AUTHORIZATION TO DISCHARGE UNDER THE ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM (APDES)

FOR

CLEAN WATER ACT SECTION 402 MODIFICATIONS OF SECTION 404 PERMITS FOR LOG TRANSFER FACILITIES IN ALASKA WHICH RECEIVED A SECTION 404 PERMIT PRIOR TO OCTOBER 22, 1985

GENERAL PERMIT NUMBER AKG700000

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 covered under this general permit are authorized to discharge to waters of the United States (U.S.), in accordance with discharge point(s), effluent limits, 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: **April 1, 2015**.

This permit and the authorization to discharge shall expire at midnight on: **March 31, 2020**.

The permittee shall reapply for a permit reissuance on or before **October 3, 2019**, 180 days before the expiration of this permit.

Wade Strickland	February 12, 2015
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	Frequency	Due Date	Submit to[a]
Part 4.1	Notification for administratively extended facilities with a modification	As required	60 days prior to expected discharge date.	Permitting
	Notification for recommencing facilities without a previous general permit authorization	As required	90 days prior to expected discharge date	
Part 4.3.8	Best Management Practices Plan Implementation Statement	As required	With Notification	Compliance
Part 5.1	Annual Reports	Annual	By January 31 of the year following each calendar year of operation, permittees must prepare and submit an Annual Report of all log transfer activities, discharges, periods of noncompliance, and facility changes. Facilities not operating shall submit a statement indicating so.	Compliance
Part 5.2	Oil Sheen Monitoring	As required	During periods of log transfer, receiving waters must be monitored daily for the presence of a sheen. Reporting is required, and oil spills must be reported to the Coast Guard and DEC.	Compliance

Permit Part	Submittal	Frequency	Due Date	Submit to[a]
Part 5.3	Bark Monitoring Survey Report	As required	Permittees that will transfer a total volume of timber 15 mmbf or more during the life of the permit, and that are sited in waters less than 100 feet deep mean lower low water (MLLW), must conduct a bark monitoring and reporting program as described in Part 4.3. Each permittee required to conduct bark monitoring must also prepare a Quality Assurance Plan.	Compliance
Part 5.3.7	Quality Assurance Plan (QAP) Implementation Statement	Within six months of authorization	For LTFs required to conduct bark monitoring and reporting, a written statement must be submitted to DEC within six months of an authorization to discharge under this general permit.	Compliance
Part 7.0	Pollution Prevention Plan	Within one months of implementation	All shore-based LTFs seeking a first time authorization to discharge under this general permit are required to prepare a Pollution Prevention Plan (PPP) before submitting a Notification (see Parts 3.2 & 6.0). LTFs currently operating under an administrative extension of the expired general permit must implement the PPP prior to submitting the NOI. Within one (1) month of implementing the PPP, each LTF must submit a written statement to DEC notifying the agency that the PPP has been implemented.	Compliance
Part 8.0	Notice of Termination of Discharge	Within 30 days of discharge termnination	Facilities must notify DEC within 30 days of discharge termination.	Permitting
Appendix A Part 1.11	Monitoring Records		Monitoring records must be retained for a period of at least three years.	N/A

Permit Part	Submittal	Frequency	Due Date	Submit to[a]
Appendix A Part 1.3	Notification Renewal		Facilities intending to continue discharging beyond the permit expiration date must submit an Notification at least 180 days before the expiration date of this general permit.	Permitting
Appendix A Part 3.4.1.1	Oral notification of noncompliance	As required	Within 24 hours from the time the permittee becomes aware of the circumstances of the noncompliance event	Compliance
Appendix A Part 3.4.1.2	Written notice of noncompliance	As required	Within five days after the permittee becomes aware of the circumstances of the noncompliance event.	Compliance
a) See Appendix A 1.1 for Permitting and Compliance contact information and addresses.				

1.0 PERMIT COVERAGE

1.1 Coverage and Eligibility

The Clean Water Act (CWA) Section 402 modifications contained in this general permit apply only to log transfer facilities (LTFs) which have received a permit under Section 404 of the CWA before October 22, 1985, from the U.S. Army Corps of Engineers (USACOE). This general permit modifies all Section 404 permits issued to LTFs in Alaska prior to October 22, 1985 where the LTF is being used for log transfer activities to incorporate the requirements and provisions contained in this permit.

LTF that received a Section 404 permit prior to October 22, 1985, and never applied for or received an individual NPDES permit and/or coverage under the 2000 or 2008 LTF GP remain eligible for coverage under this GP.

LTF owners or operators seeking CWA authorization to discharge bark and wood debris who did not receive a Section 404 permit prior to October 22, 1985, should seek coverage under general permit AKG701000, the Post-1985 permit.

1.2 Obtaining Authorization

Except as provided in Part 1.2.1 of this permit, in order to be authorized to discharge under this permit, owners or operators of eligible LTFs as described in Part 1.1 must: (1) submit a Notification as described in Part 4.0 to the Alaska Department of Environmental Conservation (DEC); (2) develop and implement a Pollution Prevention Plan (PPP) in accordance with Part 7.0; (3) receive written authorization for a project area zone of deposit (ZOD) from DEC; and, (4) receive a Alaska Pollutant Discharge Elimination System (APDES) permit number from DEC.

Owners and operators of an LTF who are not granted a written ZOD authorization from DEC are not authorized to discharge to the specified waters, unless DEC has issued an alternative APDES permit to the discharger.

LTFs not utilizing in-water log storage methods such as the direct transfer of logs to a barge or ship are not subject to APDES permitting requirements and need not seek coverage under this general permit..

1.2.1 The facilities listed in Table 2 are authorized to discharge under the conditions of this general permit unless DEC notifies them that additional information must be submitted to DEC in order to issue a written project area ZOD authorization.

1.2.2 DEC may notify a discharger if their discharge is covered by this general permit, even if the discharger has not submitted a Notification (18 AAC 83.210(h)). Such authorization must also be accompanied by an APDES permit number and written project area ZOD authorization from DEC.

1.2.3 Exclusions

Dischargers meeting any of the following conditions will be excluded from coverage under this general permit. These specific permit conditions are more appropriately controlled under either a separate general or individual APDES permit.

1.2.3.1 This general permit does not authorize discharges into any waterbody included in DEC's CWA Part 305(b) report or effective CWA Part 303(d) list of waters which are "impaired" or "water quality-limited" for residues.

1.2.3.2 This general permit does not authorize new dischargers into any waterbody where the existing continuous coverage by bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point.

1.3 LTF Classification

Shore-based LTFs may seek authorization to discharge under this general permit. Shore-based LTFs include those facilities that move logs between land and water.

This general permit further classifies shore-based LTFs by the following use descriptions based on the volume of timber transferred during a typical rotation period of 80-100 years.

Type I: Transfers more than 30 million board feet per year (mmbf/yr). 10 yrs or more of continuous operations.

Type II: Transfers up to 30 mmbf/yr. Less than 10 yrs of continuous operation. May have intermittent activity at lower volumes.

Type III: Transfers up to15 mmbf/yr. Up to 5 yrs of continuous operation. May have 1-3 similar periods of activity during rotation.

Type IV: Transfers less than 15 mmbf during the life of the permit. May have 1-2 similar periods of activity during rotation.

Other: Annual volume and duration/frequency of use to be defined in the Notification.

2.0 AUTHORIZED DISCHARGES

This general permit authorizes the marine discharge of bark and wood debris associated with in-water log transfer and storage within the project area zone of deposit, in accordance with the conditions set forth herein. The discharge of pollutants not specifically set out in Part 3.1 are not authorized under this permit. This general permit does not authorize the discharge of any waste streams, including spills or other unintentional and non-routine discharges of pollutants, that are not part of the normal operation of the facility, or any pollutants that are not ordinarily present in such waste streams.

3.0 LIMITATIONS AND PERMIT REQUIREMENTS

3.1 Limitations

The following limitations and requirements apply to all shore-based and off-shore LTFs authorized to discharge under this general permit:

1. **Volume of Timber.** The volume of timber transferred at a facility shall not exceed the maximum annual and total volumes of timber specified in the Notification.
2. **Petroleum Hydrocarbons, Oil, and Grease**. There shall be no discharge of hydrocarbons or oil and grease that causes a film, sheen, or discoloration on the surface or floor of the water body or adjoining shorelines.

