

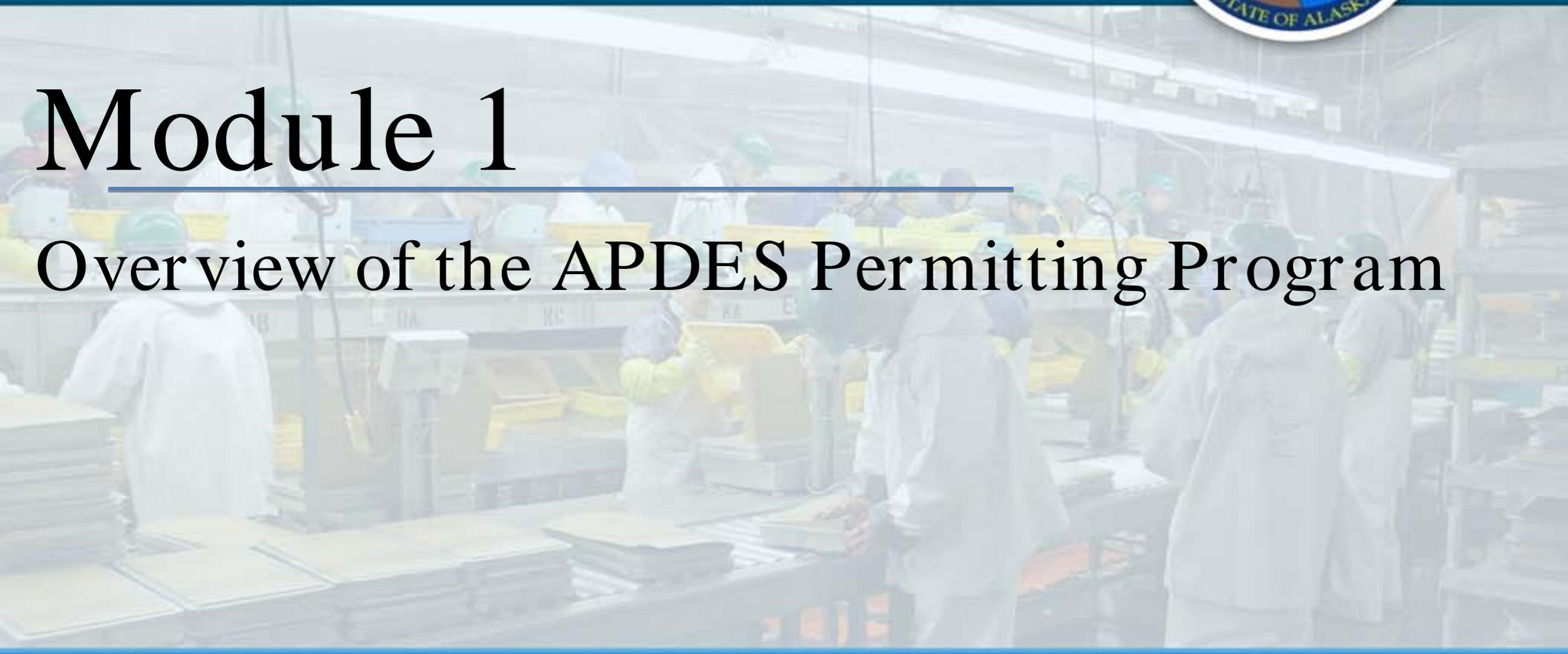


Alaska Department of Environmental Conservation
Division of Water



Module 1

Overview of the APDES Permitting Program



2012 SEAFOOD PROCESSING WASTE PERMITTING & COMPLIANCE WORKSHOP

Seattle, Washington April 24-25, 2012

Module 1 – Overview of the (APDES) Permitting Program

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Clean Water Act

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Module 1 – OBJECTIVES

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- **BRIEF REVIEW** of the EPA Clean Water Act (CWA); including goals and purposes.
- **REVIEW** the National Pollutant Discharge Elimination System (NPDES) permit program.
- **EXPLAIN** How Alaska assumed primacy (authority) of this program as the Alaska Pollutant Discharge Elimination System (APDES) program.

Module 1 – What You Will Learn

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- About the Clean Water Act and its purposes and goals.
- How the NPDES permit program was transferred to the State of Alaska
- Why the program is called the APDES program

Federal Water Pollution Control Act Amendments - 1972

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In 1972 the EPA established the Federal Water Pollution Control Act Amendments

Objective: to restore and maintain the chemical, physical and biological integrity of the Nation's waters.

