



**Alaska Department of Environmental Conservation
Wastewater Discharge Authorization Programs**

STATE OF ALASKA WASTEWATER GENERAL PERMIT

2009DB0003

Excavation Dewatering GP

This permit is issued under provisions of Alaska Statutes 46.03, the Alaska Administrative Code as amended, and other applicable State laws and regulations. This permit may be terminated, modified, or renewed under provisions of Alaska Statute and the Alaska Administrative Code. This permit supersedes State wastewater general permit 2004DB0101.

This wastewater discharge permit is available for use by persons responsible for the discharge of wastewater from excavations that meet the eligibility criteria in this permit.

The owners and operators of facilities covered under this general permit are authorized to discharge to the lands and waters of the State of Alaska in accordance with discharge point(s) effluent limitations, monitoring requirements, and other conditions set forth herein.

This general permit shall become effective **March 24, 2009**

This general permit and the authorization to discharge shall expire at midnight, **March 23, 2014**.

SIGNATURE ON FILE

March 24, 2009

Signature

Date

Sharmon M Stambaugh

Printed Name

Wastewater Discharge Program Manager

Title

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Wastewater Discharges Covered by this Permit. This general permit applies to:

- a wastewater discharge from excavations on sites located less than one mile from a contaminated site. Eligible projects may include earthwork activity such as culvert placement; gravel extraction; pipeline installation, inspection or repair; and other similar projects.
- a wastewater discharge from excavations located more than one mile from a contaminated site and not eligible for coverage under *NPDES General Permit for Storm Discharges from Large and Small Construction Activity (CGP)*. See <http://www.dec.state.ak.us/water/wwdp/index.htm> for information regarding this permit.

Wastewater Discharges Not Covered by this Permit. This general permit does not apply to:

- a wastewater discharge from excavations located more than one mile from a contaminated site if authorized under the CGP.
- a wastewater discharge to waters listed by the state as impaired where the impairment is wholly or partially caused by a pollutant contained within the proposed discharge (go to <http://www.dec.state.ak.us/water/wqsar/index.htm>).
- a wastewater discharge which is approved by the Department as part of the cleanup at a contaminated site.

Notice of Intent Requirements

- A Notice of Intent under Section 1.1 and prior written authorization from the Department **are** required if the excavation is located less than a mile from a contaminated site and the total discharge volume is equal to or greater than 250,000 gallons to the land surface or to a surface water body; or
- A Notice of Intent **is** required if the total discharge volume is equal to or greater than 250,000 gallons for the department to determine if the excavation is located less than one mile from a contaminated site; or
- A Notice of Intent **is not** required if the total discharge volume is less than 250,000 gallons, the discharge is located more than one mile from a contaminated site, and the wastewater discharge is eligible for coverage under the CGP.

General Provisions

A wastewater discharge authorized under this general permit is subject to the terms and conditions specified in Sections 1 and 2 of this permit. All discharges made under the authority of this permit, regardless of size, are subject to the conditions and stipulations contained herein. A written authorization under this permit is valid for not longer than 12 months. This permit does not relieve a person of the responsibility of obtaining other required permits if any.

The Department will require a person to obtain an individual permit when the wastewater discharge does not meet the eligibility criteria of this general permit, contributes to pollution, or has the potential to cause or causes adverse impact on public health or water quality. Issues that the Department may consider when deciding whether to require an individual permit for a particular discharge include, but are not limited to: the effect of discharge activity on nearby contaminated sites, proximity of drinking water wells, separation distance waivers for drinking water wells in the vicinity of the proposed activity, potential for reversal in the direction groundwater flow, and potential changes in drinking water and groundwater quality. Issuance of an individual permit requires a 30 day public notice period and additional time for processing the application.

Any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195- 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. Informal review requests must be delivered to the Director of Water, 555 Cordova Street, Anchorage, Alaska 99501, within 15 days of receipt of the permit decision. Adjudicatory hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 11800 Juneau, Alaska 99811, within 30 days from the date of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

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1 OPERATIONAL REQUIREMENTS

1.1 NOTICE OF INTENT AND AUTHORIZATION

- 1.1.1 A person wishing to conduct a wastewater discharge activity under this permit and whose total discharge volume is equal to or greater than 250,000 gallons, must submit a Notice of Intent (NOI) to the Alaska Department of Environmental Conservation. See the flow chart in Part 3 to help determine whether a NOI for this permit is required. The Department will determine whether the dewatering site is less than one mile from a contaminated site. The Notice of Intent form can be found at <http://www.dec.state.ak.us/water/wwdp/index.htm> or by sending a request to DEC.Water.WQPermit@alaska.gov. The Notice of Intent must be submitted to ADEC at least thirty (30) days prior to the start of the discharge activity at:

Alaska Department of Environmental Conservation
Division of Water
Wastewater Discharge Authorization Programs
555 Cordova Street
Anchorage, Alaska 99501
Phone (907)-269-6285
Fax (907)-269-3487
Email DEC.Water.WQPermit@alaska.gov
<http://www.dec.state.ak.us/water/wwdp/index.htm>

- 1.1.2 A Notice of Intent is not required if the total discharge volume is less than 250,000 gallons. However, the water quality standards in 18 AAC 70 and the terms and conditions in this permit still apply to any activity conducted under this permit even if submittal of a Notice of Intent is not required. A copy of this permit shall be on site in accordance with Section 2.4. All persons involved in the dewatering activity must be informed of the terms and conditions of this general permit.
- 1.1.3 The Notice of Intent must be accompanied by the appropriate permit fee found in 18 AAC 72, <http://www.state.ak.us/dec/water/wwdp/online-permitting/fees.htm>, or any such regulations as amended.
- 1.1.4 The Department will, in its discretion, deny use of this general permit, or attach or waive conditions appropriate for the disposal activity, as specified in the written authorization.
- 1.1.5 The applicant must contact the Alaska Department of Fish and Game, Office of Habitat Management and Permitting for approval, <http://www.habitat.adfg.alaska.gov/>, two weeks prior to any discharge, if the discharged water will enter a fish-bearing stream.
- 1.1.6 The applicant must contact the Alaska Department of Natural Resources, Division of Mining, Land, & Water, <http://www.dnr.state.ak.us/mlw/>, for any dewatering operation where the discharge volume exceeds 30,000 gallons of water per day to determine whether a temporary water use permit is required pursuant to 11 AAC 93.
- 1.1.7 The written authorization is effective for the period beginning on the effective date of the authorization and lasting through its expiration date. If this permit is modified or renewed during the term of the written authorization, the new permit requirements will apply for the

remaining period of the authorization.

1.2 CONTAMINATED SITE

- 1.2.1 If the Department determines that a known contaminated site(s), within one mile of a proposed dewatering activity with a wastewater discharge volume equal to or greater than 250,000 gallons, would be impacted by the dewatering activity the applicant shall, in addition to the Notice of Intent as required in Section 1.1, provide the following information:
 - 1.2.1.1 Data about the contaminated site(s) including the type and concentration of contaminants, whether the contaminant(s) are solid, liquid, or dissolved, and the size and location of any contaminant plumes:
 - 1.2.1.2 A detailed geohydrologic report by a geologist, hydrologist, or engineer professionally licensed to practice in the State of Alaska. This report must specifically address the impact of the proposed dewatering activity on the location of any adjacent contaminated site within the area of influence of the dewatering activity;
 - 1.2.1.3 Proposed or existing monitoring wells that are capable of providing information on groundwater elevations, whether contaminants are being smeared below the natural minimum groundwater elevation, whether the contaminant plume is being diverted, and whether contaminant migration rates are increasing;
 - 1.2.1.4 The proposed treatment of contaminants that are entrained in the dewatering and the contaminant discharge concentrations. Treatment plans must be designed and stamped by an engineer professionally licensed to practice in the State of Alaska;
- 1.2.2 The information described in Section 1.2.1 is not required if the applicant can demonstrate that the contaminated site(s) within one mile of the dewatering site does not affect the groundwater;
- 1.2.3 The information described in Sections 1.2.1.2 is not required if the proposed dewatering will not drop the groundwater level below the natural minimum groundwater elevation as recorded by the U.S. Geological Survey or another source the Department determines is reliable. Daily measurements of groundwater elevation in monitoring wells may be required to prove that groundwater elevations are not being lowered below elevations that would occur naturally;
- 1.2.4 When the dewatering activity may adversely affect a contaminated site by moving or smearing contaminants, the applicant must use construction practices such as cofferdams, or other methods to prevent adverse effects upon groundwater quality.

1.3 REQUIREMENTS

1.3.1 During the period beginning on the effective date of the authorization and lasting through the expiration date, a permittee is authorized to discharge wastewater as specified in this section.

