ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM

GENERAL PERMIT – FINAL

Aquaculture Facilities in Alaska

Permit Number AKG130000

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Water
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501

In compliance with the provisions of the Clean Water Act (CWA), 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.

The owners and operators of concentrated aquatic animal production (CAAP) facilities covered under this Alaska Pollutant Discharge Elimination System (APDES) General Permit are authorized to discharge to waters of the United States (U.S.), in accordance with discharge point(s), effluent limitations, monitoring requirements, and other conditions set forth herein.

A COPY OF THIS GENERAL PERMIT
MUST BE KEPT AT THE SITE WHERE DISCHARGE OCCURS

This permit is effective **March 1, 2018**

This permit and the authorization to discharge shall expire at midnight, **February 28, 2023**

The permittee shall reapply for a permit reissuance on or before **September 1, 2022**, 180 days before the expiration of this permit.

Wade S Strickland	January 19, 2018
Signature	Date
Wade Strickland	Program Manager
Printed Name	Title

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Schedule of Submissions

The Schedule of Submissions summarizes some of the required submissions and activities the permittee must complete and/or submit to the Alaska Department of Environmental Conservation (the Department or DEC) during the term of this permit. The permittee is responsible for all submissions and activities even if they are not summarized below in Table 1.

Table 1: Schedule of Submissions

Permit Part	Submittal or Completion	Frequency	Due Date	Submit to[a]
1.5.1	Notice of Intent	1/permit cycle	Within 60 days of permit effective date	Permitting
1.5.4	Carcass Disposal Plan	1/permit cycle	Within 60 days of permit effective date with Notice of Intent	Permitting
1.5.3	Applicants Notice of Intent or Modifications	1/permit cycle	Within 60 days prior to discharge	Permitting
5.1.2	Operations and Maintenance Plan notification letter	1/permit cycle	Within 180 days after the effective date of the final permit	Compliance
5.3.1	Production changes	As required	Within 30 days prior to production changes	Permitting
6.2	Quality Assurance Project Plan (QAPP) notification letter	1/permit cycle	Within 180 days after the effective date of the final permit	Compliance
7.1	Annual Report	1/calendar year	March 15th each year	Compliance
7.2.1.1	Participation in Investigational New Animal Drugs (INAD) study	As required	Within seven days of agreeing to participate in the study	Permitting
7.2.1.2 & 7.2.1.3	Drug usage	As required	Oral report as soon as possible, but no later than seven days after initiating drug use and written report within 30 days after initiating drug use	Permitting
7.2.2.1	Structural failures	As required	Oral report within 24 hours and written report within five days of identifying failure or damage	Compliance
7.2.3.1	Spills of drugs, pesticides, feed, or other chemicals	As required	Oral report within 24 hours of spill and a written report within seven days	Compliance
Appendix A, 1.3	Application for permit reissuance	1/permit cycle	180 days before expiration of the final permit	Permitting
Appendix A, 3.4	Oral notification of noncompliance	As necessary	Within 24 hours from the time the permittee becomes aware of the circumstances of noncompliance	Compliance
Appendix A, 3.4	Written documentation of noncompliance	As necessary	Within 5 days after the permittee becomes aware of the circumstances	Compliance

a. See Appendix A, Part 1.1 for addresses.

1.0 Permit Coverage

1.1 Coverage and Eligibility - Subject to the restrictions and conditions of this statewide general permit, concentrated aquatic animal production (CAAP) facilities (as defined in Appendix C of 40 CFR 122.24) that discharge aquaculture rearing waste and wastewater, including whole and ground carcasses, to fresh or marine surface waters or a system that discharges to a surface water at least 30 days per year may be authorized to discharge after receiving written authorization from DEC. CAAP facilities that meet the following conditions are eligible to apply for coverage under the general permit:

1.1.1 Produce, hold, or contain 20,000 pounds or more of aquatic animals per year (any 12 month period) in a flow through, recirculating, net pen, or submerged cage system; and

1.1.2 Feed more than 5,000 pounds of food in any one calendar month; or

1.1.3 DEC determines the facility is a significant contributor of pollution to waters of the United States (U.S.). DEC will consider the following factors when determining if a smaller facility is a significant contributor of pollution to waters of the U.S.:

1.1.3.1 Location, quantity, and quality of the receiving waters;

1.1.3.2 Holding, feeding, and production capacities of the facility; and

1.1.3.3 Quantity and nature of the pollutants reaching waters of the U.S.

1.1.4 Facilities below the thresholds in Part 1.1.1and Part 1.1.2 may voluntarily submit the information required in a Notice of Intent (NOI) with a cover letter requesting to be covered under the general permit.

1.2 Exclusions - Dischargers meeting any of the following conditions will be excluded from coverage under this general permit. These types of discharges are more appropriately controlled under either a separate general or individual permit.

1.2.1 Discharges from molluscan shellfish operators;

1.2.2 Indirect discharges of process wastewater to privately or publicly owned treatment works;

1.2.3 Discharges of storm water from industrial facilities or construction activities;

1.2.4 Discharges to sensitive habitats including extensive tidal flats, salt marshes, kelp or eelgrass beds, seaweed harvest areas or shellfish concentrations areas, unless the permittee submits documentation to DEC that demonstrates that the discharge will not cause substantial habitat degradation; or

1.2.5 Discharges to a degraded water resource, unless one of the following are met:

1.2.5.1 The general permit is adequate to provide the level of protection required by the Total Maximum Daily Load (TMDL) or control plan including waste load allocations (WLA) for the facility;

1.2.5.2 The permittee submits documentation to DEC that the pollutant for which the water body is impaired is not present at the facility; or

1.2.5.3 The permittee submits data to DEC that demonstrates that the discharge is not expected to cause or contribute to an excursion of a water quality standard.

1.3 Prohibited Discharges

1.3.1 The discharge shall not cause contamination of surface or ground waters and shall not cause or contribute to a violation of the Alaska Water Quality Standards (18 AAC 70), unless allowed in this permit through exceptions to the standards, in accordance with applicable provisions in 18 AAC 70.200 – 270.