Federal Water Pollution Control Act Amendments - 1972

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National Goals & Policies

- To eliminate the discharge of pollutants to navigable waters by 1985.
- Interim goal: to achieve a level of water quality that would provide protection and propagation of fish, shellfish, and wildlife; as well as provide recreation in and on the water by July 1983.

National Pollutant Discharge Elimination System (NPDES)

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1972

NPDES Permit Program Established (Section 402)

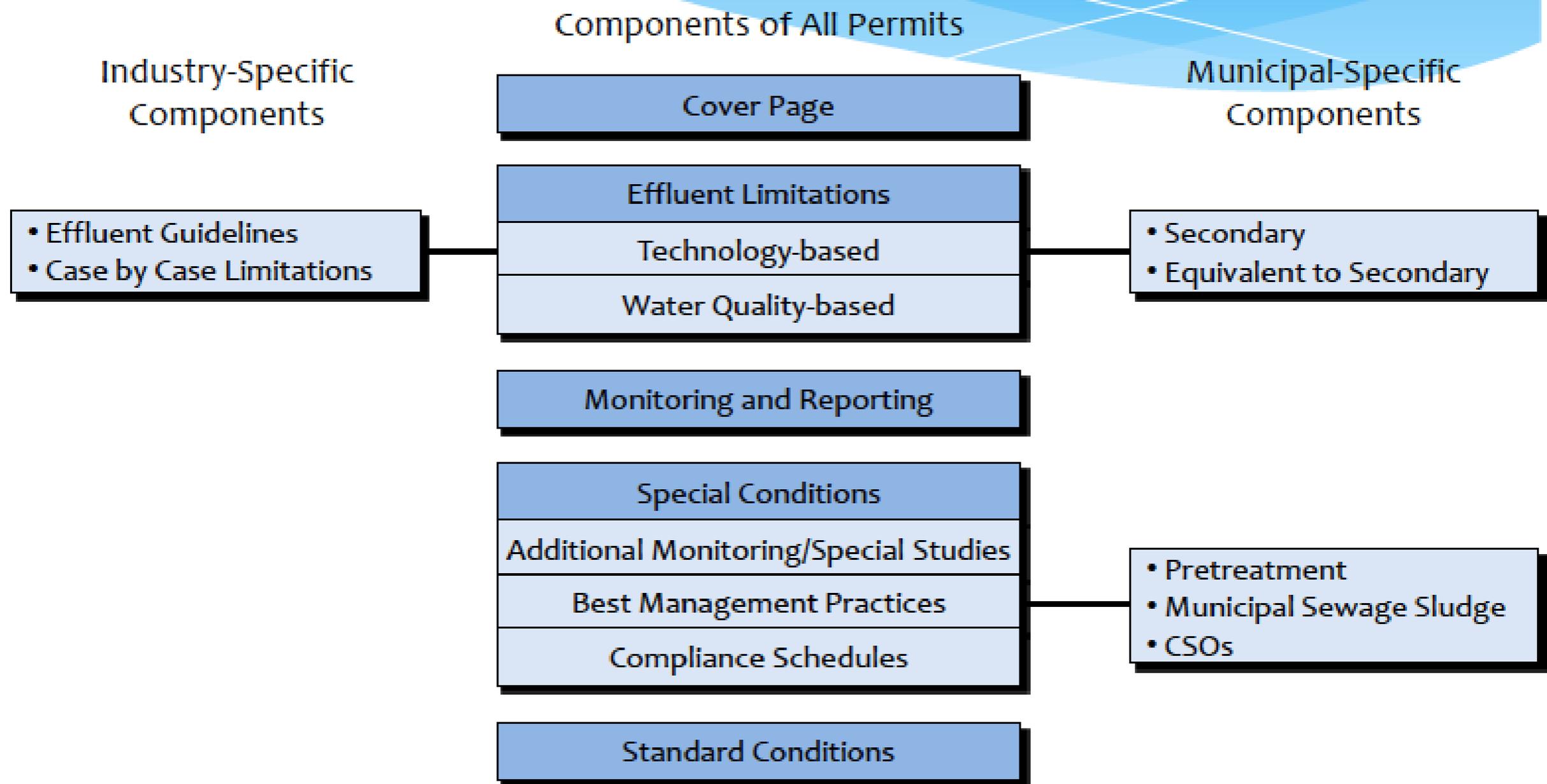
Maximum five year permit terms; compliance deadlines; and significant penalties for violations.

Established both **technology-based** and **water quality-based** permit requirements

Permit compliance would serve as a shield.

