

**ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM**

**INDIVIDUAL PERMIT**

Permit Number: \_\_\_\_\_

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Wastewater Discharge Authorization Program  
555 Cordova Street  
Anchorage, AK 99501**

In compliance with the provisions of the Clean Water Act, 33 U.S.C. §1251 *et seq.*, as amended by the Water Quality Act of 1987, P.L. 100-4, the “Act”, this permit is issued under provisions of Alaska Statutes 46.03, the Alaska Administrative Code as amended, and other applicable State laws and regulations, including the Alaska Coastal Management Program under 11 AAC 110 for activities in the coastal zone. This permit may be terminated, modified, or renewed under provisions of Alaska Statute and the Alaska Administrative Code.

[insert facility name and address or description of facility location]

is authorized to discharge from the [insert name of facility] facility at [insert facility location, address, City and State] at the following location(s):

<b>Outfall</b>	<b>Receiving Water or Body</b>	<b>Latitude</b>	<b>Longitude</b>
001	[insert information]		

In accordance with the discharge point(s) effluent limitation, monitoring requirements and other conditions set forth herein.

This permit shall become effective [insert date]

This permit and the authorization to discharge shall expire at midnight, [insert date]

The permittee shall reapply for a permit reissuance on or before [insert date], 180 days before the expiration of this permit if the permittee intends to continue operations and discharge(s) at the facility beyond the term of this permit

Signed

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

## SCHEDULE OF SUBMISSIONS

Some of the items the permittee must complete and/or submit to the Alaska Department of Environmental Conservation (ADEC) during the term of this permit are summarized:

[List the required submissions (DMRs, BMP/QAPP plans, etc.), respective due dates, and any other applicable language. Reference the section of the permit requiring submission.

*Example:*

<i>Permit Section</i>	<i>Submittal or Completion</i>	<i>Frequency</i>	<i>Due Date</i>
3.2	<i>Discharge Monitoring Reports (DMR)</i>	<i>Monthly</i>	<i>Must be postmarked or submitted electronically through the eDMR system, on or before [insert date].</i>
2.1	<i>The Quality Assurance Project Plan (QAP)</i>	<i>1/permit cycle</i>	<i>Within 60 Days [insert interval] after the effective date of the final permit</i>
2.3	<i>Written notification the Best Management Practices (BMP) Plan has been developed and implemented</i>	<i>1/permit cycle</i>	<i>Within [insert interval] after the effective date of the final permit</i>
5.2	<i>Application for Permit Renewal</i>	<i>1/permit cycle</i>	<i>180 days before expiration of the permit</i>
2.2	<i>Reports of compliance or noncompliance with a Compliance Schedule</i>	<i>As required</i>	<i>The Report must be submitted no later than [insert days] following each schedule date.</i>
3.7	<i>Oral notification of noncompliance</i>	<i>As Necessary</i>	<i>Within 24 hours from the time the permittee becomes aware of the circumstances of noncompliance</i>
3.7	<i>Written documentation of noncompliance</i>	<i>As Necessary</i>	<i>Within 5 days of discovery of the non-compliance event</i>

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# 1 LIMITATIONS AND MONITORING REQUIREMENTS

## 1.1 Discharge Authorization

- 1.1.1 During the effective period of this permit, the permittee is authorized to discharge pollutants from outfalls specified herein to [\[insert name of receiving water\]](#), within the limits and subject to conditions set forth herein. This permit authorizes discharge of only those pollutants resulting from facility processes, waste streams, and operations clearly identified in the permit application process.

## 1.2 Effluent Limitations and Monitoring

- 1.2.1 Permittee must limit and monitor discharges from outfall 001 as specified in [\[insert Table number\]](#), below [\[insert appropriate language if there are additional outfalls\]](#). All figures represent maximum effluent limits unless otherwise indicated. The permittee must comply with effluent limits in the tables at all times unless otherwise indicated, regardless of monitoring frequency or reporting required by other provisions of this permit.

**TABLE 1. Outfall 001 Effluent Limitations and Monitoring Requirements**

Effluent Characteristics		Effluent Limitations					Monitoring Requirements		
Parameter	Daily Minimum	Monthly Average	Weekly Average	Daily Maximum	Instantaneous Maximum	Units	Sample Location	Sample Frequency	Sample Type
Total Discharge Flow	N/A	Report	Report	10,000 <sup>1</sup>		gpd	Influent or Effluent	1/Week	Measured <sup>2</sup>
Biochemical Oxygen Demand (BOD <sub>5 Day</sub> )	N/A	30	45	60		mg/l	Effluent	1/Quarter	Composite <sup>3</sup>
Total Suspended Solids	N/A	30	45	60		mg/l	Effluent	1/Quarter	Composite
Fecal Coliform Bacteria	N/A	14 <sup>4</sup>	N/A	43 <sup>5</sup>		FC per /100 ml	Effluent	1/Quarter	Grab
Total Chlorine Residual	N/A	N/A	N/A	0.0075 <sup>6</sup>		mg/l	Effluent	1/Week	Grab
Dissolved Oxygen	6.0	N/A	N/A	17.0		mg/l	Effluent	Upon Request <sup>7</sup>	Grab
pH	6.5 <sup>8</sup>	N/A	N/A	8.5 <sup>8</sup>		Std. Units	Effluent	Upon Request <sup>7</sup>	Grab

- The wastewater discharge volume shall not exceed the maximum hydraulic design flow rate approved in the Final Approval to Operate issued by ADEC. Final Approval to Operate means that the Department has reviewed and approved the wastewater treatment works engineered plans submitted to the Department in accordance with 18 AAC 72.210-285 or as amended.
- See **DEFINITIONS** sections for the definition of measured.
- Composite samples must consist of at least four equal volume grab samples, two of which must be taken during periods of peak flow.
- Average fecal coliform results shall be reported as the geometric mean of the samples. See **DEFINITIONS** for the definition of geometric mean.
- Not more than 10% of the samples taken during a 30-day period may exceed this value.
- The Alaska Water Quality Standard, (see 18 AAC 70), limit is 0.0075 mg/L for total residual chlorine in marine water. The Department will use 0.100 mg/L (the minimum level for EPA Method 330.3 and Method 330.4) as the compliance evaluation level for this parameter. Daily maximum concentrations below 0.100 mg/l will be considered in compliance with the limitation. Testing for total residual chlorine is not required if chlorine is not used as disinfectant in the wastewater treatment works process.
- Reasonable potential to exceed these limits does not appear to exist when the treatment system is operating according to design and therefore monitoring will not normally be required, however monitoring may be required in the future. The Department will notify the applicant if monitoring is required for these parameters and will provide the monitoring frequency at time of notification.
- pH for marine waters must be within 0.2 SU [or 0.5 for fresh water] of naturally occurring range of the receiving body.