1.3.2 Permittees must not discharge the following pollutants to waters of the U.S.:

1.3.2.1 Atlantic salmon (*Salmo salar*);

1.3.2.2 Discharge of ground aquatic animal mortalities or ground broodstock carcasses to freshwater;

1.3.2.3 Discharge of any waste streams, including spills and other unintentional or non-routine discharges of pollutants, that are not part of the normal operation of the facility as disclosed in the NOI;

1.3.2.4 Floating solids, debris, deposits, foam, scum, or other residues that alone or in combination with other substances, cause a film, sheen, or discoloration on the surface of the receiving water or adjoining shorelines; cause leaching of toxic or 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;

1.3.2.5 Disease control chemicals and drugs, except those listed in Part 5.2 and approved for hatchery use by the United States Food and Drug Administration (FDA) or the Environmental Protection Agency (EPA) or prescribed by a licensed veterinarian;

1.3.2.6 Hazardous or toxic substances, including unapproved drugs and pesticides, in toxic amounts that may impair designated uses or violate water quality standards of the receiving water; and

1.3.2.7 Biocidal chemicals for cleaning nets in the water, unless prescribed by a veterinarian to prevent the spread of disease.

1.4 Obtaining Authorization

1.4.1 Authorization to discharge under this Alaska Pollutant Discharge Elimination System (APDES) general permit requires the responsible party of the facility seeking authorization to submit a completed NOI to DEC in accordance with the requirements listed herein and 18 AAC 83.210.

1.4.2 The discharger must receive written authorization from DEC that coverage has been granted and that a specific authorization number has been assigned to the operation prior to discharging.

1.4.3 DEC may notify a discharger that their discharge is covered by this APDES general permit, even if the discharger has not submitted an NOI in accordance with 18 AAC 83.210(h).

1.5 Notification of Intent Requirements

1.5.1 Owners or operators of existing facilities that require coverage under the general permit must submit a timely and complete NOI (found in Appendix D) to DEC in accordance with 18 AAC 83 within 60 days of the effective date of this general permit.

1.5.2 Owners or operators of multiple facilities must submit a separate NOI to DEC for each site or facility.

1.5.3 Applicants requesting authorization to discharge or those facilities that are requesting a modification to an authorization under this APDES general permit must submit a NOI to DEC at least 60 days before the date on which the discharge is to commence. A permittee authorized to discharge under the general permit must submit a NOI modification when there is any substantial change in the information submitted within the original NOI.

1.5.4 Permittees must submit a Carcass Disposal Plan with the NOI that describes how the facility will dispose of mortalities and broodstock carcasses and the proposed discharge location. The plan must include:

1.5.4.1 Proposed disposal methods, including practicable alternatives;

1.5.4.2 Bathymetric or topographic map showing the proposed disposal locations;

1.5.4.3 Narrative description with supporting documentation of tides and currents in the disposal area; and

1.5.4.4 Estimate of the maximum daily pounds of mortality and broodstock carcasses and the number of days the discharge is anticipated to occur per season.

1.5.5 The NOI may be submitted:

1.5.5.1 Using a paper copy form found at: http://dec.alaska.gov/water/wwdp/seafood/permitapplications.html or

1.5.5.2 Electronically via the Permit Application Portal at: http://dec.alaska.gov/water/wwdp/online_permitting/permitentry.htm.

1.5.6 The NOI must be signed by the responsible party in accordance with Signatory Requirements in Appendix A Section 1.12 and submitted to the DEC address located in Appendix A, Section 1.1.1.

1.6 Continuation of an Expired General Permit

1.6.1 If the general permit is not reissued prior to the expiration date, it will be administratively continued in accordance with 18 AAC 83.155(c) and remain in force and effect for discharges that were authorized prior to the expiration.

1.6.2 A permittee who wishes to remain covered by administrative extension of the general permit shall submit a timely and complete NOI requesting authorization for coverage under a reissued permit to DEC within six months (180 days) prior to the expiration of the general permit.

2.0 Limitations - During the effective period of the general permit, permittees are authorized to discharge rearing waste and wastewater provided the discharge meets the limits and monitoring requirements herein.

2.1 Flow Through and Recirculating Facilities Producing 100,000 Pounds or More Total Annual Release Weight from the Facility

2.1.1 **Solids Control** - Permittees must minimize the discharge of solids by implementing the following measures:

2.1.1.1 Employ efficient feed management and feeding strategies that limit feed input to the minimum amount reasonably necessary to achieve production goals and sustain targeted rates of aquatic animal growth in order to minimize potential discharges of uneaten feed and waste products to waters of the U.S.;

2.1.1.2 Identify and implement procedures for routine cleaning of rearing units and procedures to minimize discharge of accumulated solids during the inventorying, grading, and harvesting aquatic animals in the production system; and

2.1.1.3 Remove and dispose of aquatic animal mortalities to prevent discharge to waters of the U.S., except in cases where DEC authorizes such discharge through approval of the facility's Carcass Disposal Plan.

2.1.2 **Materials Storage** - Permittees must ensure proper storage of drugs, pesticides, disinfectants, and feed in a manner designed to prevent spills that may result in a discharge of drugs, pesticides, or feed to waters of the U.S.

2.1.3 **Managing Spills** - Permittees must implement procedures for properly containing, cleaning, and disposing of any spilled material.

2.1.4 **Structural Maintenance** - Permittees must conduct the following maintenance activities and keep records documenting completion of maintenance activities:

2.1.4.1 Inspect the production system and any water treatment system on a weekly basis in order to identify and promptly repair any damage; and

2.1.4.2 Conduct maintenance of the production system and the wastewater treatment system as needed to ensure that they are properly functioning.

2.1.5 **Recordkeeping** - Permittees must keep records at the facility documenting the following:

2.1.5.1 Feed amounts and estimates of the numbers and weight of aquatic animals for each aquatic animal rearing unit; and

2.1.5.2 Frequency of cleaning, inspections, maintenance, and repairs.

2.1.6 **Training** - Permittees must provide training to staff in the following areas and keep records documenting each training session:

2.1.6.1 Proper operation and cleaning of production and wastewater treatment systems including feeding procedures and proper use of equipment; and

2.1.6.2 Spill prevention and response measures to follow in the event of a spill.

2.2 Flow Through and Recirculating Facilities Producing 20,000 to 100,000 Pounds Total Annual Release Weight from the Facility

2.2.1 **Solids Control** - Permittees must minimize the discharge of solids to waters of the U.S. by implementing the following measures:

2.2.1.1 Employ efficient feed management and feeding strategies that limit feed input to the minimum amount reasonably necessary to achieve production goals and sustain targeted rates of aquatic animal growth in order to minimize potential discharges of uneaten feed and waste products to waters of the U.S.;

2.2.1.2 Identify and implement procedures for routine cleaning of rearing units, and procedures to minimize any discharge of accumulated solids during the inventorying, grading, and harvesting aquatic animals in the production system; and

2.2.1.3 Remove and dispose of aquatic animal mortalities on a regular basis to prevent discharge to waters of the U.S., except in cases where DEC authorizes such discharge through approval of the facility's Carcass Disposal Plan.