<http://www.epa.gov/compliance/resources/policies/civil/cwa/shield.pdf>

Permit Components



What is an NPDES Permit?

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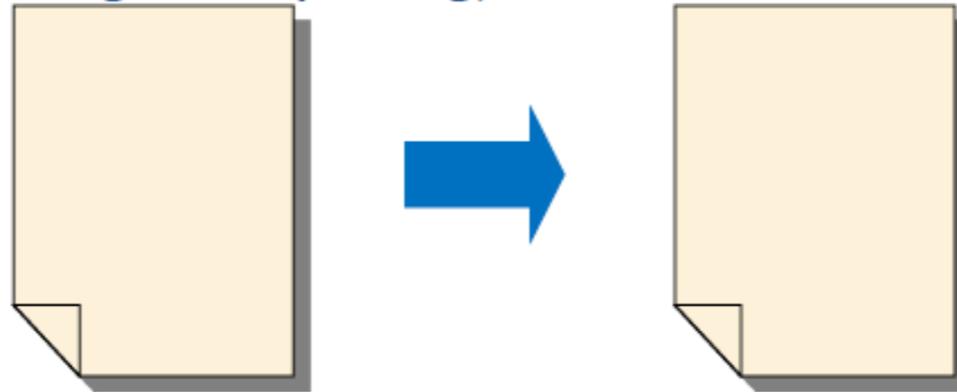
- A permit is a license that is
- issued by the government
- granting permission to do something that would be illegal in the absence of the permit (e.g., driver's license)
- There is no right to a permit and it is revocable for cause (e.g., reckless driving)
- An NPDES permit is a license to discharge and can be revoked for cause

What is an NPDES Permit?



Types of NPDES Permits—Individual

- * Individual Permit
 - * 1 application submitted ➡ 1 permit issued
 - * appropriate where facility-specific permit conditions (e.g., effluent limitations, management practices, monitoring and reporting) are needed

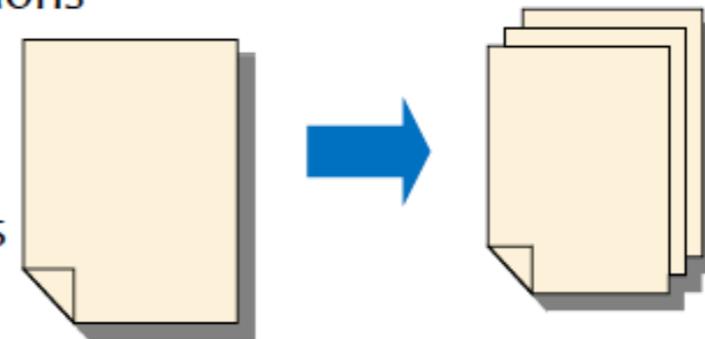


What is an NPDES Permit?



Types of NPDES Permits—General

- * General Permit (40 CFR 122.28)
 - * 1 permit issued → many NOIs submitted
 - * appropriate where
 - * multiple, similar sources (e.g., same category, similar process) within the same geographic area require permit coverage
 - * sources have similar discharges and would require the same or similar permit conditions
 - * Permit must identify:
 - * area of coverage
 - * sources covered
 - * notice of intent (NOI) process



What is a Point Source?



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 form which pollutants are or may be discharged.

What is a Point Source?

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What are Pollutants?

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Pollutant– 40 CFR 122.2

Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.

What are Pollutants?

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What are Pollutants?

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NPDES Program in Alaska

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- The NPDES program in Alaska was administered by EPA
- Alaska was 1 of 5 states that did not have authority to administer the NPDES program (Alaska became #46)
- A workgroup was convened in 2004 to evaluate the concerns, costs, and benefits of state primacy.
 - The workgroup recommended Alaska apply for primacy contingent on certain elements being incorporated into the state program.