3. **Residues**. Except as authorized by a Zone of Deposit (ZOD) issued by DEC under 18 AAC Part 70.210, there shall be no discharge of bark or wood debris, slash, limbs, scum, floating solids, oily wastes, foam, or other residues which alone, or in combination with other substances: a) makes the water unfit or unsafe for use in aquaculture, water supply, recreation, growth and propagation of fish, shellfish, aquatic life and wildlife, or the harvesting and consumption of raw mollusks or other aquatic life; b) causes a film, sheen, or discoloration on the surface of the water or adjoining shorelines; c) causes leaching of toxic or deleterious substances; or, d) causes 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.
4. **Zone of Deposit.** DEC may authorize a project area ZOD for each LTF upon application from the owner/operator. The limits of the authorized project area ZOD will be defined in the authorization issued by DEC. The boundaries of the project area ZOD will coincide with the boundaries of a tidelands and submerged lands permit, lease, easement, or other approval issued by the Alaska Department of Natural Resources (DNR) or other land management authority. The ZOD authorizes a deposit of substances on the sea floor within the area of the project area ZOD. All State of Alaska Water Quality Standards must be met at all points outside the authorized ZOD.
5. **State Water Quality Standards**. Discharges shall not cause violations of the Alaska Water Quality Standards (18 AAC Part 70).

3.2 Best Management Practices

The BMPs identified in this Part must be implemented whenever log storage, handling, or transfer activities are occurring under this general permit. The purpose of BMPs are to minimize the discharge of bark, wood debris, and other pollutants from the LTF. Part 3.2 identifies BMPs applicable to all LTFs. As described in Part 4.3.8, each facility must provide a written BMP implementation statement as part of a Notification stating that the BMPs identified in this Part have been or will be implemented at any time when in-water log storage or transfer activities occur.

The following requirements apply to all LTFs authorized to discharge under this general permit:

a. Log bundles shall be placed into the receiving waters at a single discharge point specified in the Section 404 permit;
b. No in-water bundling of logs shall occur;
c. Log rafts, logs, and log bundles that have been transferred to the receiving water must remain floating at all times and must not be allowed to rest on or touch the bottom;
d. Logs, log bundles, and log rafts must be moved out of the log raft makeup and storage areas at the earliest possible time to minimize the retention time of logs in the water;
e. The log transfer device must be operated to eliminate or minimize the discharge of petroleum and lubricating products into receiving waters; and,
f. Solid waste must not be deposited in or adjacent to waters of the State of Alaska, including wetlands and marine tidelands. Solid waste includes but is not limited to cables, metal bands, used equipment, machinery, vehicle or boat Parts, metal drums, appliances, trash, and other debris.
g. The speed of log bundles entering receiving waters must not exceed three feet per second;
h. No in-water sorting of logs shall occur;

i. All logs deposited on the tidelands during float-off log transfer operations must be removed on a daily basis;
j. Bark and wood debris that accumulate at the log transfer device and on adjacent tidelands must be removed daily, to the maximum extent achievable;
k. Bark and wood debris that accumulates in upland traffic flow areas must not be allowed to enter fresh waters, wetlands, marine waters or tidelands. This debris shall be removed and disposed of on a regular basis such that the debris, or its leachate, must not enter marine waters;
l. If continuous coverage of bark and wood debris exceeds both 1.0 acres and a thickness of 10 centimeters (3.9 inches) at any point, the operator must submit, along with the Bark Monitoring Survey required under Part 5.3 of this permit, a written statement describing additional operational practices that will be used to minimize additional bark accumulation on the sea bottom, and must immediately incorporate those practices in the Pollution Prevention Plan (Part 7.0) for the LTF.

3.3 Annual Report

During the term of this general permit, all permittees must prepare and submit an accurate and timely Annual Report of log transfer activity, discharges, noncompliance, and any process changes, as described in Part 5.1 and consistent with the signatory requirements in Appendix A Part 1.12.

3.4 Pollution Prevention Plan

All shore-based permittees must develop a Pollution Prevention Plan (PPP) prior to submitting a Notification to be covered. Facilities operating under an administrative extension of the expired general permit must implement the PPP prior to submitting the Notification. Facilities that received a Section 404 permit prior to October 22, 1985, and were issued an individual NPDES permit or an authorization under the 2000 or 2008 GP but which are not currently discharging, must implement the PPP upon commencement of in-water log storage or transfer activities. Within one (1) month of implementing the PPP, each facility must submit a written statement to DEC, signed in accordance with the requirements in of Appendix A Part 1.12, notifying DEC that the Plan has been implemented. (The required content of the PPP is identified in Part 6.0.)

3.5 Bark Monitoring Plan

Permittees that will transfer a total volume of timber 15 mmbf or more during the life of the permit, and that are sited in waters less than -100 feet deep MLLW, must conduct a bark monitoring program as described in Part 5.3. This general permit does not require permittees classified as Type IV LTFs to conduct a bark monitoring program (see Part 1.3).

3.6 Oil Sheen Monitoring

During periods of log transfer, permittees must visually monitor receiving waters on a daily basis for the presence of oil sheen, and report the results of such monitoring to DEC (see Part 5.1).

4.0 NOTIFICATION REQUIREMENTS

4.1 Applicability

All LTFs seeking authority to discharge under this general permit must submit a timely and complete Notification to DEC in accordance with the requirements of this Part. Upon receipt and review of the Notifcation by DEC, a qualified applicant will be authorized to discharge bark and wood debris under this general permit upon its receipt of: 1) written approval and authorization of a project area ZOD from DEC; and, 2) written authorization and assignment of an APDES permit number from DEC.

4.2 Submittal of Notification

To be authorized to discharge under this general permit, LTFs must submit a complete Notification, signed in accordance with Appendic A Part 1.12, 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

4.2.1 Deadlines for Submitting Initial Notification

If a facility timely did not submit a Notification at least 180 days prior to November 30, 2013, written Notification must be submitted to DEC within 90 days of the effective date of this general Permit.

4.2.2 **Existing LTFs**: If a facility timely submitted a Notification under 18 AAC 83.155(c) at least 180 days prior to the expiration of the 2008 general permit and unless LTF operations have materially changed since submission of that Notification, the operator of that facility is not required to submit a new Notification DEC may notify applicants that additional information must be submitted in order for the Notification to be found complete (18 AAC 83.210(b)).

Facilities previously authorized under the 2000 or 2008 Pre-85 general permits, but whose coverage was not administratively extended due to a failure to submit a timely Notification at least 180 days prior to the expiration date of the 2008 general permit, must submit a Notification at least 90 days prior to anticipated commencement of in-water storage or transfer activities.

4.2.3 **Recommencing LTFs**: If a qualifying facility has not been authorized to discharge under an individual NPDES permit or any Pre-85 general permit, and wishes to begin operations more than 90 days after the effective date of this permit, the facility must provide the Notification required by Part 4.3 to DEC no later than 90 days prior to beginning discharges.

4.3 Contents of the Notification

To be eligible for coverage under this general permit, the information identified in this Part must be included in the Notification. Appendix 1 provides an example Notification form that may be helpful to streamline the application process. Notification materials must be submitted in both hard copy and electronic format (portable document file (pdf) preferred). The use of dot shading, hatching, or similar graphic symbols may be used to clarify the drawings. Color shading may be used.