2.2.2 **Managing Spills** - Permittees must implement procedures for properly containing, cleaning, and disposing of any spilled material.

2.3 Net Pen Facilities Producing 100,000 Pounds or More Total Annual Release Weight from the Facility, Except Those Facilities Rearing Native Species Released After a Growing Period of Four Months or Less

2.3.1 **Feed Management** - Permittees must employ efficient feed management and feeding strategies that limit feed input to the minimum amount reasonably necessary to minimize the accumulation of uneaten food beneath the pens while achieving production goals and sustaining targeted rates of aquatic animal growth.

2.3.2 **Waste Collection and Disposal** - Permittees must collect, return to shore, and properly dispose of all feed bags, packing materials, waste rope, and netting.

2.3.3 **Transport and Harvest Discharge** - Permittees must minimize any discharge associated with the transport of aquatic animals including blood, viscera, aquatic animal carcasses, or transport water containing blood.

2.3.4 **Mortality Removal** - Permittees must remove and dispose of aquatic animal mortalities to prevent discharge to waters of the U.S., except in cases where DEC authorizes such discharge through approval of the facility's Carcass Disposal Plan.

2.3.5 **Materials Storage** - Permittees must perform the following measures:

2.3.5.1 Ensure proper storage of drugs, pesticides, disinfectants, and feed in a manner designed to prevent spills that may result in a discharge of drugs, pesticides, or feed to waters of the U.S.; and

2.3.5.2 Implement procedures for properly containing, cleaning, and disposing of any spilled materials.

2.3.6 **Maintenance** - Permittees must perform the following maintenance activities:

2.3.6.1 Inspect the net pens on a weekly basis in order to identify and promptly repair any damage;

2.3.6.2 Conduct maintenance of the net pens as needed to ensure that it is properly functioning; and

2.3.6.3 To the extent possible, when the net pens are empty, allow the nets to dry over water and remove them for upland cleaning. When fish are present or if infeasible to move the net pens to an upland location prior to cleaning, *in situ* cleaning is only allowed under conditions that will disperse solids and minimize bottom settling to the extent practicable. Cleaning of discreet portions of the net must be phased in order to avoid an influx of materials to the receiving water during a single cleaning event.

2.3.7 **Recordkeeping** - Permittees must keep records documenting the following:

2.3.7.1 Feed amounts and estimates of the numbers and weight of aquatic animals (pounds and kilograms) for each aquatic animal rearing unit; and

2.3.7.2 Frequency of net changes, inspections, and repairs.

2.3.8 **Training** - Permittees must provide training to staff in the following areas and keep records documenting each training session:

2.3.8.1 Spill prevention and response measures to follow in the event of a spill; and

2.3.8.2 Proper operation and cleaning of production including feeding procedures and proper use of equipment.

2.3.9 **Siting of Net Pens** - Permittees must situate net pens according to the following conditions:

2.3.9.1 Each new net pen facility must be situated in a location with adequate current velocity relative to depth from the bottom of the net pens to the sea floor to avoid degradation of water quality and benthic conditions below the nets.

2.4 All Other Net Pen Facilities Producing 20,000 Pounds or More Total Annual Release Weight from the Facility, Regardless of Species or Duration Held

2.4.1 **Feed Management** - Permittees must employ efficient feed management and feeding strategies that limit feed input to the minimum amount reasonably necessary to minimize the accumulation of uneaten food beneath the pens while achieving production goals and sustaining targeted rates of aquatic animal growth.

2.4.2 **Mortality Removal** - Permittees must remove and dispose of aquatic animal mortalities to prevent discharge to waters of the U.S., except in cases where DEC authorizes such discharge through approval of the facility's Carcass Disposal Plan.

2.4.3 **Maintenance** - To the maximum extent possible, when the net pens are empty, allow the nets to dry over water and remove them for upland cleaning. If infeasible to move the net pens to an upland location prior to cleaning, *in situ* cleaning is only allowed under conditions that will disperse solids and minimize bottom settling to the extent practicable. Cleaning of discreet portions of the net must be phased in order to avoid an influx of materials to the receiving water during a single cleaning event.

2.4.4 **Siting of Net Pens -** Permittees must situate net pens according to the following conditions:

2.4.4.1 Each new net pen facility must be situated in a location with adequate current velocity relative to depth from the bottom of the net pens to the sea floor to avoid degradation of water quality and benthic conditions below the nets.

3.0 Monitoring

3.1 General Monitoring Requirements

3.1.1 For all effluent monitoring, permittees must use a sufficiently sensitive EPA approved test method that quantifies the level of pollutants to a level lower than applicable limits or water quality standards or use the most sensitive test method available, per Title 40 Code of Federal Regulations (CFR) Part 136 (Guidelines Establishing Test Procedures for the Analysis of Pollutants), adopted by reference at 18 AAC 83.010(f).

3.1.2 Effluent samples must be collected from the effluent stream after the last facility structure before discharge into receiving waters or to subsequent mixing with other water flows.

3.1.3 DEC may require additional effluent or receiving waterbody monitoring for site-specific purposes related to, but not limited to: application requirements, the protection of state water quality standards, gathering data to support TMDL development, evaluation of receiving water impairments, or evaluation of effects on threatened or endangered species. Likewise, monitoring frequency may be adjusted for site-specific purposes. The permittee will be notified of any additional or site-specific monitoring when issued authorization to discharge under this general permit.

3.1.4 Permittees have the option of taking more frequent samples than are required under the permit. These samples must be reported in the Annual Report 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]).

3.1.5 For purposes of reporting on the Annual Report for a single sample, if a value is less than the method detection limit (MDL), the permittee must report “less than (<) {numeric value of MDL}” and if only a value is less than a reporting limit (RL) (also called a minimum reporting limit (MRL) or a practical quantification limit (PQL)) is reported, the permittee must report “less than (<) {numeric value of RL}.”