- 1.2.2 Permittee must not discharge any floating solids or visible foam in other than trace amounts, or oily wastes that produce sheen on the surface of the receiving water.
- 1.2.3 The pH must not be less than [insert lower pH range] standard units (SU) nor greater than [insert upper pH range] SU.
- 1.2.4 Permittee must collect effluent samples from the effluent stream after the last treatment unit before discharge into receiving waters.
- 1.2.5 For all effluent monitoring, the permittee must use methods that can achieve a method detection limit (MDL) less than the effluent limitation. For parameters without effluent limitations, the permittee must use methods that can achieve MDLs less than or equal to those specified in Table 3 (Section 1.4) [include a table in this section or the receiving water monitoring section, if applicable, that contains the MDLs for any parameters without effluent limits.]
- 1.2.6 For purposes of reporting on the DMR for a single sample, if a value is less than MDL, the permittee must report “less than {numeric value of MDL}” and if a value is less than a minimum level (ML), the permittee must report “less than {numeric value of ML}.”
- 1.2.7 For purposes of calculating monthly averages, zero may be assigned for values less than MDL, the {numeric value of MDL} may be assigned for values between MDL and ML. If the average value is less than MDL, the permittee must report “less than {numeric value of MDL}” and if the average value is less than ML, the permittee must report “less than {numeric value of ML}.” If a value is equal to or greater than ML, the permittee must report and use the actual value. The resulting average value must be compared to the compliance level, ML, in assessing compliance.

[The following text is needed for domestic permits]

- 1.2.8 Removal Requirements for BOD5 and TSS: Monthly average effluent concentration must not exceed 15 percent of the monthly average influent concentration. Percent removal of BOD5 and TSS must be reported in Discharge Monitoring Reports (DMRs). For each parameter, monthly average percent removal must be calculated from the arithmetic mean of the influent values and arithmetic mean of effluent values for that month. Influent and effluent samples must be taken over approximately the same period.

[The following text is needed if there are WQBELs less than MDLs - the text can be added here, or as a footnote to Table 1.]

- 1.2.9 Effluent limits for [insert applicable parameters] are not quantifiable using ADEC approved analytical methods. ADEC will use [insert the ML concentration] (Minimum Level) as the compliance evaluation level for this parameter.

Insert applicable WET Language. The following is just an example. Look for most recent boilerplate.

### 1.3 Whole Effluent Toxicity Testing Requirements

Permittee must conduct acute and chronic toxicity tests on effluent samples from outfalls [list outfall(s)]. Testing must be conducted in accordance with subsections 1.3.1 through 1.3.8, below.

- 1.3.1 Toxicity testing must be conducted on 24-hour composite samples of effluent. In addition, a split of each sample collected must be analyzed for the chemical and physical parameters required in Section [insert section]. When the timing of sample collection coincides with that of the sampling required in Section [insert section], analysis of the split sample will fulfill requirements of Section [insert section], too.
- 1.3.2 Acute Test Species and Methods
  - 1.3.2.1 Acute tests must be conducted [insert frequency]. Effluent collected for toxicity testing must be collected at the same time as receiving water surface water monitoring (see Section [insert section]).
  - 1.3.2.2 Permittee must conduct 96-hour static renewal tests with rainbow trout (*Oncorhynchus mykiss*).
  - 1.3.2.3 Presence of acute toxicity must be determined as specified in Methods for Measuring Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition, EPA/821-R-02-012, October 2002.
  - 1.3.2.4 Acute toxicity test results must be reported in TU<sub>a</sub> (acute toxic units), where  $TU_a = 100/LC50$  (in percent effluent). See Section [insert section] for a definition of LC50.
- 1.3.3 Chronic Test Species and Methods
  - 1.3.3.1 For outfalls [list outfall(s)], chronic tests must be conducted [insert frequency]. For outfalls [list outfall(s)], chronic tests must be [insert frequency]. For all outfalls, effluent collected for toxicity testing must be collected at the same time as the receiving water surface water monitoring (see Section [insert section]).
  - 1.3.3.2 Permittee must conduct short-term tests with the water flea, *Ceriodaphnia dubia* (survival and reproduction test), and the fathead minnow, *Pimephales promelas* (larval survival and growth test), for the first three suites of tests. After this screening period, monitoring shall be conducted using the most sensitive species.
  - 1.3.3.3 Presence of chronic toxicity must be determined as specified in Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, Fourth Edition, EPA/821-R-02-013, October 2002.
  - 1.3.3.4 Results must be reported in TU<sub>c</sub> (chronic toxic units), where  $TU_c = 100/IC25$ . See Section [insert section] for a definition of IC25.
- 1.3.4 Toxicity Triggers. For the purposes of determining compliance with Section 1.3.6[confirm].and 1.3.7[confirm]., the acute toxicity trigger is defined as toxicity exceeding 1 TU<sub>a</sub>. The chronic toxicity trigger is defined as toxicity exceeding trigger values in [insert table #].

<b>TABLE 2. Chronic Toxicity Triggers and Receiving Water Concentrations</b>		
Outfall	Chronic Toxicity Trigger, TU <sub>c</sub>	Receiving Water Concentration (RWC), % effluent

### 1.3.5 Quality Assurance

1.3.5.1 Toxicity testing on each organism must include a series of five test dilutions and a control:

1.3.5.1.1 Acute series must range from 0% to 100% effluent.

1.3.5.1.2 Chronic series must include: receiving water concentration (RWC), which is the dilution associated with the chronic toxicity trigger; two dilutions above the RWC, and; two dilutions below the RWC. RWCs for each outfall are provided in Table 2, above.

1.3.5.2 All quality assurance criteria and statistical analyses used for acute tests and reference toxicant tests must be in accordance with *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition, EPA/821-R-02-012, October 2002 and the individual test protocol. All quality assurance criteria and statistical analyses used for chronic tests and reference toxicant tests must be in accordance with *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Fourth Edition, EPA/821-R-02-013, October 2002, and individual test protocols.