1.3.1.1 Wastewater discharged from a dewatering activity shall not exceed the following limitations:

Effluent Characteristic	Maximum Value
Turbidity	5 NTU's above background ¹
Total Aqueous Hydrocarbons	15 µg/l, (micrograms per liter)
Total Aromatic Hydrocarbons	10 µg/l, (micrograms per liter)
Settleable Solids	0.2 ml/l (milliliter per liter) ²
pH	Between 6.5 and 8.5 pH units and within 0.2 units (marine) or 0.5 units (fresh water), of the receiving water pH.
Total Iron	2 mg/l, (milligrams per liter)

1.3.1.2 The discharge shall not cause thermal or physical erosion.

1.3.1.3 The discharge shall not cause a change in established flow patterns of the receiving water nor shall it cause flooding which results in property damage.

1.3.1.4 A waiver of the minimum separation distance between a drinking water source and a potential source of contamination is sometimes based on the direction of flow of the groundwater. The dewatering operation shall not cause a drinking water source with such a waiver to be threatened with contamination by changing the direction of flow of the groundwater.

1.3.1.5 The discharge shall not cause destruction of vegetation.

1.3.1.6 The discharge shall not create a thermal barrier to fish movement.

1 Applies to discharges to the waters of the state only. Not applicable to discharges which freeze upon discharge. Shall not cause more than 10% increase in turbidity when the natural condition is more than 50 NTU, not to exceed a maximum increase of 15 NTU. Shall not exceed 5 NTU over natural conditions for all lake waters.

2 When the discharge flow is greater than the receiving water flow, settleable solids shall have a maximum limitation of 0.1 ml/l.

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- 1.3.1.7 The discharge shall not result in the exclusion of fish from aquatic habitat.
- 1.3.1.8 The discharge shall not cause re-suspension of sediments in receiving waters.
- 1.3.1.9 The discharge shall be free of any additives such as antifreeze solutions, methanol, solvents, or corrosion inhibitors; garbage; toxic substances; grease and oils which produce a sheen; foam in other than trace amounts; or other contaminants.
- 1.3.1.10 If a sheen is observed in the discharge the permittee shall stop the discharge immediately, use sorbent materials to control the sheen, and contact the Department immediately.
- 1.3.1.11 The discharge shall not cause a violation of the Alaska Water Quality Standards 18 AAC 70.
- 1.3.1.12 Groundwater elevations may not be affected in a manner that reduces the quantity or quality of the water drawn from wells owned by others in the area, unless prior arrangements are made to either provide suitable water to those owners, or those wells are modified (with the owners' permission) in a manner so that the quantity and quality will not be affected. Well owners may have additional legal rights and the applicant is encouraged to discuss the matter with the affected property owners prior to submission of the Notice of Intent to the Department.
- 1.3.1.13 This permit or written authorization does not constitute a grant of water rights.

1.4 MONITORING

1.4.1 A permittee discharging 250,000 or more gallons of wastewater within one mile of a contaminated site shall monitor the wastewater stream in the following manner and frequency while the discharge is occurring. If the monitoring results show that the effluent exceeds the limitations in Section 1.3.1.1 or does not comply with the requirements in Section 1.3, the permittee will immediately cease discharging and contact the ADEC Compliance Section as provided in Section 1.6.1.

Effluent Characteristic	Sample Location	Minimum Frequency	Sample Type	Sample Method
Total Flow	Effluent	Daily	Estimate or Measured	Field
Turbidity (NTU)	Effluent & Background ³	Weekly ⁴	Grab	Field
Total Aqueous Hydrocarbons	Effluent	Weekly ³	Grab	Field
Total Aromatic Hydrocarbons	Effluent	Weekly ³	Grab	Field
Settleable Solids	Effluent	Daily	Grab Composite	Field (see note 11 to 18 AAC 70.020(b))
Total Iron	Effluent	Weekly	Grab	Field or lab Standard Method 3500-D

1.4.2 Iron precipitation from iron concentrations found in some ground waters has the potential to cause settleable solids to exceed the limits in Section 1.4.1 of this permit. The Department recommends that the applicant determine the iron concentration in the groundwater to be dewatered prior to submittal of the Notice of Intent. In areas of known high concentrations of iron, the Department will require that this information be submitted.