3.2 Flow Through and Recirculating Facilities

3.2.1 **Effluent Monitoring -** Permittees must monitor effluent discharges as specified in Table 2.

Table 2: Flow-Through and Recirculating Systems Monitoring Requirements

Parameter	Units	Sample Type	Sample Frequency	Sample Location
Flow[a]	Gallons per day	Flow meter, calibrated weir, or other approved method	Continuous	Effluent[b]
Total Suspended Solids	mg/L	Composite	Monthlyc (normal)[d]	Influent and Effluent[b]
			Monthly (cleaning)[e]	Influent and Effluent
			1 per Drawdown After Release[f]	Influent and Effluent
Settable Solids	ml/L	Composite	Monthly[c] (normal)[d]	Influent and Effluent[b]
			Monthly (cleaning)[e]	Influent and Effluent
			1 per Drawdown After Release[f]	Influent and Effluent
pH	Standard Units	Grab[g]	Monthly[d]	Influent and Effluent[b]
			1 per Drawdown After Release[f]	Influent and Effluent
Ammonia	mg/L	Grab[g]	Monthly[d]	Effluent[b]
			1 per Drawdown After Release[f]	Effluent
Dissolved Oxygen	mg/L	Grab[g]	Monthly[d]	Effluent[b]
			1 per Drawdown After Release[f]	Effluent

Footnotes:

a. Flow measurements and all influent/effluent samples must be taken on the same day.

b. Effluent samples must be collected from the waste stream after the last facility structure prior to discharge into the receiving waters.

c. Monthly monitoring must begin in the first full calendar month of permit coverage.

d. Samples shall be taken monthly during normal hatchery operations. The TSS samples shall consist of at least four grab samples taken at approximately two hour intervals during hatchery operating hours which will result in a composite sample representative of the discharge during normal operations.

e. Samples shall be taken monthly during "cleaning" operations. For discharges directly from raceways, sampling shall occur during raceway cleaning operations. The TSS samples shall consist of at least four grab samples taken at evenly spaced intervals during the cleaning period which will result in a composite sample representative of the discharge during the cleaning operations. Two settleable solids grab samples shall be collected at least one hour apart which will result in a composite sample representative of the discharge during cleaning operations.

f. Drawdown samples must be collected from the last quarter of the volume of the rearing pond or raceway drawdown for the release event. If releasing multiple raceways or rearing ponds on the same day, permittees must combine grab samples from individual discharges into a flow proportional composite sample for analysis.

g. Grab samples must be representative samples of all outfalls discharging rearing pond or raceway water to waters of the U.S.

3.2.1 **Receiving Water Monitoring -** Permittees must monitor the receiving waterbody once per calendar year as specified in Table 3.

3.2.1.1 Permittees must collect samples within the receiving waterbody at a location that is outside the influence of the facility's discharge.

3.2.1.2 Permittees must collect samples at different times of the year and from different locations within the receiving waterbody each year.

Table 3: Flow Through and Recirculating Receiving Waterbody Monitoring Requirements

Parameter	Units	Sample Type	Sample Frequency	Sample Location
pH	Standard Units	Grab	1/year	Receiving Water[b]
Temperature	Celsius	Grab	1/year	Receiving Water[b]
Salinity[a]	Parts per Thousand	Grab	1/year	Receiving Water[b]

Footnotes:
a. Monitoring for salinity is only required for discharges to marine waters.
b. Permittees must collect grab samples of the receiving water during different seasons and from different locations within the receiving water that are not influenced by the facility's discharge during each year's sampling event.

3.2.2 **Disinfection Water -** Permittees must collect and analyze disinfection wastewater discharges if it has been treated with chlorine as specified in Table 4. Chlorine monitoring is not required if rearing vessels are allowed to dry completely and do not discharge chlorine to waters of the U.S.

Table 4: Disinfection Water Monitoring Requirements

Parameter	Units	Sample Type	Sample Frequency	Sample Location
Total Residual Chlorine[a]	mg/L	Grab	1 per Discharge	Effluent[b]

Footnotes:
a. Total residual chlorine reporting level of 0.1 mg/L (100 µg/L) will be used for this parameter.
b. Permittees must collect grab samples of disinfection water prior to mixing with receiving waters or any other flow.

3.3 Net Pen Facilities

3.3.1 Permittees must monitor for dissolved oxygen at each net pen site at least once per month for the entire period the aquatic animals occupy the net. During each monitoring event, permittees must take a minimum of one sample within the net pen structure and one sample outside the perimeter of the net pen structure.

3.3.1.1 Samples must be at least 15 feet beneath the water surface, if possible.

3.3.1.2 DEC may require the permittee to conduct additional monitoring depending on the site-specific characteristics of the net pen site. DEC will specify the number, locations, and depths of required samples in each written general permit authorization.

3.3.1.3 Permittees are not required to monitor the dissolved oxygen at floating marine bag systems.

3.3.2 Within 15 days prior to release of the aquatic animals each season, permittees must visually assess the benthos for the following and keep records documenting the results:

3.3.2.1 Sediment type and color, including an assessment for anoxic sediments;

3.3.2.2 The presence of feed or other debris originating from the net pen enhancement facility; and

3.3.2.3 The presence of benthic bacterial or fungal mats. Provide an estimate of the percent coverage of these mats beneath the net pen and any mats extending outward.

3.3.3 At least once per week during the period when the aquatic animals occupy the net, visually assess the water column around the nets for floating debris or other sign of solids, sheens, or discoloration originating from the net pens and keep records documenting the results.

4.0 Carcass Disposal

4.1 General Requirements

4.1.1 Permittees must not discharge carcasses (mortalities or broodstock carcasses) in a matter that causes any of the following nuisance conditions:

4.1.1.1 The receiving water to be unfit or unsafe for a beneficial use;

4.1.1.2 A film, sheen, or discoloration on the surface of the water or adjoining shorelines;

4.1.1.3 Leaching of toxic or deleterious substances; or

4.1.1.4 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 unless authorized by a zone of deposit.

4.1.2 Permittees must submit a Carcass Disposal Plan with the NOI that includes the information listed in Permit Part 1.5.4.

4.1.3 Permittees must obtain approval from DEC of each discharge site before discharge begins.

4.1.4 Permittees must maintain a daily log of each discharge occurrence and approximate weight of broodstock carcasses discharged and make it available to DEC upon request.