1.3.5.3 In addition to those quality assurance measures specified in the methodology, these quality assurance procedures must be followed:

1.3.5.3.1 If organisms are not cultured in-house, concurrent testing with reference toxicants must be conducted. If organisms are cultured in-house, monthly reference toxicant testing is sufficient. Reference toxicant tests must be conducted using the same test conditions as were used in the effluent toxicity tests.

1.3.5.3.2 If either one of the reference toxicant tests or the effluent tests do not meet all test acceptability criteria as specified in the test methods manual, the permittee must re-sample and re-test within 14 days of receipt of the test results.

1.3.5.3.3 Control and dilution water must be receiving water or lab water, as appropriate, as described in the manual. If the dilution water used is different from the culture water, a second control using culture water must also be used. Receiving water may be used as control and dilution water upon notification of ADEC. In no case shall water that has not met test acceptability criteria be used for either dilution or control.

### 1.3.6 Accelerated Testing.

- 1.3.6.1 If acute or chronic toxicity is detected above the triggers specified in Section 1.3.4, the permittee must conduct four more biweekly tests over an eight week period. This accelerated testing must be initiated within two weeks of receipt of test results that indicate exceedance.
- 1.3.6.2 The permittee must notify ADEC of exceedance in writing within two weeks of receipt of the test results. Notification must include this information:
- 1.3.6.2.1 A status report on any actions required by the permit, with a schedule for actions not yet completed.
  - 1.3.6.2.2 A description of any additional actions the permittee has taken or will take to investigate and correct the cause(s) of toxicity.
  - 1.3.6.2.3 Where no actions have been taken, a discussion of all reasons for not taking action.
- 1.3.6.3 If none of the four accelerated tests exceed the toxicity trigger, the permittee may return to the normal testing frequency. If any of the four tests exceed the trigger, then TRE requirements in Section 1.3.7, shall apply.
- 1.3.6.4 Initial Investigation. If the permittee demonstrates through an evaluation of facility operations the cause of the exceedance is known and corrective actions have been implemented, only one accelerated test is necessary. If toxicity exceeding the trigger is detected in this test, then TRE requirements in Section 1.3.7 shall apply.
- 1.3.7 Toxicity Reduction Evaluation (TRE) and Toxicity Identification Evaluation (TIE):
- 1.3.7.1 If acute or chronic toxicity triggers are exceeded during accelerated testing under Section 1.3.6, the permittee must initiate a toxicity reduction evaluation (TRE) in accordance with *Generalized Methodology for Conducting Industrial Toxicity Reduction Evaluations* (EPA/600/2-88/070) within two weeks of the exceedance. At a minimum, the TRE must include:
- 1.3.7.1.1 Further actions to investigate and identify the cause of toxicity;
  - 1.3.7.1.2 Actions the permittee will take to mitigate impact of the discharge and to prevent recurrence of toxicity; and
  - 1.3.7.1.3 A schedule for these actions.
- 1.3.7.2 If a TRE is initiated before completion of accelerated testing, the accelerated testing schedule may be terminated, or used as necessary in performing the TRE.
- 1.3.7.3 Permittee may initiate a Toxicity Identification Evaluation (TIE) as part of the TRE process. Any TIE must be performed in accordance with EPA guidance manuals, *Toxicity Identification Evaluation; Characterization of Chronically Toxic Effluents, Phase I* (EPA/600/6-91/005F), *Methods for Aquatic Toxicity Identification Evaluations, Phase II: Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA/600/R-92/080), and *Methods for Aquatic Toxicity Identification Evaluations, Phase III: Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity* (EPA-600/R-92/081).
- 1.3.8 Reporting

- 1.3.8.1 Permittee must submit results of the toxicity tests with discharge monitoring reports (DMR) for the month following sample collection. Toxicity tests taken from April 1 through October 31 must be reported on the December DMR. Toxicity tests taken from November 1 through March 31 must be reported on the May DMR.
- 1.3.8.2 Permittee must submit results of any accelerated testing, under Section 1.3.6, within 2 weeks of receipt of results from the lab. The full report must be submitted within 4 weeks of receipt of results from the lab. If an initial investigation indicates the source of toxicity and accelerated testing is unnecessary, the result of the investigation must be submitted with the DMR for the month following completion of the investigation.
- 1.3.8.3 The report of toxicity test results must include all relevant information outlined in Section 10, *Report Preparation, of Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms*, Fourth Edition, EPA/821-R-02-013, October 2002. In addition to toxicity test results, the permittee must report: dates of sample collection and initiation of each test; the toxicity triggers as defined in Section 1.3.4; flow rate at the time of sample collection; and results of the monitoring required in Section 1.2.]

[Insert any receiving water monitoring or other additional conditions - the following is just an example of surface water monitoring.

#### 1.4 Receiving Water Monitoring

- 1.4.1 The permittee must conduct surface water monitoring. Surface water monitoring must start *insert interval* after the effective date of the permit and continue for *insert duration*. The program must meet the following requirements:
  - 1.4.2 Monitoring stations must be established in *insert name of receiving water* at the following locations:
    - 1.4.2.1 Above the influence of the facility's discharge, and
    - 1.4.2.2 Below the facility's discharge, at a point where the effluent and *insert name of receiving water* are completely mixed.
  - 1.4.3 The permittee must seek written approval of the surface water monitoring stations from ADEC.
  - 1.4.4 To the extent practicable, surface water sample collection must occur on the same day as effluent sample collection.
  - 1.4.5 All ambient samples must be grab samples.
  - 1.4.6 *For metals, the permit writer should specify whether surface water monitoring is for dissolved or total recoverable metals, or both. For example:* Arsenic, cadmium, chromium, copper, lead, nickel, and zinc must be analyzed as dissolved. Mercury must be analyzed as total recoverable.
  - 1.4.7 The flow rate must be measured as near as practicable to the time other ambient parameters are sampled.
  - 1.4.8 Samples must be analyzed for the parameters listed in Table *insert table #*, and must achieve method detection limits (MDLs) that are equivalent to or less than those listed in Table *insert table #*. The permittee may request different MDLs. The request must be in writing and must be approved by ADEC.