1. **Permit Information.** The Notification must include any APDES number(s) currently or previously assigned to the LTF.
2. **Owner Information**. The Notification must include the name, complete address, telephone and FAX numbers, and email address of the owner of the LTF and the name of his/her duly authorized representative.
3. **Operator Information**. The Notification must include the name, complete address (mailing and street if applicable), telephone and FAX numbers, email address, and the name of his/her duly authorized representative.
4. **Facility Information.** The Notification must include the following information about the LTF:
   a. Name, mailing address, street address if applicable, and telephone and FAX numbers of the facility.
   b. Indicate whether the LTF is operating under an administrative extension of the expired general permit.
   c. U.S. Army Corps of Engineers permit name, number, and date of issuance, if applicable;
   d. The physical location, including the latitude and longitude of the proposed discharge(s) with a precision of at least three (3) meters on average by using a GPS receiver, and the distance and direction to the nearest town/city;
   e. A nautical chart, showing the location of the proposed discharge and any catalogued or known anadromous fish streams, estuaries, and mudflats within one-half mile. The location of the -40, -60, and -100 foot depth lines should be depicted. The chart must clearly delineate the proposed project area ZOD boundary and include project area acreage. It must include the perimeter of the sort yard, and the location of any areas of continuous bark coverage located in dive surveys.
   f. A vicinity map, showing the physical location of the proposed discharge and project area, the name of the waterbody receiving the proposed discharge, and the name of any larger, adjacent receiving waterbody. The vicinity map shall be based upon an official map or chart with a scale of resolution between 1:15,840 and 1:63,360, and shall include a north arrow and scale.
   g. A plan drawing, showing the dimensions of the proposed LTF as viewed from above, including in-water log rafting and storage areas, and contiguous upland log storage or sorting areas. The drawing must include the name of the waterbody, existing shorelines, mean higher high water (MHHW) and MLLW lines, average water depths around the proposed discharge, north arrow, and scale;
   h. An elevation and/or cross Part view, showing the dimensions of the proposed LTF as viewed from the side, front, or rear. Where the proposed LTF is a low-angle slide, these dimensions shall include the angle of the ramp. The drawing must include the name of the

waterbody, existing shorelines, MHHW and MLLW lines, average water depths around the proposed discharge, north arrow, and scale;

i. The facility classification from Part 1.3, and a brief description of the log transfer operations. The operations description must include an assessment of the feasibility of onshore log storage and barging, as well as a description of the proposed storage, handling, sorting, bundling, transfer, and rafting of logs;

j. A demonstration that operation of the LTF constitutes important social or economic development in the area, and that a ZOD is necessary to accommodate operation of the LTF;

k. A description of known existing uses of the receiving water where the LTF is located, and a demonstration that those uses will be fully protected by the proposed operation of the LTF;

l. Bark monitoring surveys not previously submitted to DEC; and

m. Identify if the receiving waterbody is listed as impaired for residue according to the most recent Integrated Water Quality Monitoring and Assessment Report. If the waterbody is listed as impaired for residue under Category 4b, indicate if the facility is operating under an DEC approved Remediation Plan. New LTFs seeking permit coverage to operate in Category 4b waters must submit the Remediation Plan to DEC with the Notification, and obtain approval of the plan prior to obtaining DEC written authorization to discharge.

n. A map showing the boundaries of a tidelands and submerged lands permit, lease, easement, or other approval issued by the Alaska Department of Natural Resources (DNR) or other land management authority for the facility. The boundaries of any project area ZOD will be based on the map.

5. **Facility Classification.** The NOI must classify the facility as follows:

   a. Shore-based or off-shore;

   b. Method of log transfer; and

   c. Use description (Type I-IV) from Part 1.3. An alternative use description may be provided if Types I-IV do not apply.

6. **Production Data.** To the extent the information is available, the NOI must include the following production data:

   a. Expected facility life span;

   b. Maximum volume of timber expected to be transferred during the five year life of the permit. Projected volumes shall be given in mmbf, Scribner scale;

   c. Average and maximum volume of timber expected to be transferred per year; and

   d. Projected months of operation.

   e. Approximate volume of timber previously transferred over the facility, if known. Timber volumes shall be given in million board feet (mmbf), Scribner scale.

7. **Pre-Discharge Survey**

   a. Applicability. A pre-discharge underwater survey is required for all LTFs which received a permit under Section 404 of the CWA that did not receive NPDES or APDES coverage under the 2000 or 2008 issuance of General Permit No. AKG700000.

b. Purpose. The purpose of the pre-discharge underwater survey is to document the biological resources which may be affected by the discharge, and any existing bark and wood debris deposits.

c. Submittal. The results of the pre-discharge underwater survey must be submitted with the Notification.

d. Methods. The pre-discharge surveys must include a representative description of the numbers and species of marine organisms, and depths and substrate types where organisms are found within a 300 foot radius of the center of the discharge site to water depths of -60 feet at MLLW.

If bark is present, the pre-discharge suvey must also measure and report the aerial extent and thickness of bark deposits as required in Part 5.3. The survey data for biological resources must be submitted in writing, or in the form of a narrated underwater video.

e. Contents of Report. The report must provide sampling data, and a summary of the survey.

8. **BMP Implementation Statement**. This general permit requires that facilities provide certification that the Best Management Practices identified in Part 3.2 have been or will be implemented at any time when in-water log storage or transfer activities occur. This statement must be certified as per the signatory requirements in Appendix A Part 1.12.

9. **Signatory Requirements**. The Notification must be signed in accordance with the signatory requirements specified in Appendix A Part 1.12.

5.0 MONITORING, REPORTING, AND RECORDING REQUIREMENTS

5.1 Annual Report

1. **Applicability.** During the term of this general permit, all permittees must prepare and submit a complete, accurate and timely Annual Report of all log transfer activities, discharges, periods of noncompliance, and facility changes. Facilities not operating must submit a statement indicating that the facility did not operate.

2. **Purpose**. The Annual Report serves to inform the regulatory agencies of the use and potential degradation of public water resources by LTFs discharging pollutants to these receiving waters under this general permit.

3. **Contents of Report**. The Annual Report must include the information listed below. An optional Annual Report form is provided in Appendix 2 to assist permittees.

a. APDES permit number, Section 404 permit number, facility owner, facility operator, name of the facility, mailing and email addresses, and telephone and FAX numbers;

b. A summary of periods of noncompliance with any of the requirements of this general permit between January 1st and December 31st, the reasons for such noncompliance, and the steps taken to correct the problem and prevent further occurrences;

c. Information on any oil sheens observed during operating periods, including the date, name of observer, cause or source of oil sheen, and corrective measures taken;

d. A summary of log transfer activity during the previous year, including:

i. Volume of timber transferred (mmbf) at the facility; and,

ii. Method of log transfer.

e. Practices that will be used to minimize additional bark accumulation if continuous coverage of bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point.

f. A statement of any facility changes from those specified in the Notification to be covered under this general permit.

4. **Signatory Requirements**. The Annual Report must be signed in accordance with the signatory requirements specified in Appendix A Part 1.12.

5. **Submittal of Report.** A permittee must submit its Annual Report by January 31st of the year following each calendar year of operation and discharge under this general permit. If the LTF was not operated during the reporting year, permittees must so indicate in the Annual Report. Permittees must submit its Annual Report (Appendix 2) to DEC at the addresses specified in Appendix A Part1.1.2.

5.2 Oil Sheen Monitoring and Reporting

During periods of log transfer operation, receiving waters at the LTF must be visually monitored daily for the presence of oil sheen. The presence of any oil sheen must be recorded, with the date, name of observer, cause or source of oil sheen, corrective measures taken, and must be reported to DEC within 24 hours in accordance with Appendix A Part 3.4. This information must be included in the annual report. If desired, permittees may use the Oil Sheen Monitoring Report form provided in Appendix 3.

Additionally, federal and state laws require reporting of any oil spill to land or water, including those that cause a sheen. Any oil spill must be reported to both of the following locations:

U.S. Coast Guard National Response Center:
800-424-8802 (24 hours per day)

SE Alaska Oil Spill Response Team:
907-465-5340 (8 am to 5 pm, Monday through Friday)
800-478-9300 (all other times including holidays)

5.3 Bark Monitoring and Reporting

1. **Applicability**. Underwater bark monitoring is required annually for all permittees that transfer a total of 15 mmbf or more during the life of this permit, and that are located in water depths less than -100 feet at MLLW. Permittees classified as Type IV LTFs are not required to conduct bark monitoring.

2. **Objectives**. The bark monitoring survey must determine the depth, total area, and outer boundary of continuous coverage by bark and wood debris on the bottom, in water depths to -100 feet. The bark monitoring survey must determine the depth, total area, and outer boundary of discontinuous coverage by bark and wood debris debris in the 99% to 50% cover class, and determine the total area of discontinuous coverage by bark and wood debris in the 49% to 10% cover class on the bottom, in water depths to -60 feet MLLW. (Note: Actual diving depths may be equal to or greater than -100 feet MLLW depending upon tidal conditions during a dive survey).

