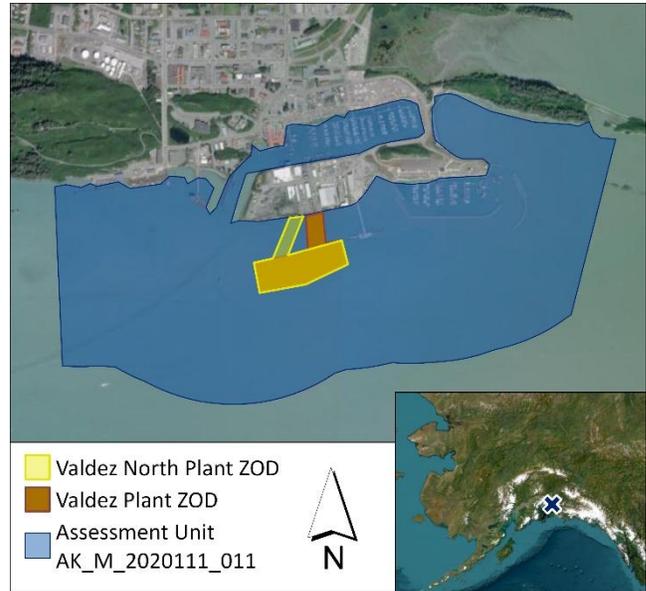
# Water Quality Program Category 4b Summary

Draft 2026 Integrated Report

## Port Valdez Small Boat Harbor

### Abstract

Two seafood processing plants, the Valdez Plant owned by Silver Bay Seafoods (SBS) and the Valdez North Plant formerly owned by Peter Pan Seafoods, are permitted to discharge seafood residues into the Port of Valdez. Under their respective Alaska Pollutant Discharge Elimination System (APDES) permits, each processing plant is permitted a 1-acre Zone of Deposit (ZOD) on the seafloor adjacent to their discharge outlet<sup>1</sup>. There have been exceedances of the two facilities' 1-acre ZODs since 2017. However, it was unclear which facility was responsible because the discharge outlets were less than 100 meters (m) apart, resulting in a comingling of seafood residues. In the spring of 2018, Peter Pan moved the Valdez North Plant outlet 140 m. The Valdez North Plant continued to exceed the 1-acre ZOD allowance in 2021, 2022, 2023, and 2024 (Table 2). SBS acquired Peter Pan's Valdez North Plant and all compliance responsibilities in April of 2024.



EPA filed a complaint in May of 2024 with the Alaska District Court alleging that SBS violated Section 301(a) of the Clean Water Act, including violations of permit conditions at the Valdez North Plant. EPA concurrently filed a Consent Decree (CD), which was approved by the court, outlining a Statement of Work<sup>2</sup> to bring the facility into compliance. Given the historical exceedances and resulting CD, DEC recommends placing Port Valdez Small Boat Harbor in Category 4b, Impaired with a Recovery Plan for Residues.

*Table 1. Current assessment unit status and applicable water quality standard (WQS)*

<b>Assessment Unit Name</b>	Port Valdez Small Boat Harbor
<b>Assessment Unit ID</b>	AK_M_2020111_011
<b>APDES Permit Number</b>	AKG521046 (Valdez North Plant) and AKG521055 (Valdez Plant)
<b>Parameter</b>	Residues (seafood processing waste)
<b>Category Change</b>	None to 4b
<b>Water Quality Standard</b>	Residues, for marine water uses <sup>3</sup>
<b>Designated Uses Affected</b>	All

<sup>1</sup> Alaska Department of Environmental Conservation. 2023. *Alaska Pollutant Discharge Elimination System General Permit for Onshore Seafood Processors in Alaska*. Part 2.3.4

<sup>2</sup> United States of America v. PSF, Inc., Peter Pan Seafood Company, LLC, & Silver Bay Seafoods - Valdez, LLC. Consent Decree Case 3:24-cv-00112

<sup>3</sup> Alaska Department of Environmental Conservation. 2025. *18 AAC 70.010 Water Quality Standards*. Amended as of January 8, 2025.

## Results

The two facilities in this assessment unit violated the combined 2-acre ZOD (1-acre for the Valdez North Plant and 1-acre for the Valdez Plant) in 2017, 2018, and 2021. Due to the comingling discharges, DEC was unable to determine if one or both facilities were out of compliance. After the outfalls were separated the Valdez North Plant exceeded the 1-acre ZOD allowance every year between 2022-2024 (Table 2). The Alaska Listing Methodology for Determining Water Quality Impairments from Residues<sup>4</sup> states that compliance actions could serve as the basis for Category 4b demonstration. The assessment unit is being listed under Category 4b based on the CD.

*Table 2. Seafloor monitoring surveys. Each facility is permitted for a 1-acre ZOD.*

Year	Facility	Seafloor Survey Dates	ZOD Acres
2017	Valdez North Plant and Valdez Plant	10/19/2017 – 10/27/2017	<b>3.64</b>
2018	Valdez North Plant and Valdez Plant	10/3/2018 - 10/17/2018	<b>4.58</b>
2019	Valdez North Plant	10/21/2019 - 11/5/2019	0.96
2020	Valdez North Plant	10/12/2020 - 10/22/2020	0.91
2021	Valdez North Plant and Valdez Plant	9/20/2021 - 9/30/2021	<b>3.12<sup>5</sup></b>
2022	Valdez North Plant	6/10/2022 - 9/30/2022	<b>1.59</b>
2023	Valdez North Plant	10/3/2023 - 10/11/2023	<b>2.75</b>
2024	Valdez North Plant	10/21/2024 - 10/28/2024	<b>1.41</b>

## Description of Pollution Controls and How They Will Achieve Water Quality Standards

The proposed implementation strategy applies the CD between EPA and SBS, effective May 28, 2024. It covers the Valdez North Plant, formerly owned by Peter Pan Seafoods, located at 219 South Harbor Drive, Valdez, Alaska 99686, and all related property, equipment, and outfalls, excluding SBS's adjacent Valdez Plant processing facility.