4.2 Broodstock Whole Carcass Disposal

4.2.1 Aquaculture facilities that convert aquatic animals from a raw to marketable form, including but not limited to, roe removal for sale or sale of whole, partial, or packaged aquatic animals, which involves more than evisceration of fish or other seafood at sea are not authorized to discharge solid waste greater than 0.5 inches in size resulting from this activity to marine water. Discharge of ground waste to freshwater is prohibited.

4.2.2 Permittees must maintain a daily log of each discharge occurrence and approximate weight of broodstock carcasses discharged and make it available to DEC upon request.

4.2.3 **Marine Discharges** - Discharge of whole carcasses must take place in marine waters suitable for dispersing the carcasses at least 300 feet deep while the vessel is underway.

4.2.3.1 Permittees may request a waiver of the depth requirement for specific sites. The request must include adequate information to justify the waiver such as bathymetric data, average and maximum current speeds, and historical impacts from carcass disposal.

4.2.4 **Freshwater Discharges** - DEC will consider discharges of whole carcasses to freshwater on a case-by-case basis depending on site-specific factors and receiving water characteristics.

4.2.5 Discharges of whole carcasses to freshwater are prohibited within a public water system drinking water protection area. Drinking Water Protection Areas can be identified using the interactive web map application *Alaska DEC Drinking Water Protection Areas*, located at http://dec.alaska.gov/das/GIS/apps.htm.

4.3 Ground Carcass Disposal

4.3.1 Aquaculture facilities that convert aquatic animals from a raw to marketable form, including but not limited to roe removal for sale and or sale of whole, partial, or packaged aquatic animals, which involves more than evisceration of fish or other seafood at sea must grind all solid waste greater than 0.5 inches in size resulting from this activity prior to discharging to marine waters.

4.3.2 Permittees must maintain a daily log of each discharge occurrence and approximate weight of ground waste discharged and make it available to DEC upon request.

4.3.3 The discharge must take place in marine water suitable for dispersing the carcasses. Specific sites will be approved if dispersal is demonstrated to be adequate based on local flushing currents, tidal action, bottom topography and confining land forms.

4.3.4 Permittees must reduce the size of all carcasses to 1.27 cm (0.5 inch) or smaller in any dimension prior to discharge.

4.3.5 Marine discharges of ground carcasses must be through an outfall with a depth terminus of at least 60 feet below mean lower low water.

4.3.6 Estuarine discharges of ground carcasses must be through an outfall with a depth terminus of at least 10 feet below mean lower low water or ordinary high water, whichever is deeper.

4.3.7 Permittees may apply for a reduction of the depth requirement for marine or estuarine discharges if complying with the depth requirement is prohibitive due to extreme site-specific conditions (e.g., tidal flats). The permittee's request for a reduction of the depth requirements must include:

4.3.7.1 Site-specific information about receiving water bathymetry, current or flows, and the historic effects of past discharges on water quality;

4.3.7.2 Length of pipe required to achieve discharge at the required depth; and

4.3.7.3 Estimated costs for modification of the outfall to comply with the depth requirements.

4.3.8 Permittees may request a zone of deposit in accordance with 18 AAC 70 for persistent accumulations of ground carcasses beneath the outfall. DEC will specify the limits of the zone of deposit in each written general permit authorization.

4.3.9 Permittees must inspect the grinder system daily while ground carcass disposal is occurring. The inspection includes examining the size of the ground residues by collecting representative samples of the ground pieces in a five gallon bucket to ensure that they are less than 1.27 cm (0.5 inch) in any dimension. A log of daily inspection must be kept at the facility and made available to DEC upon request.

4.3.10 When ten or more waste particles in a five gallon bucket of wastewater exceed 1.27 cm (0.5 inch), corrective action is required. Corrective actions must be noted in the daily inspection log and kept onsite.

5.0 Operation and Maintenance

5.1 General Operating Requirements

5.1.1 Within 180 days of the effective date of the general permit, permittees must develop an Operations and Maintenance Plan that describes the general operating and maintenance activities and management practices used at the facility to achieve compliance with the terms and conditions of the general permit.

5.1.2 Within 180 days of the effective date of this permit, permittees must provide written notice to DEC when the Operations and Maintenance has been implemented.

5.1.3 Permittees must adhere to the following operation and maintenance practices:

5.1.3.1 Properly handle and dispose of sand, silt, mud, solids, sludges, filter backwash, debris, or other pollutants deposited or removed in the course of treatment or control of water supply and wastewaters in a manner that prevents such materials or leachate from such materials from entering waters of the U.S.;

5.1.3.2 Avoid sweeping or intentionally discharging accumulated solids from raceways or ponds to waters of the U.S., without implementing solids control measures identified in Part 2.1.1.2 and 2.2.1.2;

5.1.3.3 Avoid removing dam boards in raceways or ponds that allow accumulated solids to discharge to waters of the U.S. without implementing solids control measures identified in Part 2.1.1.2 and 2.2.1.2;

5.1.3.4 Clean rearing ponds and raceways within one week prior to drawdown for release, where practical, and keep records documenting dates cleaning occurred;

5.1.3.5 Treat chemical cleaning wastewater as necessary to meet the Alaska water quality standards;

5.1.3.6 Dispose of aquatic animal mortalities, broodstock carcasses, egg taking wastes, or other processing wastes in a manner that minimizes such materials from entering waters of the U.S.; and

5.1.3.7 Keep a copy of the facility's operations and maintenance plan at the facility and make it available to all employees and to DEC upon request.

5.2 Disease Control Chemicals

5.2.1 Permittees may only use disease control chemicals and drugs approved by the FDA or the EPA for use in aquaculture applications. The following drugs may be used:

5.2.1.1 Investigational New Animal Drugs (INADs) if used in conformance with product label instructions or approved INAD protocols, or as administered by a licensed veterinarian;

5.2.1.2 Extralabel drug use of approved animal and human drugs by, or on the order of, a licensed veterinarian;

5.2.1.3 Low Regulatory Priority (LRP) compounds in accordance with conditions listed in the USFDA policy 1240.4200: *Enforcement Priorities for Drug Use in Aquaculture*, p. 13 - 15.

5.2.2 All drugs, pesticides, and other chemicals must be applied in accordance with label directions (with the exception of INAD, extralabel drug use, LRP compounds as described above) or under the order of a licensed veterinarian.