*The following is an example table, determine permit-specific MDLs and sampling frequencies*

<b>TABLE 3. Surface Water Monitoring Requirements</b>				
Parameter	Units	Upstream Sampling Frequency	Downstream Sampling Frequency	Method Detection Limit (MDL)
Flow	mgd			
BOD <sub>5</sub>	mg/L			
TSS	mg/L			
Fecal Coliform Bacteria	colonies/100 ml			
Dissolved Oxygen	mg/L			
Total Phosphorus	mg/L			
Ortho-phosphorus	mg/L			
Total Ammonia as N	mg/L			
Total Kjeldahl Nitrogen	mg/L			
Nitrate-Nitrite	mg/L			
Temperature	EC			
pH	standard units			
Oil & Grease	mg/L			
Turbidity	NTU			
Hardness as CaCO <sub>3</sub>	mg/L			
Arsenic	:g/L			
Cadmium	:g/L			
Copper	:g/L			
Lead	:g/L			
Mercury	:g/L			
Nickel	:g/L			
Zinc	:g/L			

- 1.4.9 Quality assurance/quality control plans for all the monitoring must be documented in the Quality Assurance Project Plan required under Section 2.1., “Quality Assurance Project Plan”.

*Note: The following statement assumes surface water monitoring will be used primarily for development of the next reissuance of this permit. If other concerns (environmental impacts, Endangered Species Act consultation, TMDL confirmation, trading, etc.) demand more frequent submission of surface water monitoring data, this section should be edited accordingly.*

*Note: For some permits, the permit writer may want to include a requirement the permittee submit an annual report, or alternatively require annual certification the receiving water monitoring has been completed.*

- 1.4.10 Surface water monitoring results must be submitted to ADEC with the DMR for the month following sample collection. At a minimum, the report must include:
  - 1.4.10.1 Dates of sample collection and analyses;
  - 1.4.10.2 Results of sample analyses;
  - 1.4.10.3 Relevant quality assurance/quality control (QA/QC) information.
- 1.4.11 [\[This section must be edited as appropriate.\]](#) All monitoring results must be included in an Annual Water Quality Monitoring Summary report and submitted with the January DMR for the next year. The report must include a presentation of the analytical results and an evaluation of the results. The evaluation must include a comparison of upstream and downstream monitoring results (to show any differences) and a comparison of monitoring results for each station over time (to show any trends). The Annual Report may reference the monthly reports for QA/QC information.]

## 2 SPECIAL CONDITIONS

### 2.1 Quality Assurance Project Plan

- 2.1.1 The permittee must develop a quality assurance project plan (QAPP) for all monitoring required by this permit. This plan must be submitted to ADEC for review within 60 days of the effective date of this permit and implemented within 120 days of the effective date of this permit. Any existing QAPP may be modified under this section
- 2.1.1.1 The QAPP must be designed to assist in planning for the collection and analysis of effluent and receiving water samples in support of the permit and to help explain data anomalies whenever they occur.
- 2.1.1.2 The permittee may use either the generic ADEC Wastewater Treatment Facility Quality Assurance Project Plan (ADEC QAPP) [if there is one otherwise delete this section], or develop a facility-specific QAPP. There is some facility specific information that is still required to complete the QAPP when using the generic ADEC QAPP.
- 2.1.1.3 Throughout all sample collection and analysis activities, permittee must use ADEC-approved QA/QC and chain-of-custody procedures as described in the *Requirements for Quality Assurance Project Plans (EPA/QA/R-5)* and *Guidance for Quality Assurance Project Plans (EPA/QA/G-5)*. The QAPP must be prepared in the format specified in these documents.
- 2.1.2 At a minimum, a facility-specific QAPP must include:
- 2.1.2.1 Details on number of samples, type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements;
- 2.1.2.2 Maps indicating the location of each sampling point;
- 2.1.2.3 Qualification and training of personnel;
- 2.1.2.4 Name, address, and telephone number of all laboratories used by or proposed to be used by the permittee.
- 2.1.3 The permittee must amend the facility-specific QAPP whenever sample collection, sample analysis, or other procedure addressed by the QAPP is modified.
- 2.1.4 Copies of the QAPP (either the ADEC QAPP or facility-specific QAPP) must be kept on site and made available to ADEC upon request.

### 2.2 Insert Parameter Schedule of Compliance

- 2.2.1 The permittee must achieve compliance with the *insert parameter* limitations of Section 1.2 [confirm section], [insert table #], by *insert date – generally not to exceed 5 years from permit effective date*.
- 2.2.2 Until compliance with the effluent limits is achieved, at a minimum, the permittee must complete the tasks and reports listed in Table 4.

*Table 4 is one example of compliance schedule requirement. Replace this table with any permit-specific requirements.*

**TABLE 4. Tasks Required Under the *insert parameter* Schedule of Compliance**

Task No.	Due at End of Year	Task Activity
1	1	<p><b>Source investigation.</b> The permittee must investigate the sources, extent, transport, and fate of <i>insert parameter</i> in outfalls 001 and 002. At a minimum, the investigation must include:</p> <ol style="list-style-type: none"> <li>1) determination of the origin and host rock of the <i>insert parameter</i>;</li> <li>2) investigation of the mechanisms liberating the <i>insert parameter</i> from the source rock and introducing it into the effluents of outfalls 001 and 002; and</li> <li>3) use of the EPA MINTEQA2 model, or other suitable aqueous geochemical speciation model, to predict <i>insert parameter</i> speciation in water.</li> </ol> <p><b>Deliverable:</b> The permittee must prepare a progress report of findings, and recommendations for further actions to reduce <i>insert parameter</i> concentrations.</p>
2	1	<p><b>Bioaccumulation study.</b> The receiving water bioaccumulation study requirements are defined in Section [insert section], above.</p>
3	2	<p><b>Feasibility study.</b> The permittee must investigate the feasibility of measures to reduce <i>insert parameter</i> in outfalls 001 and 002 to meet the effluent limits. At a minimum, the following measures must be evaluated:</p> <ol style="list-style-type: none"> <li>1) water management such as diversions and drainage ditches;</li> <li>2) isolation of source areas by encapsulation;</li> <li>3) waste rock management; and</li> <li>4) improving the existing sediment pond or adding additional treatment. “Feasibility” is defined to include effectiveness, implementability, and cost.</li> </ol> <p>Evaluations should consider short- and long-term aspects of:</p> <ol style="list-style-type: none"> <li>1) effectiveness of the measures (e.g., reduction of toxicity or mobility, affords long-term protection, minimizes short term environmental impacts, and complies with effluent limits);</li> <li>2) implementability of the measures (e.g., technical feasibility); and</li> <li>3) costs.</li> </ol> <p>Readily implementable measures must be designed and constructed as soon as feasible. Measures that are more technically difficult or have more unknowns may need further investigations.</p> <p><b>Deliverable:</b> The permittee must submit:</p> <ol style="list-style-type: none"> <li>1) A report of the findings on the feasibility of measures; and</li> <li>2) Design documents for ADEC Plan Review for those measures that are readily implementable.</li> </ol>
4 <sup>1</sup>	3	<p><b>Design and construction.</b> The permittee must construct measures to reduce <i>insert parameter</i> discharges from outfalls 001 and 002 to achieve the effluent limits.</p> <p><b>Deliverable:</b> The permittee must submit construction completion reports, and/or progress reports if more technically difficult or unknown conditions prevent completion.</p>
5 <sup>1</sup>	4	Continued design and construction.
6 <sup>1</sup>	5	Construction completion and operating such that effluent limits are achieved.