3. **Monitoring Schedule**.
   a. The underwater bark monitoring survey must be conducted annually for applicable LTFs (Part 5.3.1).
   b. The annual bark monitoring survey is not required during years when the LTF is not operating except if Part 5.3.3.c below applies.
   c. If a bark monitoring survey indicates that continuous coverage by bark and wood debris is 0.9 acre or greater, and log transfer occurs in that year after that survey, an additional survey must be conducted either: (i) in that year, after cessation of log transfer; or (ii) in the following year, prior to any additional log transfer.
4. **Methods**. The following method is approved by DEC. Operators may request a waiver from the approved method and request approval of an alternate method, by submitting a detailed description of the circumstances requiring the waiver and alternate method. This description must demonstrate how the alternative method will meet the purpose stated in Part 5.3.2 above. Operators must receive a wriiten approval from DEC prior to implementing the requested alternative.
   a. Determine the number and configuration (radial or parallel) of transects that will most accurately delineate the area of bark accumulation.
   b. Establish transect lines with a surveyor's tape or other precise methodology extending seaward from permanent shore-marker(s). Measurements should extend beyond the area of continuous cover bark accumulation, or to a water depth of -100 feet at MLLW, whichever is first.
   c. Surveys using Radial Transects: Establish at least five transects radially from the discharge location. GPS coordinates must be collected at the discharge location with a GPS receiver with a precision of at least three (3) meters on average. Transects should be no more than thirty degrees (30º) apart, extending from one side of the facility to the other. Measurement stations along each transect must be not more than 15 feet apart.
   d. Surveys using Parallel Transects: Set up at least five transect locations on shore, centered around the face of the LTF or other suitable location. GPS coordinates must be recorded for the beginning point of each transect . GPS coordinates must be collected with a GPS receiver with a precision of at least three (3) meters on average. Transects shall be no more than 75 feet apart, and shall extend in a perpendicular direction from the shoreline. The number of transects must be adequate to encompass the entire area of bark accumulation, and must be equal to five or more. Measurement stations along each transect shall be not more than 15 feet apart.
   e. Determine the total aggregate area of continuous coverage by bark and wood debris within the project area in water depths to -100 feet MLLW. To the extent practible, determine the total area of discontinuous coverage by bark and wood debris in the 99% to 50% cover class, and determine the total area of discontinuous coverage by bark and wood debris in the 49% to 10% cover class within the project area in water depths to -60 feet MLLW.
   f. If continuous coverage extends more than 15 feet beyond and perpendicular to the lateral transects that bound the two sides of the survey area, then additional transects must be established to determine the extent of continuous coverage beyond the lateral transects. The areas of continuous or discontinuous coverage must be calculated as the area in acres enclosed by a line connecting the outermost measured points of continuous or

discontinuous coverage, respectively, for that area on the transect array, or by another method approved by DEC.

g. The following information must be recorded at each measuring station. If desired, permittees may use the optional Bark Monitoring Survey/Transect Data Form provided in Appendix 4.

(i) Bark Thickness. Measure and record thickness of bark deposit using a marked stick or pipe to the nearest one inch using the following rounding rule. If the thickness is measured as a whole number (i.e., 1 inch) plus some fraction of a whole number, round up to the next higher whole number if the fraction is ½ inch or more . If the thickness is measured as a whole number (i.e., 1 inch) plus some fraction of a whole number that is less than ½ inch, round the number down to the lower whole number. If bark is visible but less than one inch deep, record the depth as less than one inch.

(ii) Percent Cover. Estimate and record the percentage (0% to 100%) of area covered by bark within the measuring station. A sampling area is measured within a three foot-square (one square yard) measuring station. Digital photographs must be collected that depict the nature and coverage of bark and wood debris on the ocean bottom at representative measuring stations along transects, including all of the stations with continuous coverage (100%), and at least half of the measuring stations with discontinuous coverage (50%-99%).

Digital photographs at each measuring station must include information on the name of the LTF facility, survey date, and measuring station identifier.

(iii) Water depth adjusted to MLLW.

(iv) Presence of metal and other debris.

5. **Contents of Report**. A permittee must submit a Bark Monitoring Report that includes the following information. If desired, the permittee may use the Bark Monitoring Survey Report Form provided in Appendix 4.

a. The name of the LTF and the general permit number issued under this general permit;

b. Date, exact place and time of dive survey, and name(s) of individual(s) who performed the survey;

c. Name and signature of person responsible for dive survey;

d. Method used to establish transects, locate sample stations, measure bark depths, estimate percent cover at each station, and calculate area of bark coverage;

e. Date of completion of report, and first and last name(s) of individual(s) who performed the analysis;

f. Table showing bark thickness and percent cover measurements along each transect line (See Appendix 4 for an example);

g. Map (with scale) delineating the project area and showing the location of each transect line, the area of 100% bark coverage, and to the extent practible, the areas of 99% to 50% discontinuous cover, and 49% to 10% discontinuous cover, and the outer boundary of the waste pile as it relates to the project area;

h. The results of a survey must clearly state the area of continuous (100%) bark coverage, to the extent practible, area of 99% to 50% discontinuous cover, and area of 49% to 10% discontinuous cover, in acres to one tenth of an acre.

i. A bark monitoring survey must include still digital photographs that clearly depict the nature and coverage of bark and wood debris on the ocean bottom at representative sample plots along the transects, including at least half the sample plots.

j. A statement of whether or not the 1.0-acre continuous cover bark threshold within the project area ZOD has been exceeded.

k. If bark monitoring surveys submitted by the operator, and other available evidence, are not sufficient to determine whether continuous coverage by bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point, DEC will, in its discretion, require the operator to conduct additional bark monitoring surveys or other monitoring for that purpose.

l. If a bark monitoring survey shows that continuous coverage by bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point, the operator of an LTF shall notify DEC that bark and wood debris exceeds the one-acre continuous cover bark and wood debris accumulation threshold level within the authorized ZOD.

   The operator shall submit, along with the survey, a written statement describing additional practices that will be used to minimize additional bark accumulation until such time as a Remediation Plan (Part 6.0) is approved by DEC, and shall within 14 days incorporate those practices into the PPP for the LTF.

6. **Quality Assurance Plan**. Each permittee covered under this general permit must develop a Quality Assurance Plan (QAP) for each LTF that requires bark monitoring and reporting within six months of authorization to discharge under this general permit.

   The QAP must ensure that adequate documentation is available to allow reconstruction of the dive survey from field records and notes, dive plans, and still and video photography. The QAP must include a detailed description of the methods and procedures for conducting the dive survey as identified in Part 5.3.5 including, but not limited to; establishing survey location control on the beach and in the water, measuring bark accumulation thickness, determining percent bark and wood debris cover, continuous vs. discontinuous cover, photographic procedures, and measuring water depth and tide stage. A written statement must be submitted to DEC, consistent with Appendix A Part 1.12, and to the addresses contained in Appendix A Part 1.1.1, within six months of authorization to discharge under the permit stating that the QAP has been completed and has been/will be implemented.

7. **Signatory Requirements**. The Bark Monitoring Report must be signed in accordance with the signatory requirements specified in Appendix A Part 1.12.

8. **Submittal of Report**. The Bark Monitoring Report must be submitted to DEC in electronic format (portable document file (pdf) preferable) within 60 days of receipt of the survey by the operator, at the address found in Appendix A Part 1.12. LTFs required to perform annual bark monitoring surveys in accordance with Part 5.3.4 must submit a written statement to DEC indicating that the surveys were mailed to DEC within 60 days of receipt.

9. **Modification**. The bark monitoring program may be modified if DEC determine that it is appropriate. The modified program may include changes in survey stations, times, or measurement parameters.

6.0 REMEDIATION PLANNING REQUIREMENTS

6.1 Qualifying LTFs

If bark monitoring surveys submitted by the operator, and other available evidence demonstrates continuous coverage by any existing bark and wood debris, whenever deposited, exceeds both 1.0 acre and a thickness of 10 centimeters at any point, the operator shall submit a proposed Remediation Plan to DEC within 120 days of discovery of such conditions, unless additional time is granted by DEC.

6.2 Contents of a Proposed Remediation Plan

A proposed Remediation Plan must identify, as a result of the evaluation, a set of feasible, reasonable, and effective measures that the operator proposes to implement to reduce existing and future continuous coverage by bark and wood debris to less than both 1.0 acre and a thickness of 3.9 inches (10 centimeters) at any point.

The Plan must describe, to the extent that information is reasonably available, the historical log transfer processes, volumes, and responsible Parties at the site, and their apparent relation to the existing deposition of bark and wood debris. The Plan must include:

1. A description of the expected future log transfer processes and volumes at the site;
2. An evaluation of environmental impacts caused by existing deposits of bark and wood debris, and environmental impacts of methods to reduce continuous coverage;
3. An evaluation of methods to reduce continuous coverage, including:
   (i) Alternative methods of log transfer and transport;
   (ii) Operational practices, including handling of logs out of water, handling of logs in water, movement of logs in water, and other operational elements;
   (iii) Feasible methods and costs of removing bark and wood debris from the ocean bottom; and
   (iv) Other methods.
4. The proposed Remediation Plan must provide justification for the measures identified.