<http://dec.alaska.gov/water/npdes/APDESApplication.htm>

Alaska Pollutant Discharge Elimination System (APDES) History & Timeline

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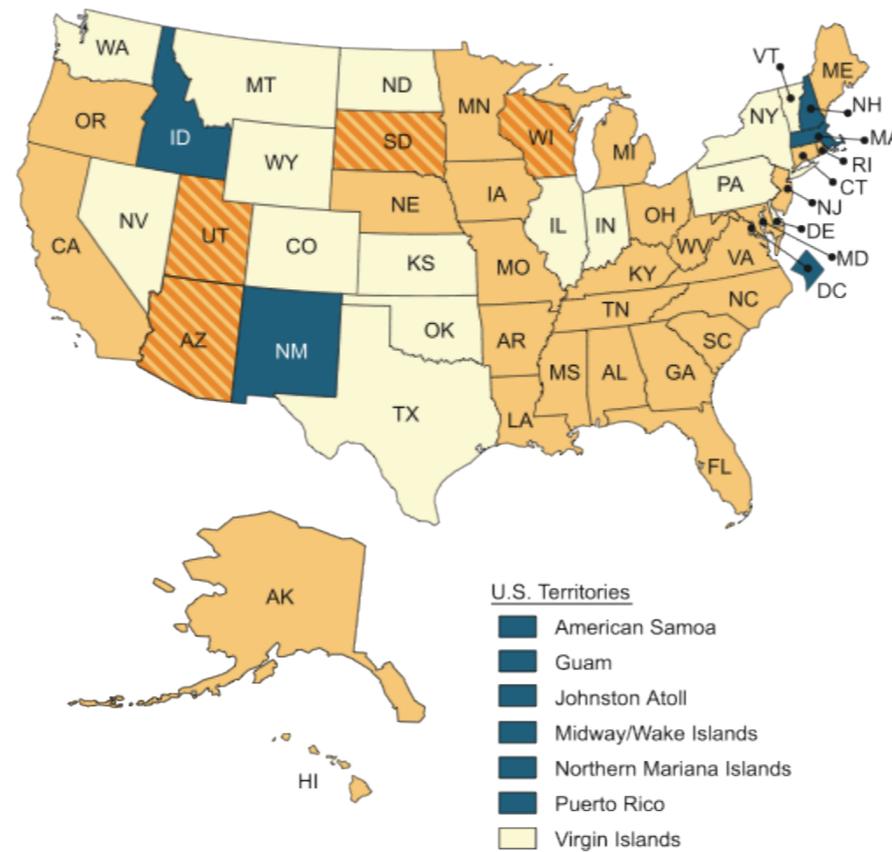
On October 31, 2008 EPA approved the application and DEC assumed permitting and enforcement authority of certain sectors, including seafood processing activities, in navigable waters of the United States under State authority.

Other sectors will be transferred according to the primacy application schedule

Alaska Pollutant Discharge Elimination System (APDES)



State NPDES Program Authority



State NPDES Program Status	
Orange	Fully authorized
Orange with diagonal lines	Fully authorized, including an approved biosolids program
Yellow	Partially authorized (click here for details)
Dark blue	Unauthorized

APDES Assumption Timeline

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Phases of Authorization	Phase Facility	APDES Program Components
Phase I: At program approval October 31, 2008	Phase I	<ul style="list-style-type: none"> •Domestic discharges •Log storage & transfer facilities •Seafood processing facilities •Hatcheries
Phase II: 1 year from program approval October 31, 2009	Phase II	<ul style="list-style-type: none"> •Federal facilities •Storm water •Pretreatment program •Miscellaneous non domestic discharges
Phase III: 2 years from program approval October 31, 2010	Phase III	<ul style="list-style-type: none"> •Mining
Phase IV: 4 years from program approval October 31, 2012	Phase IV	<ul style="list-style-type: none"> •Oil and gas industry •All remaining sectors included in the application not previously transferred

Alaska Discharge Pollutant Elimination System (ADPES)

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DEC has assumed authority over the first three phases.

Phase IV will transfer to DEC October 31, 2012.

Once Phase IV is transferred, all phases to transfer over to DEC will be complete

Example of sectors not transferring

- Vessel NPDES permitting program

- Biosolids (Section 503 of CWA)

- Facilities in Indian Country

Alaska Pollutant Discharge Elimination System (APDES)

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EPA maintains an oversight role and retains the authority to

- inspect facilities issued APDES permits;
- object to permits if they fail to meet CWA requirements;
- and enforce against APDES permit violations.