**Footnotes:**

1 Tasks scheduled past Year 2 are listed in anticipation of potential unknown conditions. The permittee does not need to complete these later tasks if compliance with the effluent limits is achieved sooner.

- 2.2.3 The permittee must submit an Annual Report of Progress which outlines progress made towards reaching the compliance date for the *insert parameter* effluent limitations. The Annual Report of Progress must be submitted by *insert date one year after effective date of permit* of each year. The first report is due *insert date one year after effective date of permit* and annually thereafter, until compliance with the *insert parameter* effluent limits is achieved. See also Section 3.12., “Compliance Schedules”. At a minimum, the annual report must include:
- 2.2.3.1 An assessment of the previous year of *insert parameter* data and comparison to the effluent limitations;
  - 2.2.3.2 A report on progress made towards meeting the effluent limitations, including the applicable deliverable required under [paragraph 2 \(Table 4\)](#);
  - 2.2.3.3 Further actions and milestones targeted for the upcoming year.

### 2.3 Best Management Practices Plan

*Following is an example of general BMP language - additional language may be added as needed. For example if the facility discharges storm water and is not covered by the Storm Water General Permit, then the permit writer might want to add additional storm water BMP Plan requirements (e.g., additional plan components, inspection language, and annual reporting) consistent with what is required under the General Permit.*

#### 2.3.1 Purpose

Through implementation of the best management practices (BMP) Plan the permittee must prevent or minimize the generation and the potential for release of pollutants from the facility to the lands and waters of the State of Alaska through normal and ancillary activities.

#### 2.3.2 Development and Implementation Schedule

The permittee must develop and implement a BMP Plan which achieves the objectives and the specific requirements listed below. The permittee must submit written notice to ADEC the plan has been developed and implemented within *insert interval* of the effective date of the permit. Any existing BMP Plans may be modified for compliance with this section. The permittee must implement provisions of the plan as conditions of this permit within *insert interval* of the effective date of this permit.

#### 2.3.3 Objectives

The permittee must develop and amend the BMP Plan consistent with the following objectives for the control of pollutants.

- 2.3.3.1 The number and quantity of pollutants and the toxicity of effluent generated, discharged or potentially discharged at the facility must be minimized by the permittee to the extent feasible by managing each waste stream in the most appropriate manner.
- 2.3.3.2 Under the BMP Plan and especially within any Standard Operating Procedures in the BMP Plan, the permittee must ensure proper operation and maintenance of water management and wastewater treatment systems. BMP Plan elements must be developed in accordance with good engineering practices.
- 2.3.3.3 Each facility component or system must be examined for its waste minimization opportunities and its potential for causing a release of significant amounts of pollutants to lands and water of the State of Alaska due to equipment failure, improper operation, natural phenomena such as rain or snowfall, etc. The examination must include all normal operations and ancillary activities including material storage areas, storm water, in-plant transfer, material handling and process handling areas, loading or unloading operations, spillage or leaks, sludge and waste disposal, or drainage from raw material storage.
- 2.3.4 Elements of the BMP Plan
- The BMP Plan must be consistent with the objectives above and the general guidance contained in *Guidance Manual for Developing Best Management Practices* (EPA 833-B-93-004, October 1993) and *Storm Water Management for Industrial Activities, Developing Pollution Prevention Plans and Best Management Practices* (EPA 832-R-92-006) or any subsequent revision to these guidance documents.
- 2.3.4.1 Plan Components. The BMP Plan must include, at a minimum, the following items:
- 2.3.4.1.1 Statement of BMP Policy. The BMP Plan must include a statement of management commitment to provide the necessary financial, staff, equipment, and training resources to develop and implement the BMP Plan on a continuing basis.
  - 2.3.4.1.2 The BMP Plan must establish a BMP Committee responsible for developing, implementing, and maintaining the BMP Plan. Specify the structure, functions, and procedures of the BMP Committee.
  - 2.3.4.1.3 Description of potential pollutant sources.
  - 2.3.4.1.4 Risk identification and assessment.
  - 2.3.4.1.5 Standard operating procedures to achieve the above objectives and specific best management practices (see below).
  - 2.3.4.1.6 Reporting of BMP incidents. The reports must include a description of the circumstances leading to the incident, corrective actions taken and recommended changes to operating and maintenance practices to prevent recurrence.
  - 2.3.4.1.7 Materials compatibility.
  - 2.3.4.1.8 Good housekeeping.
  - 2.3.4.1.9 Inspections.