6.3 Remediation Plans Proposing Bark Removal

If removal of bark and wood wastes is proposed, the Remediation Plan must specify the following:

1. The proposed areas, methods, and timing of removal;
2. The volume and nature of material to be removed;
3. The method of disposal of removed material, and management practices at the disposal site to assure meeting water quality standards and other applicable standards and to assure prevention of objectionable odors; and
4. The costs of removal by the proposed methods and alternatives considered.

6.4 Remediation Plan Performance Schedule and Measures

A proposed Remediation Plan must include a performance schedule and performance measures for implementation of the plan. A proposed Remediation Plan may describe measures that will be implemented in phases, with continued bark monitoring surveys, and with future modification of the Remediation Plan based on progress in reducing continuous coverage.

6.5 Remediation Plan Approval

Within 90 days of receipt of a proposed Remediation Plan, DEC will approve, approve with modification, or deny the proposed Remediation Plan. In acting on a Remediation Plan, DEC will consider the extent of exceedance; environmental impacts of accumulated bark and wood debris; environmental impacts of methods to reduce continuous coverage; the feasibility, reasonableness, effectiveness, and cost of proposed and alternative measures; the timing of recovery under various alternatives; and other pertinent factors.

An approved Remediation Plan constitutes an enforceable condition of the general permit.

7.0 POLLUTION PREVENTION PLAN

7.1 Applicability.

All shore-based LTFs authorized to discharge under this general permit are required to prepare and implement a Pollution Prevention Plan (PPP) in accordance with Part 7.2 of this permit. The Plan must be reviewed and updated to meet all provisions of this permit prior to recommencing any discharge under this permit. The permittee's PPP must include BMPs; economically reasonable and appropriate measures in light of current industry practices that are selected, designed, installed, implemented and maintained in accordance with good engineering practices to eliminate or reduce pollutants from entering waters of the United States.

7.2 Implementation.

All new permittees subject to this requirement must develop and implement a PPP before submitting a Notification seeking authorization to discharge under this general APDES permit.

1. **Facilities That Are Currently Discharging**. If the facility is listed on Table 2, permittees must review and update as necessary the PPP for the LTF prior to discharging under this permit.
2. **Facilities That Are Not Currently Discharging**. If the facility is listed on Table 2, permittees must review and update as necessary the PPP for the LTF prior to discharging under this permit. Permittees without an authorized project area ZOD must prepare a PPP for the LTF before submitting a Notification for permit coverage. The permittee's PPP must be implemented with the commencement of log handling and storage activities.
3. **PPP Implementation Statement**. Within one (1) month of implementing the PPP, each LTFs authorized under this general permit must submit a written statement to DEC, at the addresses indicated in Appendix A Part 1.1.1 and signed in accordance with the requirements in Appendix A Part 1.12, notifying DEC that a PPP has been completed, read by on-site employees, and implemented. A permittee shall maintain a copy of its PPP at its facility and shall make the plan available to DEC upon request..
4. **Purpose**. The purpose of the PPP required by this general permit is to identify and employ all reasonable practices to avoid the discharge of bark, wood debris; and other pollutants to waters of the United States, and contain the discharge to the smallest area that is practicable and is consistent with safe and orderly operation of the log transfer facility. Practices addressed in the PPP must include handling of logs out of water, method of transfer, handling of logs in water, and other operational elements.
5. **Objectives**. The PPP must be consistent with the following objectives:
    1. To minimize the types and amounts of pollutants generated at the source

2. To recycle or utilize waste materials whenever feasible.
3. To minimize the discharge of pollutants into waters of the United States.

6. **Scope**. The PPP must evaluate potential discharges of pollutants from the entire log transfer operation, including the following elements:
   1. Log transfer, processing, storage and handling areas, and all other aspects of normal operations. Evaluation of potential storm water discharges may be incorporated by reference to an existing Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP) Storm Water Pollution Prevention Plan (SWPPP);
   2. Operation and maintenance of tools and equipment;
   3. Storage and management of petroleum products and other substances. Evaluation of potential discharges associated with fuel storage and management may be incorporated by reference to an existing Spill Prevention Control and Countermeasure Plan;
   4. Disposal of sludge and sanitary waste. Evaluation of potential discharges associated with sludge and sanitary waste may be incorporated by reference to an existing DEC Wastewater Disposal Permit; and
   5. Any other aspect of the LTF which may result in spills or leaks in areas adjacent to or draining into surface waters.

7. **Contents**.

   The PPP must be in narrative form, and may include plan drawings or maps. The PPP must include the following elements:

   1. Name and location of the facility;
   2. Identification of potential pollutant pathways and risk of pollutant releases to the aquatic environment (e.g., fuel storage, debris piles, solid waste, surface runoff);
   3. Specific management practices and standard operating procedures to achieve the objectives of the plan, including, but not limited to:
      a. Proper operation and maintenance of the facility, including good housekeeping practices and preventive maintenance;
      b. Regular examination of equipment for potential failure;
      c. Provisions for emergency measures to be taken in the event of equipment failure; and
      d. Any modification of equipment, facilities, technology, or procedures;
   4. Inspections and records related to implementation of the PPP;
   5. Employee training in Pollution Prevention; and
   6. Practices that will be used to minimize additional bark accumulation if continuous coverage of bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point.
   7. A site map that shows the following:
      a. the boundaries of the entire upland area used for log handling, storage and transfer activities and size of this area in acres;
      b. Locations of the following activities:

(i) access roads,

(ii) log transfer ramp,

(iii) truck unloading areas,

(iv) log processing and bundle make up area

(v) log deck storage areas,

(vi) locations used for the treatment, storage or disposal of wastes including residue storage,

(vii) fuel storage tanks and fueling stations,

(viii) vehicle and equipment maintenance and/or cleaning areas,

(ix) locations of buildings (scale shack, etc.) if applicable.

8. **Review**

   The PPP must be reviewed annually in years that logs are transferred by the facility manager and appropriate staff.

9. **Modification**

   A permittee shall amend the PPP prior to any change in the facility or its operation which increases the generation of pollutants or their release or potential release to the receiving waters. If a bark monitoring survey shows that continuous coverage by bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point, the operator shall submit, along with the survey, a written statement describing additional practices that will be used to minimize additional bark accumulation until such time as a Remediation Plan is approved by DEC, and shall within 14 days incorporate those practices into the PPP for the LTF. Any changes to the PPP must be consistent with the objectives and specific requirements listed above. All changes in the PPP must be reviewed by the facility manager and appropriate staff .

10. **Effectiveness**

    At any time, if a PPP proves to be ineffective in achieving the objectives and requirements listed above, this general permit and/or the PPP must be subject to modification to incorporate revised pollution prevention requirements.

8.0 TERMINATION OF DISCHARGES

The permittee shall notify DEC when General Permit coverage is no longer needed at a LTF. The facility must notify DEC in writing within 30 days of terminating log transfer activities, including log storage, at the facility. The notification must include the date that log transfer activities ceased, and signed in accordance with the signatory requirements of Appendix A Part 1.12 of this general permit. Termination of permit coverage shall be effective 30 days from the date of written notification from DEC that the coverage under this general permit has been terminated. The permittee is required to submit any monitoring reports specified in Part 5.0 until the effective date of termination.

In cases such as temporary shutdowns, a LTF should not submit a notice of discharge termination as this action results in the termination of APDES coverage.