Alaska Pollutant Discharge Elimination System (APDES)

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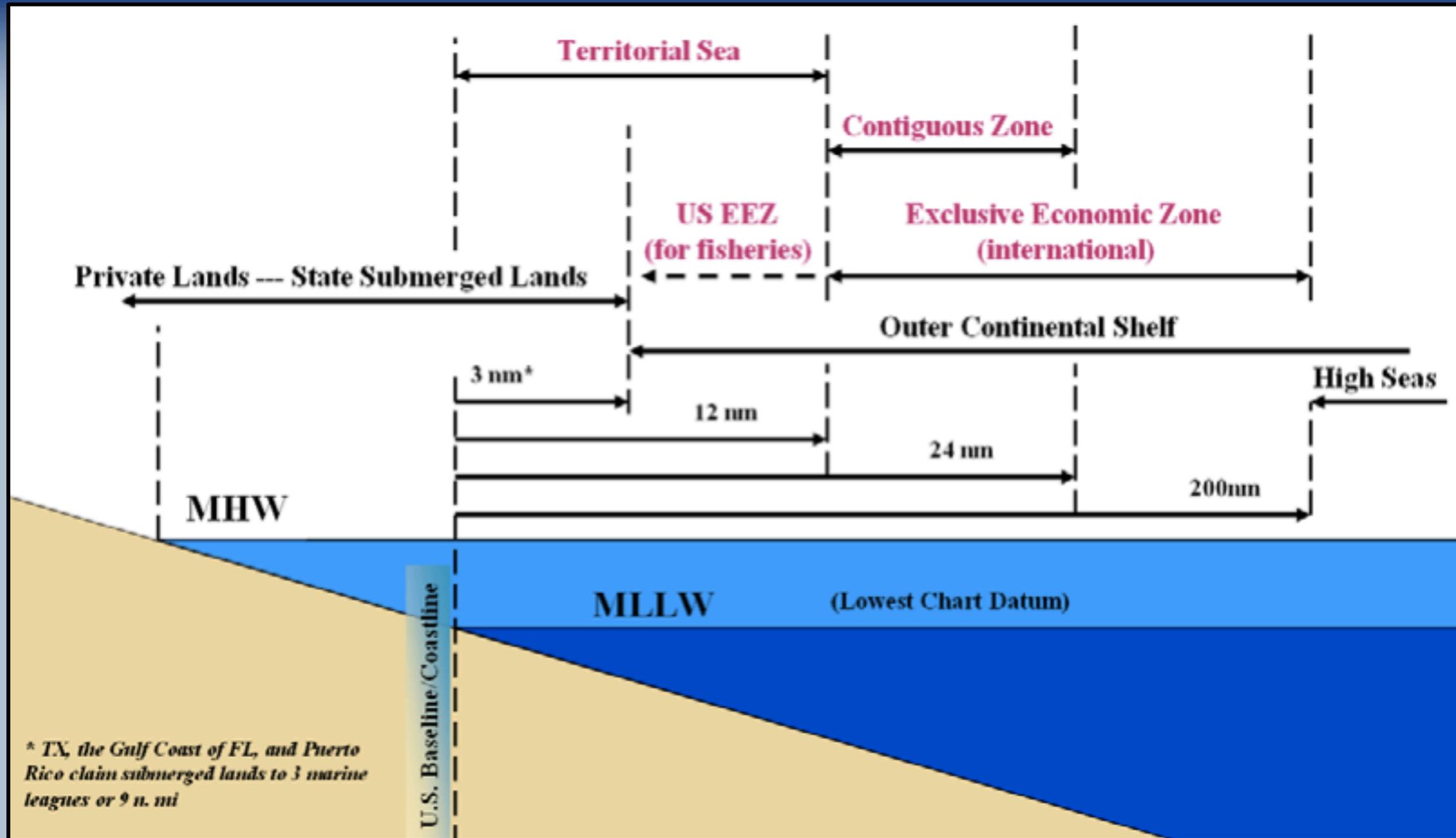


The APDES program regulates the discharge of pollutants to navigable waters, as defined by the Clean Water Act.

State marine waters are defined as all waters from shore as delineated by mean lower low water to 3 nautical miles from shore or baseline, whichever is greater.

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- DEC Wastewater Discharge Authorization webpage
 - <http://dec.alaska.gov/water/wwdp/Index.htm>
- APDES Permit documents are posted
- Search for DEC permits in effect at
 - <http://dec.alaska.gov/Applications/Water/WaterPermitSearch/Search.aspx>
- Seafood Waste Documents
 - <http://dec.alaska.gov/water/wwdp/seafood/documents.html>

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- DEC Seafood webpage
 - <http://www.dec.alaska.gov/water/wwdp/seafood/Index.html>
- Join the DEC-Seafood list serve to be notified of Seafood related APDES permitting actions
 - <http://list.state.ak.us/soalists/DEC-Seafood/jl.htm>

End of Module 1

MODULE 1



- Reviewed some of the Clean Water Act Goals
- Gave an overview of the NPDES Program
- Discussed how Alaska assumed the APDES Program
- Provided links to important APDES web pages