## Water Quality Target

The General Permit authorization to discharge seafood processing waste residues is limited to a cumulative total of 1.0 acre of coverage within the project area ZOD.

## Point Source Loadings That When Implemented Will Achieve WQS

SBS shall not discharge more than 250,000 pounds of seafood processing waste from the Valdez North Facility outfall per year, as required by the seafood processing permit authorization AKG521046, the Source Reduction Plan<sup>6</sup> submitted to and approved by DEC, and the CD.

<sup>4</sup> Alaska Department of Environmental Conservation. 2003. *Listing Methodology for Determining Water Quality Impairments from Residues*. <https://dec.alaska.gov/water/water-quality/integrated-report/>.

<sup>5</sup> The Remote Onshore Seafood Processors General Permit was updated on 6/1/2022 to include sample plots with 50% or greater coverage of seafood waste or *Beggiatoa* to estimate the total ZOD (permit part 2.3.4.2.1). The prior permit only counted continuous coverage of seafood waste towards the 1-acre regulatory limit.

<sup>6</sup> Alaska Department of Environmental Conservation, prepared by Silver Bay Seafoods. 2025. *Seafood Wastewater Source Control Proposal for Silver Bay Seafoods - Valdez North*. Contact the DEC Seafood Processing & Hatchery Section to view a copy.

## Controls That Will Achieve WQS

The Statement of Work requires that SBS:

- Immediately implement several source reduction controls, including limits on discharges and transportation of waste offshore,
- Ninety days before the 2025 seafood processing season, submit to EPA a Source Reduction Report that identifies measures to minimize discharges of seafood processing waste,
- Update and submit to EPA the Best Management Practices (BMP) Plan and Quality Assurance Project Plans (QAPPs) for the Valdez North Facility in accordance with the General Permit,
- Conduct studies, including benthic assessments in 2025 and 2028 to characterize the spatial extent of environmental impact,
- Conduct seafloor surveys once every year within 60 days of the processing season's end,
- Conduct a Hydrodynamic and Water Quality Study during the seafloor survey conducted in 2024,
- Submit a remediation plan if the ZOD exceeds 0.5 acres as measured during the 2028 benthic assessment requirement.

## Description of Requirements under which Pollution Controls Will Be Implemented

In Section VI of the CD, SBS is required to implement the pollution control actions outlined in Appendix A of the CD at the Valdez North Facility, following the required schedule. SBS must comply with all requirements of its APDES permit and any future permits issued by DEC, as well as the monitoring, reporting, and recordkeeping requirements detailed in Appendix A of the CD. Failure to meet these requirements will result in financial penalties, as outlined in Section VIII of the CD.

## Projection of Time When WQS Will Be Met

DEC anticipates that the residues WQS criteria will be met and maintained by December 31, 2028, with reasonable assurance of no backsliding.

## Schedule for Implementing Pollution Controls

- By June 15, 2025, SBS shall install and use piping between the Valdez North Facility and the adjacent SBS Valdez Facility to transport seafood processing product from the Valdez North Facility to the Valdez Facility.
- Ninety (90) days before the 2025 seafood processing season, SBS shall submit to EPA for review and approval a Source Reduction Report that identifies specific measures to minimize discharges of seafood processing waste to Valdez North Facility outfalls.
- If the Valdez North Facility ZOD exceeds 0.5 acres as measured during the 2028 benthic assessment, then no later than 270 days following the 2028 benthic assessment, SBS shall submit a Remediation Plan to EPA for review, comment, and approval.

## Monitoring Plan to Track Effectiveness of Pollution Controls

- Following the Effective Date of the CD, SBS shall conduct at least one seafloor survey of the Valdez North Facility seafood waste pile(s) starting in 2024 every year within 60 Days of the processing season's end, through the termination of the CD.
- SBS shall conduct benthic assessments at the Valdez North Facility in 2025 and 2028, no later than 120 days from the last day of the applicable year's processing season.

- Following the 2028 benthic assessment, if the Valdez North Facility ZOD exceeds 0.5 acres, SBS shall conduct benthic assessment surveys every three years through termination of the CD to monitor the size of the Valdez North Facility ZOD. SBS shall submit benthic assessment reports to EPA.

### Commitment to Revise Pollution Controls, as Necessary

DEC will review submitted data and assessments and will determine whether the remediation activities are effective in achieving WQS. If visual surveys and reporting show that the pollution controls taken to-date are insufficient to attain and maintain WQS, DEC and EPA will consider requiring additional measures to reduce the seafood waste pile size to meet the permit's 1-acre ZOD limit for as long as the CD remains in effect. DEC will continue to work with the EPA and the permittee to improve the Valdez Small Boat Harbor's water quality.