Table 2: Pre-85 Facilities with an Administratively Extended Authorization

Permit No.	Facility	Permittee	Project Area Zone of Deposit (acres)
AKG700001	Viking Lumber Mill	Viking Lumber Company (VLC)	5.97
AKG700002	Grace Harbor LTF & LSA	Sealaska Timber Corp. (STC)	26.72
AKG700003	Klawock Island Dock LTF & LSA	Klawock Heenya Corp. (KHC)	47.69
AKG700004	East Port Frederick LTF & Ship Moorage Site	Huna Totem Corporation (HTC)	78.7
AKG700005	Point Macartney LTF	STC	27.01
AKG700006	Portage Bay LTF & LSA	STC	44.90
AKG700007	View Cove LTF & LSA	STC	41.68
AKG700008	West Port Frederick LTF & LSA	STC	47.18
AKG700014	Anita Bay South LTF	US Forest Service (USFS)	11.19
AKG700015	Blind Slough LTF	USFS	12.49
AKG700016	Deep Bay LTF	USFS	11.01
AKG700017	Deer Island West LTF	USFS	7.9
AKG700018	Eight Fathom Bight LTF	USFS	10.79
AKG700019	Hamilton Bay LTF	USFS	11.54
AKG700020	Hassler LTF	USFS	13.30
AKG700021	Klu Bay LTF	USFS	13.47
AKG700023	Marguerite Bay	USFS	10.23
AKG700024	Pats Creek LTF	USFS	13.96
AKG700025	Polk Inlet LTF	USFS	18.41
AKG700026	Port Alice LTF	USFS	15.03
AKG700027	Portage Bay LTF	USFS	14.16
AKG700028	Rowan Bay LTF	USFS	14.08
AKG700029	Salt Lake Bay LTF	USFS	13.65
AKG700030	Shoal Cove LTF	USFS	14.01
AKG700031	Shrimp Bay LTF	USFS	11.46
AKG700032	Thomas Bay LTF	USFS	14.34
AKG700033	Tonka LTF	USFS	11.41
AKG700034	Whale Pass LTF	USFS	10.76

Permit No.	Facility	Permittee	Project Area Zone of Deposit (acres)
AKG700035	Winter Harbor LTF	USFS	6.76
AKG700036	Woodpecker Cove LTF	USFS	10.55
AKG700038	Calder LTF	USFS	11.36
AKG700039	Coffman Cove LTF	USFS	23.9
AKG700040	Corner Bay LTF	USFS	15.55
AKG700041	El Capitan LTF	USFS	16.48
AKG700042	False Island LTF	USFS	11.14
AKG700043	Fire Cove LTF	USFS	10.5
AKG700044	Hanus Bay LTF	USFS	10.35
AKG700045	Inbetween LTF	USFS	11.43
AKG700046	Kennel Creek LTF	USFS	27.62
AKG700047	Labouchere Bay LTF	USFS	10.64
AKG700048	Marble Island East LTF	USFS	11.01
AKG700049	Naukati LTF	USFS	8.77
AKG700050	South West Neets Bay LTF	USFS	14.58
AKG700051	Nichin Cove LTF	USFS	12.01
AKG700052	Rynda LTF	USFS	13.79
AKG700053	Saginaw Bay LTF	USFS	13.54
AKG700054	Sawmill Cove LTF	USFS	9.88
AKG700055	Sumez - Refugio LTF	USFS	8.98
AKG700056	St Johns LTF	USFS	12.64
AKG700057	Indian River LTF	USFS	11.36
AKG700059	Todd LTF	USFS	12.75
AKG700060	Venus Cove LTF	USFS	10.43
AKG700061	Saltery Point LTF	Haida Corp	13.21

Appendix 1: Notification Form

NOTIFICATION **to be covered under the Alaska Pollutant Discharge Elimination System (APDES)** **General Permit AKG700000 for** **Log Transfer Facilities in Alaska Which Received a Section 404 Permit Prior to October 22, 1985** **(see Part 3.1 of the permit)**		
Submission of this document constitutes a request that certain discharges into waters of the United States resulting from the operation of the log transfer facility identified herein be authorized under General APDES Permit AKG700000.		
Previously Assigned NPDES / APDES Permit No. (if applicable):	APDES Permit No. AKG700 (to be assigned by DEC)	
Landowner Information		
Landowner Name:		
Mailing Address:	Phone:	
	Fax:	
Representative:	Email:	
Operator Information		
Company Name:		
Mailing Address:	Phone:	
	Fax:	
Representative:	Email:	
Facility Information		
Facility Name:		
Name of Waterbody LTF is Located on:		
Mailing Address:	Phone:	
	Fax:	
Physical location (if different from mailing address):	This discharge is: New ☐ or Existing with administrative extension of the expired GP ☐	
Latitude (degrees, minutes, seconds): Longitude (degrees, minutes, seconds):	Latitude (decimal degrees): Longitude(decimal degrees):	Source of Latitude & / Longitude: GPS receiver ☐
RESPONSIBLE PARTY (Person responsible for overall management of the project and the discharge):		

First Name:	Last Name:
Company Name:	
Mailing Address:	Phone:
	Fax:
City:	State:
	Zip Code:
Email Address:	
ON SITE CONTACT: ☐ Check if same as Responsible Party	
First Name:	Last Name:
Company Name:	
Mailing Address:	Phone:
	Fax:
City:	State:
	Zip Code:
Email Address:	
BILLING CONTACT: ☐ Check if same as Responsible Party	
First Name:	Last Name:
Company Name:	
Mailing Address:	Phone:
	Fax:
City:	State:
	Zip Code:
Email Address:	
CONSULTANT (if applicable)	
First Name:	Last Name:
Company Name:	
Mailing Address:	Phone:
	Fax:
City:	State:
	Zip Code:
Email Address:	

OTHER AGENCY OR OWNER PERMITS / AUTHORIZATIONS	
Army Corp. of Engineer Section 404 Permit Number (if applicable): Permit Name: _____ Issuance Date: _____	Army Corp. of Engineer Section 10 Permit Number (if applicable): Permit Name: _____ Issuance Date: _____
Alaska Department of Natural Resources Tidelands & Submerged Lands Actions: Land Use Permit No: _____ ADL No. _____ ATS No. _____ LAS No. _____ Easement No. _____ Other: _____	Alaska Department of Natural Resources Tidelands & Submerged Lands Actions: Land Use Permit Acres: _____ ADL Acres: _____ ATS Acres: _____ LAS Acres: _____ Easement Acres: _____ Other: _____
Other Owners. Please describe the owner and acreage authorized for use. Include a use description (i.e., log storage area)	
Please provide a description of LTF and log storage operations. Attach additional pages if necessary.	

FACILITY CLASSIFICATION		
Category: ☐ Shore-based	Method of Log Transfer: ☐ Crane ☐ Single A-Frame ☐ Double A-Frame ☐ Low Angle Ramp with Rails	☐ Low Angle Drive Down Ramp ☐ Chain Conveyor ☐ Float-Off ☐ Other (describe)
Use Description (Type I, II, III, or IV):		

PRODUCTION DATA	
Expected facility lifespan:	Projected Months of Operations:
Volume to be transferred (million board feet, Scribner scale)	
Maximum over life of the permit:	
Average per year:	
Maximum per year:	

REQUIRED ATTACHMENTS TO THE NOTIFICATION
☐ Vicinity Map
☐ Plan Drawing
☐ Elevation/Cross Section View
☐ Nautical Chart With Project Area Boundary
☐ A written demonstration that the operation of the LTF constitutes important social or economic development in the area, and that a ZOD (zone of deposit) is necessary to accommodate operation of the LTF. This may include discussion of project-associated employment and the overall contribution to local and regional economies. You must include a discussion on how without the ZOD your facility will be unable to operate.
☐ A written description of known existing uses of the receiving waters where the LTF is located, and a demonstration that those uses will be fully protected by the proposed operation of the LTF. Some uses to consider are fish and wildlife use, human consumption of fish and wildlife, boat anchorage, aquatic farms, recreation, commercial and personal use harvest, etc. At a minimum, please consult the appropriate DNR Land Use Plan.
☐ A written narrative of the methods that will be employed to avoid the discharge of bark and wood debris waste introduction into the marine environment. The description must include as assessment of the feasibility of onshore log storage and barging, as well as a description of the proposed storage, handling, sorting, bundling, transfer and rafting of logs.
☐ Best Management Practices implementation statement
☐ Remediation Plan (If a new LTFs seeking GP coverage in Category 4b waters impaired for residues)

RECEIVING WATER INFORMATION	
Attachments (for Type I – IV shore-based LTFs) ☐ Pre-discharge survey (facilities never permitted under the 2000 or 2008 Pre-85 GP) ☐ Copies of any previous bark monitoring surveys not previously submitted to DEC	
SIGNATURE AND 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.	
Signature of Principal Corporate or Executive Officer/General Proprietor Printed Name	
Title/Company	Date
Submit this Notice of Intent to:	
Alaska Dept. of Environmental Conservation Wastewater Discharge Authorization Program 555 Cordova Street Anchorage, AK 99501	
Qualified applicants will be authorized to discharge under this general APDES permit upon receipt of written ZOD authorization and assignment of an APDES permit number from DEC.	