5.2.3 Permittees must document the disposal of all spent chemical bath, drip, and dip treatment solutions.

5.2.4 Permittees must submit the following information in the Annual Report:

5.2.4.1 Dates of all applications of drugs, pesticides, or other chemicals;

5.2.4.2 Amount used;

5.2.4.3 Estimated concentration;

5.2.4.4 Detention time;

5.2.4.5 Type of treatment;

5.2.4.6 Facility flow; and

5.2.4.7 Receiving water.

5.3 Production Changes

5.3.1 Permittees must notify DEC within 30 days of any proposed significant production increase (20 percent or greater) or change in the nature of the discharge that substantially deviates from the information submitted in the NOI.

5.3.2 If the weight of aquatic animals produced at a facility drops below 20,000 pounds and the monthly pounds of food given for a month drops below 5,000 pounds, the permittee must continue complying with general permit requirements, including monitoring and submitting Annual Reports, until a Notice of Termination is submitted to DEC.

6.0 Special Conditions

6.1 Polychlorinated Biphenyls Reduction Activities

6.1.1 Within 180 days of the effective date of the general permit, permittees must develop and implement a plan to reduce polychlorinated biphenyls (PCBs) in the facility discharge from feed and feeding activities. The plan must contain the following elements and be made available to DEC upon request:

6.1.1.1 Purchasing procedures that give preference for food that contains the lowest amount of PCBs that is economically and practically feasible;

6.1.1.2 Feeding practices that minimize the discharge of unconsumed food;

6.1.1.3 Methods to reduce and remove accumulated feed regularly to keep feed out the discharge;

6.1.1.4 Permittees must request PCB content information from food suppliers and include in the Annual Report.

6.2 Quality Assurance Project Plan

6.2.1 Within 180 days of the effective date of this permit, permittees shall develop and implement a quality assurance project plan (QAPP) for all monitoring required by this permit. The permittee may either use a generic DEC QAPP or develop a facility-specific QAPP. Some facility specific information is required to complete the QAPP when using the generic DEC QAPP. A generic DEC QAPP is located at http://dec.alaska.gov/water/wqapp/wqapp_index.htm. The existing QAPP may also be modified under this section.

6.2.2 Within 180 days of the effective date of this permit, permittees must provide written notice to DEC when the QAPP has been implemented.

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

6.2.4 Throughout all sample collection and analysis activities, permittees must use DEC-approved Quality Assurance/Quality Control (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. These documents are available at https://www.epa.gov/quality.

6.2.5 At a minimum, a QAPP must include:

6.2.5.1 Details on number of samples, 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;

6.2.5.2 Maps indicating the location of each sampling point;

6.2.5.3 Qualification and training of personnel;

6.2.5.4 Specifications for the collection and analysis of quality assurance samples for each sampling event, including matrix spike and duplicate samples and analysis of field blanks (sample blanks); and

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

6.2.6 Permittees must amend the QAPP whenever sample collection, sample analysis, or other procedure addressed by the QAPP is modified and document the date the amendments occurred.

6.2.7 Copies of the QAPP must be kept on site and made available to DEC upon request.

6.3 Zone of Deposit

6.3.1 In accordance with 18 AAC 70.210, DEC may authorize the deposition of substances (residues) in marine waters. DEC will define specific limits for zones of deposit on a case-by-case basis after soliciting comments from the public. The burden of proof for justifying a zone of deposit rests with the applicant.

6.3.2 The receiving area compliance point for permittees with an authorized zone of deposit shall be at the outer boundary of the specified zone of deposit. DEC may require monitoring of the seafloor within the zone of deposit. DEC will specify monitoring requirements in each written general permit authorization.

6.3.3 New or modified zones of deposit that have not been previously public noticed will be public noticed in accordance with 18 AAC 83.120.

7.0 Reporting and Recordkeeping Requirements

7.1 Annual Report

7.1.1 Permittees shall submit a signed Annual Report and an electronic copy by March 15 of each calendar year that includes the following information:

7.1.1.1 Number of days the facility operated;

7.1.1.2 Feeding rates and total amount of feed used during the season by month;

7.1.1.3 Feed conversion ratio and calculation;

7.1.1.4 Date that aquatic animals were added to the net pens and date the aquatic animals were released from the net pens;

7.1.1.5 Total weight of the aquatic animals upon leaving the flow through or recirculating facility and total weight of the aquatic animals when released from each net pen site;

7.1.1.6 Species of aquatic animals in the net pens during the season;

7.1.1.7 Method, total pounds and kilograms, and location of aquatic animal mortalities disposal;

7.1.1.8 Method, total pounds, and location of broodstock carcass disposal;

7.1.1.9 Disease control chemical usage as required in Part 5.2.4;

7.1.1.10 PCB content of feed as required in Part 6.1.1.4; and

7.1.1.11 All effluent and receiving water monitoring results, sampling and analysis methodology, and explanation of results.

7.1.2 Permittees are required to submit Annual Reports even if no discharge occurs. Permittees shall mark “no discharge” on the report during periods when no discharge occurs.

7.2 Aquaculture Facilities with 100,000 Pounds Or More Total Annual Release Weight From The Facility

7.2.1 Reporting Drug Usage

7.2.1.1 Permittees must provide a written report to DEC of an INADs impending use within seven days of agreeing or signing up to participate in an INAD study. The written report must identify the INAD to be used, method of use, the dosage, and the disease or condition the INAD is intended to treat.

7.2.1.2 If the use of the drug is not listed on the NOI, permittees must provide an oral report to DEC as soon as possible (preferably in advance of use), but no later than seven days after initiating use of an INAD, extra-label, or LRP drug. The oral report must identify the drugs used, method of application, and the reason for using the drug.

7.2.1.3 If the use of the drug is not listed on the NOI, permittees must provide a written report to DEC within 30 days after initiating use of an INAD, extra-label, or LRP drug. The written report must identify the drug used and include the reason for treatment, dates and times used, method of application, and the amount used.

7.2.2 Structural Failures

7.2.2.1 Permittees must report structural failure or damage to the facility to DEC orally within 24 hours of identifying the failure or damage and in writing within five days when there is a resulting discharge of pollutants to waters of the U.S. Reports must include the identity and quantity of pollutants released.