- 2.3.4.1.10 Preventative maintenance and repair.
  - 2.3.4.1.11 Security.
  - 2.3.4.1.12 Employee training.
  - 2.3.4.1.13 Record keeping and reporting.
  - 2.3.4.1.14 Prior evaluation of any planned modifications to the facility to ensure that the requirements of the BMP plan are considered as part of the modifications.
  - 2.3.4.1.15 Final constructed site plans, drawings, and maps (including detailed storm water outfall/culvert configurations).
- 2.3.4.2 Specific Best Management Practices. The BMP Plan must establish specific BMPs or other measures to achieve the objectives under part 2.3. and which ensure that the following specific requirements are met:
- Insert facility specific BMPs*
- 2.3.4.2.1 Solids, sludge, or other pollutants removed in the course of treatment or control of water and wastewaters must be disposed of in a manner to prevent any pollutant from such materials from entering waters of the State.
  - 2.3.4.2.2 Ensure proper management of solid and hazardous waste in accordance with regulations promulgated under the Resource Conservation and Recovery Act (RCRA). Management practices required under RCRA regulations must be referenced in the BMP Plan.
- 2.3.5 Review and Certification.
- The BMP Plan must be reviewed and certified as follows:
- 2.3.5.1 Annual review by the plant manager and BMP Committee.
  - 2.3.5.2 Certified statement the above reviews were completed and the BMP Plan fulfills the requirements set forth in this permit. The statement must be certified by the dated signatures of each BMP Committee member. The statement must be submitted to ADEC on or before *insert date* of each year of operation under this permit after the initial BMP submittal (the initial statement must be submitted to DEC six months after submittal of the BMP Plan).
- 2.3.6 Documentation
- 2.3.6.1 The permittee must maintain a copy of the BMP Plan at the facility and make it available to ADEC or an authorized representative upon request.
- 2.3.7 BMP Plan Modification
- 2.3.7.1 The permittee must amend the BMP Plan whenever a change in the facility or in the operation of the facility materially increases the generation of pollutants or their release or potential release to surface waters.
  - 2.3.7.2 The permittee must amend the BMP Plan whenever the plan is found to be ineffective in achieving the general objective of preventing and minimizing the generation and the potential for the release of pollutants from the facility to lands and waters of Alaska.

- 2.3.7.3 Any changes to the BMP Plan must be consistent with the objectives and specific requirements listed above. All changes in the BMP Plan must be reported to ADEC with the annual certification required under Part 2.3.3., above.

## 2.4 Operation and Maintenance Plan

- 2.4.1 In addition to requirements specified in Section 4.5 of this permit (Proper Operation and Maintenance), by [\[insert interval\]](#) after the effective date of this permit, the permittee shall develop and implement an operations and maintenance plan for the wastewater treatment facility. The plan shall be retained on site and made available on request to ADEC.

## 2.5 Facility Planning Requirement

[\[This section is optional, depending on the size of the facility, and how close the facility is to its loading capacity.\]](#)

- 2.5.1 Each month, the permittee must compute an annual ([or running average](#)) average value for the flow, BOD<sub>5</sub> loading, and TSS loading entering the facility based on the previous twelve months data or all data available, whichever value is less. If the facility has completed a plant upgrade that affects the facility planning values listed in [\[insert table #\]](#), only data collected after the upgrade should be used to determine the annual average value.

When the annual average values exceed 85% of the facility planning values listed in [\[insert table #\]](#), the permittee must develop a facility plan and schedule within one year from the date of the first exceedance. The plan must include the permittee's strategy for continuing to maintain compliance with effluent limits, and will be made available to ADEC upon request.

<b>TABLE 5. Facility Planning</b>		
<i>Criteria</i>	<i>Value</i>	<i>Units</i>
<i>Average Flow</i>	<a href="#">[insert]</a>	<i>mgd</i>
<i>Influent BOD<sub>5</sub> Loading</i>	<a href="#">[Insert]</a>	<i>lbs/day</i>
<i>Influent TSS Loading</i>	<a href="#">[insert]</a>	<i>lbs/day</i>

### 3 MONITORING, RECORDING, AND REPORTING REQUIREMENTS

#### 3.1 Representative Sampling (Routine and Non-Routine Discharges)

- 3.1.1 Samples and measurements must be representative of the volume and nature of the monitored activity or discharge.
- 3.1.2 To ensure all limits and conditions set forth in this permit are not violated at times other than when routine samples are collected and analyzed, the permittee must collect additional samples at the permitted location whenever any discharge or activity occurs that may reasonably be expected to cause or contribute to a violation of a limit or condition set forth in the permit. The permittee must analyze all additional samples for those parameters with limits established in Section 1 of this permit that are likely to be affected by the discharge or activity.
- 3.1.3 The Permittee must collect such additional samples as soon as the spill, discharge, or bypassed effluent reaches the outfall, receiving body, or other permitted location. These samples must be analyzed in accordance with Section 3.2 (“Monitoring Procedures”). The permittee must report all additional monitoring in accordance with Section (“Additional Monitoring by Permittee”).

#### 3.2 Reporting of Monitoring Results

- 3.2.1 Monitoring results shall be summarized each month on the Discharge Monitoring Report (DMR) or an approved equivalent. The permittee must submit reports monthly, postmarked by the 10th day of the following month. See [\[insert table number\(s\)\]](#) for monitoring frequency requirements.

DMRs shall be submitted to DEC marked with “no discharge” during months when no pollutant discharges from the facility. If the pollutant discharge is seasonal and the seasonal operating period has been identified on the permit application, the permittee will indicate on the last DMR of the season no further discharge will occur for the season. DMRs are not required to be submitted for the month(s) of no discharge as indicated on the permit application.

The permittee must submit DMRs electronically to the Department electronic reporting system or must sign and certify all DMRs, and all other reports, in accordance with the requirements of Section 5.5 of this permit (“Signatory Requirements”). All signed and certified DMRs, and all other reports not submitted by the electronic reporting system must submit the legible originals of these documents to ADEC at this address:

State of Alaska Department of Environmental Conservation Division of Water 555 Cordova Street Anchorage, Alaska 99501 Telephone (907) 269-6285 Fax (907) 269-7652 Email: <a href="mailto:DEC.Water.WQPermit@alaska.gov">DEC.Water.WQPermit@alaska.gov</a>
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### **3.3 Monitoring Procedures**

- 3.3.1 Monitoring must be conducted according to test procedures approved 40 CFR 136 and 18 AAC 83.405(k)(4), unless other test procedures have been specified in this permit.

### **3.4 Additional Monitoring by Permittee**

- 3.4.1 If the permittee monitors any pollutant more frequently than required by this permit, using the test procedures approved in 40 CFR 136 or as otherwise specified in this permit, the permittee must include the results of this monitoring in the calculation and reporting of data submitted on the DMR required by Section 3.2. Upon request by ADEC, the permittee must submit the results of any other sampling and monitoring regardless of the test method used.