Appendix 2: Annual Report Form

Annual Report for the Year 20 _____
General APDES Permit AKG700 _____

The annual report serves to inform the regulatory agencies of the use and potential degradation of public water resources by facilities discharging pollutants to receiving waters in Alaska under this permit.

APDES Permit No. AKG700_____

Facility Owner:			
Facility Operator:			
Name of Facility:			
Address:		Phone:	
		FAX:	
Representative:			

This facility:

Did not operate: ☐ (If the LTF did not operate, go to the signature and certification section on page 2 to complete this form)

Transferred logs to water: ☐

Periods of Noncompliance

Summarize any periods of noncompliance with permit requirements, reasons for noncompliance, and steps taken to correct problem and prevent further occurrences (i.e. exceedance of the project area ZOD).

Use continuation sheet if necessary.

Oil Sheen Observations

Date	Observer	Cause/Source	Corrective Measures

Use continuation sheet if necessary

Page 2

Annual Report for the Year 20 _____
APDES Permit No. AKG700000 _____

Summary of Log Transfer Activity	
Method of Log Transfer	Volume of Timber Transferred

Changes to Notice of Intent

List any planned changes to Notice of Intent (e.g., changes in log transfer device or volume of timber to be transferred).

Signature and 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.

Signature of Principal Corporate or Executive Officer/General Proprietor	Printed Name
Title/Company	Date

Submit this Annual Report to:

Alaska Dept. of Environmental Conservation
Wastewater Discharge Authorization Program
555 Cordova Street
Anchorage, AK 99501
Attention: Compliance and Enforcement Program Annual Report

Submit this Annual Report by January 31st of the year following each calendar year of permit coverage under this general APDES permit. If the LTF was not operated during the reporting year, permittees shall so indicate in the Annual Report.

Appendix 3: Oil Sheen Monitoring Report Form

Oil Sheen Monitoring Report Form

APDES Permit No. AKG700________	**Name of Permittee:**	

Date	**Observer (initials)**	**Oil Sheen? (Y/N)**	**If oil sheen observed, list cause and remedial action taken**

Appendix 4: Bark Monitoring Survey Forms

Bark Monitoring Survey: Transect Data Form

APDES Permit Number: AKG70_____	Name of Facility: _____
Name of Permittee:	
Date/Time of Survey:	

Distance along Transect (ft)	Transect #1 BT% Cover/WD	Transect #2 BT/% Cover/WD	Transect #3 BT/% Cover/WD	Transect #4 BT/D% Cover/WD	Transect #5 BT/% Cover/WD

Notes:
BT - Bark Thickness
WD - Water Depth at Mean Lower Low Water
% Cover - Percent of sample area covered by bark (0-100)
T - Trace amounts of bark (10% or less percent cover, less than 1 centimeter deep)

Use more sheets if necessary

Bark Monitoring Survey Report Form

APDES Permit Number: AKG70_____	Name of Permittee:
Name of LTF:	Volume Transferred this year (mmbf):
Method of Log Transfer:	
Date of Survey:	
Time of Survey:	
Survey Results:	
Area of 100% Coverage in acres:	Area of Discontinuous Coverage (99% to 50%) in acres:
Area of Discontinuous Coverage (49% to 10%) in acres:	Area of Trace Coverage (<10%) in acres:
Date of Completion of Dive Survey Report:	
Name(s) of Person(s) who Performed Analysis:	
Address of Person(s) who Performed Analysis:	
Name(s) of Person(s) Conducting Survey:	
Address of Person(s) who Conducted Survey:	
Signature of Person Responsible for Dive Survey:	
Statement of Compliance or noncompliance with the project area ZOD	

	ATTACHMENTS
	Narrative description of analytical methods used to delineate bark deposits
	Map (to scale) showing location of LTF and transect lines, outer boundary of bark deposit as it relates to the project area, area of 100% bark coverage, to the extent practicable, area of 99% to 50% bark cover, and area of 49% to 10% bark cover.
	Digital photographs of sample plots

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

The permittee shall summarize monitoring results on the annual report form or approved equivalent. The permittee shall submit its annual report at the interval specified in the permit. The permittee shall sign and certify all annual reports and other reports in accordance with the requirements of Appendix A, Part 1.12, Signatory Requirement and Penalties. The permittee shall submit the legible originals of these documents to the ADEC Compliance and Enforcement Program at the address in Appendix A, Part 1.1.2.

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 or annual report 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
ACMP	Alaska Coastal Management Program
ADEC	Alaska Department of Environmental Conservation
Ag	Silver
Al	Aluminum
As	Arsenic
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
ATTF	Alaska Timber Task Force Guidelines
BOD_5	Biochemical Oxygen Demand, 5-day
BMP	Best Management Practice
Cd	Cadmium
CFR	Code of Federal Regulations
COD	Chemical Oxygen Demand
Cr^{+3}	Chromium (III) or Trivalent Chromium
Cr^{+6}	Chromium (VI) or Hexavalent Chromium
Cu	Copper

CWA	Clean Water Act
DMR	Discharge Monitoring Report
DO	Dissolved Oxygen
EPA	U.S. Environmental Protection Agency
FC	Fecal Coliform Bacteria
Fe	Iron
GPD or gpd	Gallons per day
GPY or gpy	Gallons per year
Hg	Mercury
IC_{25}	Inhibition Concentration 25%
I/I	Infiltration and Inflow
LC_{50}	Lethal Concentration 50%
LTF	Log transfer facility.
MBF	Thousand Board Feet
MMBF	Million Board Feet
MDL	Method Detection Limit
mg/L	Milligrams per Liter
MGD or mgd	Million gallons per day
ML	Minimum Level
MLLW	Mean Lower Low Water
MZ	Mixing Zone
N/A	Not Applicable
Ni	Nickel
NOEC	No Observed Effect Concentration
NOI	Notice of Intent
Pb	Lead
POTW	Publicly Owned Treatment Works
PPP	Pollution Prevention Plan
PQL	Practical Quantification Limit
QA	Quality Assurance
QA/QC	Quality Assurance/Quality Control
QAPP	Quality Assurance Project Plan

QC	Quality Control
RL	Reporting Limit
RWC	Receiving Water Concentration
Se	Selenium
SIU	Significant Industrial User
SU	Standard Units
TIE	Toxicity Identification Evaluation
TRC	Total Residual Chlorine
TRE	Toxicity Reduction Evaluation
TSS	Total Suspended Solids
TUc	Toxic Unit, Chronic
µg/L	Micrograms per Liter
U.S.C.	United States Code
WQS	Water Quality Standards
WWTF	Wastewater Treatment Facility
Zn	Zinc

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
Alaska Timber Task Force Guidelines	Means the guidelines developed for log transfer siting, construction, operation and monitoring/reporting dated October 21, 1985.
Annual	Means once per calendar year
At any point	Means at any single point within the area of continuous coverage. It does not mean at all points and does not mean a single piece of bark or wood protruding from the surface of bark and wood debris.
Bark and wood debris	Means pieces of bark, wood, and minute amounts of organic material (soil, lichen or moss) dislodged from logs during processing. Bark and wood debris may also include whole logs which lost their commercial value during processing (e.g., lost, damaged, or sunken logs).
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.
Board foot	A measure of wood volume. One board foot equals a piece of lumber one inch thick, 12 inches wide and one foot long.
Boundary[b]	Means line or landmark that serves to clarify, outline, or mark a limit, border, or interface.
Bypass[a]	Means the intentional diversion of waste streams from any portion of a treatment facility.
Category 4b Waterbody	Means a waterbody that is impaired but has other pollution control measures in place, such as a approved remediation 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

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

CWA Section 305(b) Report	The Clean Water Act (CWA) mandates that each state develop a program to monitor and report on the quality of its waters and prepare a report describing the status of its water quality. The relevant CWA sections are Section 305(b), which requires that the quality of all waterbodies be characterized, and Section 303(d) which requires that states list any waterbodies that do not meet water quality standards. Alaska's Integrated Water Quality Monitoring and Assessment Report (Integrated Report) combines the information into a single comprehensive report.
Commissioner[a]	Means the commissioner of the Alaska Department of Environmental Conservation or the commissioner's designee
Continuous cover	Means areas of bark and wood debris that are estimated to cover 100 % of the ocean bottom, as measured within a three-foot-square sample plot and will, at DEC's discretion, include boulders, rock outcrops, ridges, and other protrusions within an area of continuous coverage that are not covered by bark
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.
Datum	A datum defines the position of the spheroid, a mathematical representation of the earth, relative to the center of the earth. It provides a frame of reference for measuring locations on the surface of the earth by defining the origin and orientation of latitude and longitude lines.
Department[a]	Means the Alaska Department of Environmental Conservation
Director[a]	Means the commissioner or the commissioner's designee assigned to administer the APDES program or a portion of it, unless the context identifies an EPA director
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.