7.2.3 Spills of Drugs, Pesticides, Feed, or Other Chemicals

7.2.3.1 Permittees must provide an oral report of spills of drugs, pesticides, feed, or other chemicals that result in a discharge to waters of the U.S. to DEC within 24 hours of its occurrence and a written report within five days. Reports must include the identity and quantity of pollutants released.

APPENDIX A

STANDARD CONDITIONS

APDES PERMIT

NONDOMESTIC DISCHARGES

September 2011

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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:

State of Alaska
Department of Environmental Conservation
Division of Water
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, Alaska 99501
Telephone (907) 269-6285
Fax (907) 269-3487
Email: DEC.Water.WQPermit@alaska.gov

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:

State of Alaska
Department of Environmental Conservation
Division of Water
Compliance and Enforcement Program
555 Cordova Street
Anchorage, Alaska 99501
Telephone Nationwide (877) 569-4114
Anchorage Area / International (907) 269-4114
Fax (907) 269-4604
Email: dec-wqreporting@alaska.gov

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;

2.8.1.2.3 Ten times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g); or

2.8.1.2.4 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.

18 AAC 15	Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 15: Administrative Procedures
18 AAC 70	Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 70: Water Quality Standards
18 AAC 72	Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 72: Wastewater Disposal
18 AAC 83	Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 83: Alaska Pollutant Discharge Elimination System 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
40 CFR	Code of Federal Regulations Title 40: Protection of Environment
AAC	Alaska Administrative Code
ADEC	Alaska Department of Environmental Conservation
APDES	Alaska Pollutant Discharge Elimination System
AS	Alaska Statutes
AS 46.03	Alaska Statutes Title 46, Chapter 03: Environmental Conservation. Available at http://www.legis.state.ak.us/default.htm
BMP	Best Management Practice
CAAP	Concentrated Aquatic Animal Production
CFR	Code of Federal Regulations
cm	Centimeter
CWA	Clean Water Act
EPA	U.S. Environmental Protection Agency
FDA	U.S. Food and Drug Administration
GPD or gpd	Gallons per day
INAD	Investigational New Animal Drug
LRP	Low Regulatory Priority
MDL	Method Detection Limit
mg/L	Milligrams per Liter
MGD or mgd	Million gallons per day
ml/L	Milliliters per Liter
MRL	Minimum Reporting Limit
N/A	Not Applicable
NetDMR	Network Discharge Monitoring Report
NOI	Notice of Intent
PCB	Polychlorinated Biphenyls
PQL	Practical Quantification Limit
QA/QC	Quality Assurance/Quality Control
QAPP	Quality Assurance Project Plan
RL	Reporting Limit
SU	Standard Units
TMDL	Total Maximum Daily Load

TSS	Total Suspended Solids
U.S.C.	United States Code
WLA	Waste Load Allocation
WQS	Water Quality Standards
ZOD	Zone of Deposit

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.

Administrator[a]	Means the Administrator of the EPA or an authorized representative.
Alaska Pollutant Discharge Elimination System (APDES)[a]	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.
Annual	Means once per calendar year.
Aquaculture	Means the cultivation of aquatic plants or animals for human use or consumption.
Average	Means an arithmetic mean obtained by adding quantities and dividing the sum by the number of quantities.
Average Monthly Discharge Limitation[a]	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.
Best Management Practices (BMPs)[a]	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.
Broodstock	Means an adult fish intended for egg and milt take activities within the facility. Broodstock does not include all returning adults, nor those enclosed in captive areas such as holding ponds or saltwater areas surrounded by a barrier net. Mortalities of broodstock must be described in the Carcass Disposal Plan.
Clean Water Act (CWA)[a]	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.
Criterion[b]	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.

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

Concentrated Aquatic Animal Production Facility	A hatchery, fish farm or other facility is a concentrated aquatic animal production facility if it contains, grows, or olds aquatic animals in either of the following categories: – Cold water fish species or other cold water aquatic animals in ponds, raceways, or other similar structures which discharge at least 30 days per year but does not include: o Facilities which produce less than 9,090 harvest weight kilograms (approximately 20,000 pounds) of aquatic animals per year; o Facilities which feed less than 2,272 kilograms (approximately 5,000 pounds) of food during a calendar month of maximum feeding; or – Warm water fish species or other warn water aquatic animals in ponds, raceways, or other similar structures which discharge a least 30 days per year, but does not include: o Closed ponds which discharge only during periods of excess runoff; o Facilities which produce less than 45,454 harvest weight kilograms (approximately 100,000 pounds) of aquatic animals per year.
Daily Discharge[a]	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.
Department[a]	Means the Alaska Department of Environmental Conservation.
Design Flow[a]	Means the wastewater flow rate that the plant was designed to handle.
Discharge[a]	When used without qualification, discharge means the discharge of a pollutant.
Discharge of a Pollutant[a]	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.
Dissolved Oxygen (DO)[b]	Means the concentration of oxygen in water as determined either by the Winkler (iodometric) method and its modifications or by the membrane electrode method.

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

	The oxygen dissolved in water or wastewater and usually expressed in milligrams per liter or percent saturation.
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.
Extralabel Drug Use	Means a drug approved under the Federal Food, Drug, and Cosmetic Act that is not used in accordance with the approved label directions, see 21 CFR part 530.
Facility	Means all contiguous property and equipment owned, operated, leased, or under the control of the same person or entity.
Flow Through System	Means a system designed to provide a continuous water flow to waters of the United States through chambers used to produce aquatic animals. Flow through systems typically use rearing units that are either raceways or tank systems.
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.
Investigational New Animal Drug	Means a drug for which there is a valid exemption in effect under section 512(j) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 360b(j), to conduct experiments.
Influent	Means untreated wastewater before it enters the first treatment process of a wastewater treatment works.
Maximum Daily Discharge Limitation[a]	Means the highest allowable “daily discharge”.
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.
Month	Means the time period from the 1st 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.
Mortality	Means all non-viable eggs, fry, smolt, or other carcasses that perish during incubation or growing cycles.
Net Pens System	Means a stationary, suspended, or floating system of nets, screens, or cages in open waters of the United States. Net pen systems typically are located along a shore or pier or may be anchored and floating offshore. Net pens and submerged cages rely on tides and currents to provide a continual supply of high-quality water to animals in production.