### **3.5 Records Content**

- 3.5.1 Records of monitoring and sampling must include:
- 3.5.1.1 Date, exact location, and time of sample collection or measurement;
  - 3.5.1.2 Name(s) of individual(s) who performed the sampling or measurement(s);
  - 3.5.1.3 Date(s) and time analyses were performed;
  - 3.5.1.4 Name(s) of individual(s) who performed the analyses, or name of contract laboratory who performed analyses;
  - 3.5.1.5 Analytical techniques or methods used;
  - 3.5.1.6 Results of all analyses.

### **3.6 Retention of Records**

- 3.6.1 The permittee shall retain records in Alaska of all monitoring information including: all calibration and maintenance records, all original strip chart recordings for continuous monitoring instrumentation, field logbooks, QA chain of custody forms, copies of all reports required by this permit, copies of DMRs, a copy of this APDES permit, and records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report, or application. This period may be extended by request of ADEC at any time.

### **3.7 Twenty-four Hour Notice of Noncompliance Reporting**

- 3.7.1 The permittee shall report the following occurrences of noncompliance by telephone within twenty-four hours from the time the permittee becomes aware of the circumstances of the noncompliance event.
- 3.7.1.1 Any noncompliance that may endanger public health or the environment
  - 3.7.1.2 Any unanticipated bypass that exceeds any effluent limitation in the permit (see Section 4.8 “Bypass of Treatment Facilities”)
  - 3.7.1.3 Any upset that exceeds any effluent limitation in the permit (see Section 4.9 “Upset Conditions”)
  - 3.7.1.4 Any violation of a permit limitation in this permit
- 3.7.2 The permittee must also provide a written report of the noncompliance to the department within 5 days of the permittee becoming aware of the noncompliance. The report must contain:
- 3.7.2.1 A description of the noncompliance, including the estimated volume or weight, specific details of the noncompliance, and its cause;
  - 3.7.2.2 The period of noncompliance, including exact dates and times
  - 3.7.2.3 The estimated time the noncompliance is expected to continue if it has not been corrected
  - 3.7.2.4 Steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance
  - 3.7.2.5 The permittee can use the ADEC Accidental Discharge Form or Noncompliance Notification Form as the written report.
- 3.7.3 Upon prior approval by ADEC, a permittee may satisfy the reporting requirements of section 3.7 by the reporting of noncompliance by e-mail. The e-mail will satisfy the oral and written reporting requirements of this permit provided the e-mail is received by the department within twenty-four hours from the time the permittee becomes aware of the noncompliance event and the e-mail provides the written report information required by Section 3.7.
- 3.7.4 The Department may waive the written report on a case-by-case basis for reports required in Section 3.7.2 if the oral report has been received within twenty four hours of the permittee becoming aware of the circumstance of the noncompliance.

### **3.8 Other Noncompliance Reporting**

- 3.8.1 The permittee must report all instances of noncompliance, not required to be reported within 24 hours, at the time monitoring reports for Section 3.2 (“Reporting of Monitoring Results”) are submitted. The reports must contain information listed in Section 3.7 of this permit (“Twenty-four Hour Notice of Noncompliance Reporting”).

### **3.9 Corrective Information**

- 3.9.1 If a permittee becomes aware of the failure to submit a relevant fact in a permit applicant, 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

### **3.10 Notice of New Introduction of Pollutants**

- 3.10.1 All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant or toxic material, (including oil, grease, or solvents) 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 which will result in new, different, or increased discharges of pollutants causing noncompliance with this permit's limitations are not allowed under this permit. These changes must be reported by submission of a revised permit application to the department. Changes or modifications to the treatment plant are required to comply with the plan review requirements of the Department (see 18AAC 72.200 for requirements.)
- 3.10.1.1 Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Sections 301 or 306 of the Act if it were directly discharging those pollutants; and
- 3.10.1.2 Any substantial change in the volume or character of pollutants being introduced into the facility by a source introducing pollutants into the facility at the time of issuance of the permit.
- 3.10.1.3 For the purposes of this section, adequate notice will include:
- 3.10.1.3.1 Quality and quantity of effluent to be introduced into the facility, and
  - 3.10.1.3.2 Any anticipated impact of the change on the quantity or quality of effluent to be discharged from the facility.

### **3.11 Change in Discharge of Toxic Pollutants**

- 3.11.1 The permittee must notify ADEC via a revised permit application as soon the permittee knows, or has reason to believe:

[Applicable for existing manufacturing, commercial, mining and silviculture discharges]

3.11.1.1 That any activity has occurred or will occur that would result in the discharge, on a **routine or frequent** basis, of any toxic pollutant that is not limited in the permit, if that discharge exceeds the highest of the following “notification levels”:

3.11.1.1.1 One hundred micrograms per liter (100 ug/l);

3.11.1.1.2 Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4, 6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

3.11.1.1.3 Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g); or

3.11.1.1.4 The level established by ADEC in accordance with 18 AAC 83.445.

3.11.1.2 That any activity has occurred or will occur that would result in any discharge, on a **non-routine or infrequent** basis, of any toxic pollutant that is not limited in the permit, if that discharge exceeds the highest of the following “notification levels”:

3.11.1.2.1 Five hundred micrograms per liter (500 ug/l);

3.11.1.2.2 One milligram per liter (1 mg/l) for antimony;

3.11.1.2.3 Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 18 AAC 83.310(c)-(g);

3.11.1.2.4 The level established by ADEC in accordance with 18 AAC 83.445.

3.11.1.3 The permittee must submit the notification to ADEC at the following address:

Alaska Department of Environmental Conservation  
Division of Water  
555 Cordova St  
Anchorage, AK 99501

### 3.12 Compliance Schedule

3.12.1 Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit must be submitted no later than 14 days following each schedule date.

## 4 COMPLIANCE RESPONSIBILITIES

### 4.1 Duty to Comply

4.1.1 The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of state law and is grounds for enforcement action; for permit termination, revocation and re-issuance or modification; or for denial of a permit authorization renewal.