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
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g) See EPA Permit Writers Manual

Discontinuous cover	Means areas of bark and wood debris that are estimated to cover 10% or more of the ocean bottom, but less than 100%, as measured within a three-footsquare sample plot.
Domestic Wastewater[c]	Means waterborne human wastes or graywater derived from dwellings, commercial buildings, institutions, or similar structures. "Domestic wastewater" includes the contents of individual removable containers used to collect and temporarily store human wastes.
Ecosystem[b]	Means a system made up of a community of animals, plants, and bacteria and the system's interrelated physical and chemical environment
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
Effluent limitation	Means any restriction imposed by the Director on quantities, discharge rates, and concentrations of "pollutants" which are "discharged" from "point sources" into "waters of the United States," the waters of the "contiguous zone," or the ocean
Estimated	Means a way to estimate the discharge volume. Approvable estimations include, but are not limited to, the number of persons per day at the facility, volume of potable water produced per day, lift station run time, etc.
Excluded area	Means an area not authorized as a receiving water under a permit
Fish[b]	Means any of the group of cold-blooded vertebrates that live in water and have permanent gills for breathing and fins for locomotion
Float-off LTF	Means an LTF where logs or log bundles are placed on tidelands or ramps and the incoming tide floats the logs or log bundles into marine waters
General APDES permit	Means an APDES "permit" issued under 40 CFR §122.28 authorizing a category of discharges under the CWA within a geographical area
Gray Water[b]	Means wastewater from a laundry, kitchen, sink, shower, bath, or other domestic source that does not contain excrement, urine, or combined stormwater
Log transfer facility	Means a facility which is constructed in whole or in part in waters of the United States and which is utilized for the purpose of transferring commercially harvested logs to or from a vessel or log raft, including the formation of a log raft.
Low angle slide	Means an LTF which consists of two or more parallel rails. Logs are placed on the rails by a log stacker or front end loader. Logs or log bundles are either pushed into the water with the log stacker or front end loader, or slide into the water through gravity
Maximum Daily Discharge Limitation[a]	Means the highest allowable "daily discharge"

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
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Mean[b]	Means the average of values obtained over a specified period and, for fecal coliform analysis, is computed as a geometric mean
Mean higher high water	Means the average of the higher of the two daily high tides observed over a given period of time
Mean Lower Low Water[b]	Means the tidal datum plane of the average of the lower of the two low waters of each day, as would be established by the National Geodetic Survey, at any place subject to tidal influence
Measured	Means the actual volume of wastewater discharged using appropriate mechanical or electronic equipment to provide a totalized reading. Measure does not provide a recorded measurement of instantaneous rates.
Mixing Zone[b]	Means a volume of water adjacent to a discharge in which wastes discharged mix with the receiving water
Month	Means the time period from the 1st of a calendar month to the last day in the month
National Pollutant Discharge Elimination System (NPDES)	Means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318, and 405 of the CWA.
New Discharger	As used in this permit, means an operator applying for coverage under this permit for discharges not covered previously under an APDES or NPDES general or individual permit.
New Log Transfer Facility	Means a log transfer facility which has not commenced the discharge of pollutants at a particular site prior to the effective date of this general APDES permit.
Off-shore log transfer facility	Means a log transfer facility where logs are moved between a vessel or helicopter and off-shore marine waters, or an off-shore log storage area which is not adjacent to a shore-based LTF.
Permit	Means an authorization, license, or equivalent control document issued by EPA or an "approved state" to implement the requirements of 40 CFR Parts 122, 123 and 124. "Permit" includes an APDES "general permit." Permit does not include any permit which has not yet been the subject of final agency action, such as a "draft permit" or a "proposed permit."
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. Permittees as used in this permit is intended to refer to the operator, or the discharger as the context indicates and that party's facility or responsibilities. The use of ''Permittees'' and ''Permittees'' refers to a particular facility and not to all facilities operated by a particular entity. For example, ''Permittees must submit'' means must submit something for that particular facility.

a) See 18 AAC 83
b) See 18 AAC 70.990
c) See 18 AAC 72.990
d) See 40 CFR Part 136
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g) See EPA Permit Writers Manual

	Likewise, ‘‘all Permittees discharges’’ would refer only to discharges at that one facility
Point source	Means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return lows from irrigated agriculture or agricultural storm water runoff
Principal Executive Officer[a]	Means the chief executive officer of the agency or a senior executive officer having responsibility for the overall operations of a principal geographic unit of division of the agency
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
Practicable alternative	Means an alternative available and capable of being done after taking into consideration costs, existing technology, and logistics in light of overall project purposes
Project area	Means the entire marine operating area of an LTF, either shore-based or offshore, including the following components: shore-based log transfer devices; shore-based log transfer, rafting, and storage areas; helicopter drop areas; vessel and barge loading and unloading areas; off-shore log storage areas not adjacent to a shore-based LTF; bulkheads, ramps, floating walkways, docks, pilings, dolphins, anchors, buoys and other marine appurtenances; and the marine water and ocean bottom underlying and connecting these features
Quality Assurance Project Plan (QAPP)	Means a system of procedures, checks, audits, and corrective actions to ensure that all research design and performance, environmental monitoring and sampling, and other technical and reporting activities are of the highest achievable quality
Quarter	Means the time period of three months based on the calendar year beginning with January
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))

a) See 18 AAC 83
b) See 18 AAC 70.990
c) See 18 AAC 72.990
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Remediation Plan	Means the plan containing practices to minimize additional bark accumulation that is required to be developed and approved by DEC when the continuous coverage of bark and wood debris exceeds both 1.0 acre and a thickness of 10 centimeters at any point.
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.
Rotation Period	Means the planned number of years between the formation or the regeneration of a crop or stand of trees and its final cutting at a specified stage of maturity. In Southeast Alaska, the typical length of time it takes for a seedling to grow to commercial size is 80-100 years. However, the duration may vary, depending upon the land management objectives for a given area.
Scribner scale	A log scale used for calculating sawn wood product volume from a tree or log
Severe Property Damage[a]	Means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
Sheen[b]	Means an iridescent appearance on the water surface
Shellfish[b]	Means a species of crustacean, mollusk, or other aquatic invertebrate with a shell or shell-like exoskeleton in any stage of its life cycle
Shore-based log transfer facility	Means a log transfer facility where logs are moved between land and water.
Trace coverage	Means areas of bark and wood debris that are estimated to cover less than 10% of the ocean bottom and having a depth under one inch, as measured within a three-foot square sample plot
Total Maximum Daily Loads (TMDLs)	A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. It is a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL stipulates wasteload allocations (WLAs) for point source discharges, load allocations (LAs) for nonpoint sources, and a margin of safety (MOS).

a) See 18 AAC 83
b) See 18 AAC 70.990
c) See 18 AAC 72.990
d) See 40 CFR Part 136
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Twice per year	Means two time periods during the calendar year: October through April and May through September
Use Description	Means one of four classifications (see Part 1.4) to describe the range of use for log transfer operations. The intensity and duration of site use will vary over time and the descriptions for each use provide a benchmark description relating to operating levels and characteristics.
Upset[a]	Means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
Water Depth	Means the depth of the water between the surface and the seafloor as measured at MLLW (0.0)
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 or Waters of the U.S.	Has the meaning given in 18 AAC 83.990(77)
Zone of Deposit	Means the total area of the bottom in marine or estuarine waters in which DEC has authorized the deposit of substances in exceedance of the water quality criteria in 18 AAC 70.020(b) and the antidegradation requirement in 18 AAC 70.010(c). For LTFs authorized to discharge under this general APDES permit, DEC has defined the ZOD as the outer boundary of the project area

a) See 18 AAC 83
b) See 18 AAC 70.990
c) See 18 AAC 72.990
d) See 40 CFR Part 136
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