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

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.
Pollutant[a]	Means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under 42 U.S.C. 2011), heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, or agricultural waste discharged into water.
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.
Receiving Water Body	Means 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)).
Recirculating System	Means a system that filters and reuses water in which the aquatic animals are produced prior to discharge. Recirculating systems typically use tanks, biological or mechanical filtration, and mechanical support equipment to maintain high quality water to produce aquatic animals.
Recorded	Means a permanent record using mechanical or electronic equipment to provide a totalized reading, as well as a record of instantaneous readings.
Report	Report results of analysis.
Responsible Corporate Officer[a]	Means 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.
Seafood Processing	The conversion of aquatic animals from a raw to marketable form which involves more than evisceration of fish or other seafood at sea.
Sheen[b]	Means an iridescent appearance on the water surface.

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

Significant Industrial User (SIU)[g]	Means 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)].
Total Annual Release Weight	Means the total weight of fish stocks reared in and released from a flow through, recirculating, and/or net pen facility within a calendar year. Total annual release weight is based on the expected or measured average length and weight for a specific species of fish at the time of release.
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.
Waters of the United States (U.S.)	Has the meaning given in 18 AAC 83.990(77).
Water Supply[b]	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.

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

For Agency Use

Permit No:_____

NOTICE OF INTENT (NOI)

APDES General Permit for Aquaculture Facilities in Alaska

General Permit No. AKG130000

Submittal of this document constitutes notice that the party identified in Section III requests authorization to be authorized to discharge pollutants to waters of the United States under the Alaska Pollutant Discharge Elimination System (APDES) General Permit for Aquaculture Facilities in Alaska and agrees to comply with all applicable terms and conditions of the general permit. To be granted coverage, all information required on this form must be completed. Please provide all information below and attach a Carcass Disposal Plan and any other supplemental information sheets as appropriate. If you have any questions in regards to your eligibility for coverage under the general permit or completing this form, please visit http://dec.alaska.gov/water/wwdp/index.htm for DEC contact information.

I. Facility Information		
Facility Name	Existing Facility ☐ Existing Permit No.	Proposed Facility ☐
Physical Location		
Mailing Address		
City	State	Zip
Latitude (decimal degree)	Longitude (decimal degree)	Determined By: ☐ GIS ☐ USGS Topographic Map ☐ Other ☐ Web, Source:
Email	Phone	Fax

II. Owner Information		
Organization		
Contact Name	Title	
Mailing Address		
City	State	Zip
Email	Phone	Fax

III. Operator/Permittee	☐ **Check if the same as Owner**	
Organization		
On-Site Contact Name	Title	
Mailing Address		
City	State	Zip
Email	Phone	Fax

IV. Billing Information

☐ **Check if the same as Owner**

Organization		
Contact Name	Title	
Mailing Address		
City	State	Zip
Email Address	Phone	Fax

V. Operational Information

Does the hatchery operate year round? ☐ Yes ☐ No

If no, what months does it operate?

Production Systems: Check all that apply ☐ Flow Through ☐ Recirculating ☐ Net Pens

Number of rearing units: Flow Through Recirculating Net Pens

Facility Production

List production facility type (i.e., flow through, recirculating, or net pen) and corresponding total annual release weight for each production facility. Attach extra sheets as needed.

Aquatic Species	Facility Type	Total Annual Release Weight

Net Pen Information

Aquatic Species	Latitude (decimal degree)	Longitude (decimal degree)	Months Held	Release Location	Release Date

VI. Source Water Information

Source Water Name	Maximum Flow (gallons per day)	Minimum Flow (gallons per day)	Average Flow (gallons per day)

Is the source water treated prior to use? ☐ Yes ☐ No

If yes, please describe treatment process

VII. Receiving Water Information

Receiving Waterbody Name			
Is the receiving waterbody listed as "impaired" on the 303(d) list?	☐ Yes	☐ No	For which Pollutant(s)?
If yes, are the pollutant(s) causing the impairment present in your discharge?	☐ Yes	☐ No	
If yes, is the discharge consistent with the assumptions and requirements of the applicable EPA approved or established Total Maximum Daily Load(s) (TMDLs)?	☐ Yes	☐ No	

VIII. Wastewater Discharge Characterization

Number of outfalls:	Maximum Daily Flow (gal)	Maximum 30-day Flow (gal)	Monthly Average Flow (gal)

Outfall	Depth	Latitude (decimal degree)	Longitude (decimal degree)	Frequency	Duration	Volume (gallons)

Ground Waste Outfall	Depth	Latitude (decimal degree)	Longitude (decimal degree)	Frequency	Duration	Weight (kg, lbs)

Does the facility produce commingled processing waste or stormwater?	☐ Yes	☐ No
Does the facility produce other wastewater streams (e.g., domestic)?	☐ Yes	☐ No
If yes, please list other wastewater streams		
Does the facility convert aquatic animals from a raw to marketable form?	☐ Yes	☐ No
Is Operator requesting a Zone of Deposit for discharges of ground waste?	☐ Yes	☐ No
Is yes, please provide location(s): Latitude (decimal degree):	Longitude (decimal degree):	
Does the facility have coverage under other DEC Division of Water Permits? If yes, please list below.	☐ Yes	☐ No

Name of Permit	Authorization Number	Expiration	Type of Discharge

IX. Feed Use

What month does the maximum amount of feeding occur?

Total mass of food during that month?

Facility Type	Feed Type	Max Monthly Feed (pounds, kg)	Average Annual Feed (pounds, kg)

X. Aquaculture Drugs And Chemicals

Drug or Chemical	Reason for Use	Application Method	Max Daily Amount	Frequency of Use

XI. Additional Information To Attach

☐ **Site map**: Submit a site map showing the exact location (latitude and longitude) of all facilities associated with the hatchery and net pens. Include a topographic map and/or aerial photograph showing the general location of the facility, the expected flow direction of the discharge, and the discharge area.

☐ **Carcass Disposal Plan**: Submit a plan describing how the facility disposes of mortality and broodstock carcasses and the proposed discharge location (latitude and longitude). See general permit Part 1.5.4 for specific plan requirements.

☐ **Zone of Deposit**: If requesting a Zone of Deposit, submit information required in 18 AAC 70.210(b).

XII. Certification

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

PLEASE NOTE THAT AN INCOMPLETE NOI OR MISSING ATTACHEMENTS WILL DELAY PROCESSING. DEC MAY REQUEST ADDITIONAL INFORMATION RELATED TO THIS NOI TO DISCHARGE UNDER AKG130000.

Signature	Title
Printed Name	Date