1.4.3 A permittee with a discharge estimated to be less than a total of 250,000 gallons of wastewater shall perform the visual monitoring listed in Section 1.4.4. The data generated from this monitoring will only need to be reported to the Department if the actual flow monitored is equal to or greater than a total of 250,000 gallons. However, a written visual inspection record for flow, sheen, turbidity, and erosion must be kept by the permittee for 3 years after the termination of the discharge, and made available to the Department upon request.

³ The Department at its discretion may require more frequent monitoring.

⁴ Turbidity values of effluent and receiving water shall be determined. One sample shall be taken at a point representative of discharge prior to its entering the receiving water. A second sample shall be taken of the receiving water upstream of the discharge point, or in the case of receiving waters with low or no flow, prior to discharge, at a location representative of the receiving water. Both samples shall be taken during the same day within a reasonable time frame. (i.e. within 30 minutes).

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1.4.4 Monitoring requirements if less than 250,000 gallons are discharged:

Effluent Characteristic	Sample Location	Minimum Frequency	Sample Type
Flow	Effluent	Daily	Estimated
Sheen	Effluent	Daily	Visual
Turbidity	Effluent	Daily	Visual
Erosion	Effluent	Daily	Visual

1.4.5 Test procedures used for sample analysis shall conform to methods cited in 18 AAC 70.020(c), as amended. The permittee may substitute alternative methods of monitoring or analysis upon receipt of prior written approval from the Department.

1.4.6 The permittee shall use current calibrated equipment when taking field measurements, and shall use bottles and sampling procedures provided by a laboratory when taking samples for laboratory analysis.

1.4.7 Samples and measurements taken shall be representative of the volume and nature of the monitored discharge.

1.4.8 Additional monitoring parameters and increased monitoring frequency may be required on a case-by-case basis.

1.4.9 If the permittee monitors any influent, effluent, or surface water characteristic identified in this permit more frequently than required, the results of such monitoring shall be reported to the Department in the monitoring report required under Section 1.6.

1.5 MANAGEMENT PRACTICES

1.5.1 The permittee shall take whatever steps are necessary to maintain the dewatering operation in such a manner that the terms and conditions of this permit are met. This includes leaving the dewatering site, including any settling ponds, in a condition that will not cause degradation to the receiving water beyond that resulting from natural causes.

1.5.2 The permittee, when using an earthen channel to transport wastewater from a dewatering operation to the receiving water, shall not drive construction equipment in the channel in such a manner as to re-suspend sediment.

1.5.3 The permittee shall maintain fuel handling and storage facilities in a manner that prevents the discharge of petroleum products into receiving waters.

1.6 REPORTING

- 1.6.1 For a discharge equal to or greater than 250,000 gallons, monitoring results shall be recorded on a ADEC Discharge Monitoring Report (DMR), and submitted no later than the 14th day of the month following the month that each sampling occurs. Reporting shall begin when the discharge starts. Reporting shall be done on the electronic form included with the written authorization or on the form located at the website address provided below. The reports shall be emailed AND signed copies of the monitoring results and all other reports required herein shall be submitted to the Department office at the following address:

Alaska Department of Environmental Conservation
Division of Water
Compliance Section
555 Cordova Street
Anchorage, Alaska 99501
Toll free 1-877-569-4114 (outside Anchorage service area)
In Anchorage service area 907-269-4114
Fax (907) 269-4604
Email: dec-wqreporting@alaska.gov
<http://www.dec.state.ak.us/water/Compliance/index.htm>

- 1.6.2 Knowingly making a false statement, by the permittee, the operator, or other employees, including contractors, on any such report may result in the imposition of criminal penalties as provided under AS 46.03.790.

1.7 RECORDS RETENTION

All records and information resulting from the monitoring activities required by this permit, including all records of analyses performed calibration and maintenance of instruments and recordings from continuous monitoring instruments, shall be retained in Alaska for three years for observation by the Department. Upon request from the Department, the permittee shall submit certified copies of such records.

1.8 CHANGE IN DISCHARGE

A discharge authorized herein shall comply with the terms and conditions of this permit and the authorization. The discharge of any pollutant or toxic material, more frequently than specified, or at a concentration or limit not authorized, shall constitute noncompliance with the permit. Any anticipated construction changes, flow increases, or process modifications that will result in new, different, or increased discharges of pollutants and will cause a violation of this permit's limitations are not allowed under this permit and must be reported by submission of a revision of the Notice of Intent or an individual waste water discharge permit application. Physical changes to the dewatering activity may also be subject to plan review by the Department.

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1.9 TOXIC POLLUTANTS

If a toxic pollutant (including oil, grease, or solvents) concentration standard becomes established in 18 AAC 70 for a pollutant present in this discharge, and such standard is more stringent than the limitation in this permit, this permit is considered to be modified to include the toxic pollutant concentration standard.

1.10 ACCIDENTAL DISCHARGES

The permittee shall provide protection from accidental discharges not in compliance with the terms and conditions of this permit. Facilities to prevent such discharges shall be maintained in good working condition at all times.

1.11 NONCOMPLIANCE NOTIFICATION

1.11.1 If, for any reason, the permittee does not comply with any term or condition specified in this permit, the permittee shall cease discharging immediately and report the noncompliance to the Department within 24 hours of becoming aware of such noncompliance. This report shall be by telephone, fax, or email. Contact information is provided in section 1.6.1.

1.11.2 A written follow-up report shall be sent to the Department within seven (7) days of a noncompliance event. The written report shall contain, but is not limited to:

1.11.2.1 Times and dates during which the event occurred, and the time the discharge was stopped or the noncompliance was corrected;

1.11.2.2 A detailed description of the event, including quantity and type of materials causing the noncompliance;

1.11.2.3 Details of any actual or potential impact on the receiving environment or public health;

1.11.2.4 Details of actions taken or to be taken to correct the cause(s) of the event and to remedy any damage that result from the event.

1.11.2.5 A permittee may use the ADEC non-compliance notification form to provide the required information of this section. This form is available at the website address provided in Section 1.6.1 or send a request to the email address provided in Section 1.6.1.

1.11.3 RESTRICTION OF PERMIT USE

The Department will require a person with a general permit authorization to obtain an individual permit if the Department determines that the discharge does not meet the requirements of this permit, the discharge contributes to pollution, there is a change in technology, or the receiving environment or public health is not protected.

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1.12 TRANSFER OF OWNERSHIP

In the event of any change in control or ownership of the permitted facility, the permittee shall notify the succeeding owner or controller of the existence of this permit and the authorization by letter or by using the Change in Ownership Form. A copy of the letter or form shall be forwarded to the Department at the address listed in Section 1.1. The original permittee remains responsible for permit compliance unless and until the succeeding owner or controller agrees in writing to assume such responsibility and the Department approves assignment of the permit. The Department will not unreasonably withhold such approval.

2 GENERAL REQUIREMENTS

2.1 ACCESS AND INSPECTION

The permittee shall allow the Department access to the permitted facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this permit, the terms of the authorization to operate under this permit, State laws, and regulations.

2.2 INFORMATION ACCESS

Except where protected from disclosure by applicable state or federal law, all records and reports submitted in accordance with the terms and conditions of this permit shall be available for public inspection at the appropriate Alaska Department of Environmental Conservation office.

2.3 CIVIL AND CRIMINAL LIABILITY

Nothing in this permit shall relieve the permittee from any potential civil or criminal liability for noncompliance with this permit, their authorization to operate, or applicable laws and regulations.

2.4 AVAILABILITY

The permittee shall post or maintain a copy of this permit and their authorization available to the public, employees, and subcontractors at the discharge facility.

2.5 ADVERSE IMPACT

The permittee shall take all necessary means to minimize any adverse impacts to the receiving waters or lands resulting from noncompliance with any limitation or condition specified in this permit, including additional monitoring needed to determine the nature and impact of the non-complying activity. The permittee shall clean up and restore all areas adversely impacted by the non-complying activity.

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2.6 CULTURAL OR PALEONTOLOGICAL RESOURCES

If cultural or paleontological resources are discovered as a result of this discharge activity, work which would disturb such resources is to be stopped, and the State Historic Preservation Office, Division of Parks and Outdoor Recreation, Alaska Department of Natural Resources (907) 762-2622, is to be notified immediately.

2.7 OTHER LEGAL OBLIGATIONS

This permit does not relieve the permittee from the duty to obtain any other required permits or approvals 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 requirements of this permit shall comply with all applicable local, state, and federal laws and regulations.

2.8 POLLUTION PREVENTION

In order to prevent and minimize present and future pollution, when making management decisions that affect waste generation, the permittee shall consider the following order of priority options as outlined in AS 46.06.021:

- waste source reduction;
- waste recycling;
- waste treatment;
- waste discharge.

3 EXCAVATION DEWATERING FLOW CHART