## 4.2 Penalties for Violations of Permit Conditions

- 4.2.1 Civil and Administrative Penalties. Pursuant to 40 CFR Part 19 and the Act, any person who violates section 301, 302, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any such sections in a permit issued under section 402, or any requirement imposed in a pretreatment program approved under sections 402(a)(3) or 402(b)(8) of the Act, is subject to a civil penalty not to exceed the maximum amounts authorized by Section 309(d) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$32,500 per day for each violation).
- 4.2.2 Administrative Penalties. Any person may be assessed an administrative penalty by the Administrator for violating section 301, 302, 306, 307, 308, 318 or 405 of this Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of this Act. Pursuant to 40 CFR 19 and the Act, administrative penalties for Class I violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(A) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$11,000 per violation, with the maximum amount of any Class I penalty assessed not to exceed \$32,500). Pursuant to 40 CFR 19 and the Act, penalties for Class II violations are not to exceed the maximum amounts authorized by Section 309(g)(2)(B) of the Act and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note) (currently \$11,000 per day for each day during which the violation continues, with the maximum amount of any Class II penalty not to exceed \$157,500).
- 4.2.3 Criminal Penalties:

### **State:**

- 4.2.3.1 Under AS 46.03.790, it is a Class A misdemeanor for someone to negligently violate a permit limitation or condition or a regulation promulgated by ADEC. A Class A misdemeanor is punishable by a fine up to \$10,000 for an individual and up to \$200,000 for an organization. In the case of an organization, AS 12.55.035(c)(2) and (3) allows the court to impose a larger fine representing three times the financial gain enjoyed by the defendant or three times the loss incurred on another by the defendant's conduct as a result of the violation.
- 4.2.3.2 Under the APDES Program authorized at AS 46.03.020(12), a person is guilty of a Class A misdemeanor if the person negligently:
- 4.2.3.2.1 Fails to provide information or provides false information required by an APDES regulation;
  - 4.2.3.2.2 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 an APDES regulation; or,
  - 4.2.3.2.3 Renders inaccurate a monitoring device or method required to be maintained under a regulation or a permit issued by the ADEC

### **Federal:**

- 4.2.3.3 Negligent Violations. The Act provides that any person who negligently violates sections 301, 302, 306, 307, 308, 318, or 405 of the Act, or any condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, or any requirement imposed in a pretreatment program approved under section 402(a)(3) or 402(b)(8) of the Act, is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment of not more than 1 year, or both. In the case of a second or subsequent conviction for a negligent violation, a person shall be subject to criminal penalties of not more than \$50,000 per day of violation, or by imprisonment of not more than 2 years, or both.
- 4.2.3.4 Knowing Violations. Any person who knowingly violates such sections, or such conditions or limitations is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. In the case of a second or subsequent conviction for a knowing violation, a person shall be subject to criminal penalties of not more than \$100,000 per day of violation, or imprisonment of not more than 6 years, or both.
- 4.2.3.5 Knowing Endangerment. Any person who knowingly violates section 301, 302, 303, 306, 307, 308, 318 or 405 of the Act, or any permit condition or limitation implementing any of such sections in a permit issued under section 402 of the Act, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000 or imprisonment of not more than 15 years, or both. In the case of a second or subsequent conviction for a knowing endangerment violation, a person shall be subject to a fine of not more than \$500,000 or by imprisonment of not more than 30 years, or both. An organization, as defined in section 309(c)(3)(B)(iii) of the Act, shall, upon conviction of violating the imminent danger provision, be subject to a fine of not more than \$1,000,000 and can be fined up to \$2,000,000 for second or subsequent convictions.
- 4.2.3.6 False Statements. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both. The Act further provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

### **4.3 Need to Halt or Reduce Activity Not a Defense**

- 4.3.1 Necessity to halt or reduce the permitted activity to maintain compliance with the permit shall not be a defense for the permittee in an enforcement action.

#### 4.4 Duty to Mitigate

- 4.4.1 The permittee shall take all reasonable steps 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.

#### 4.5 Proper Operation and Maintenance

- 4.5.1 Permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems installed by the permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

#### 4.6 Removed Substances

- 4.6.1 Collected grit, scum, sludge, other facility residuals, or other pollutants removed in the course of treatment or control of water and wastewaters shall be disposed of in a Department approved manner and method.

#### 4.7 Bypass of Treatment Facilities

- 4.7.1 Bypass not exceeding limitations. Permittee may allow any bypass to occur that does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs 4.7.2 and 4.7.3 of this section.
- 4.7.2 **Notice**
- 4.7.2.1 **Anticipated bypass.** If permittee knows in advance of the need for a bypass, it must submit prior notice, to the ADEC if possible at least 10 days before the date of the bypass.
- 4.7.2.2 **Unanticipated bypass.** Permittee must submit notice of an unanticipated bypass as required under Section 3.7. (Twenty-four Hour Notice of Noncompliance Reporting).

#### 4.7.3 Prohibition of bypass

4.7.3.1 Bypass is prohibited. ADEC may take enforcement action against the permittee for a bypass, unless:

4.7.3.1.1 Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

4.7.3.1.2 No alternatives to the bypass were feasible, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventive maintenance; and

4.7.3.1.3 Permittee submitted notices as required under paragraph 4.7.2 of this Section.

4.7.3.2 ADEC may approve an anticipated bypass, after considering its adverse effects, if ADEC determines it will meet the three conditions listed in Section 4.7.3.1.

#### 4.8 Upset Conditions

4.8.1 Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the permittee meets the requirements of Section 4.8.2. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

4.8.2 Conditions necessary for a demonstration of upset. To establish the affirmative defense of upset, the permittee must demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence:

4.8.2.1 An upset occurred and the permittee can identify cause(s) of the upset.

4.8.2.2 Permitted facility was at the time being properly operated.

4.8.2.3 Permittee submitted notice of the upset as required under Section 3.7, "Twenty-four Hour Notice of Noncompliance Reporting." and

4.8.2.4 Permittee complied with any remedial measures required under Section 4.4, "Duty to Mitigate."

4.8.3 Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

#### **4.9 Toxic Pollutants**

- 4.9.1 The permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Act and 18 AAC 70 for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

#### **4.10 Planned Changes**

- 4.10.1 Permittee must give notice to ADEC as soon as possible of any planned physical alterations or additions to the permitted facility whenever:
- 4.10.1.1 Alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source as determined in 40 CFR 122.29(b) and 18 AAC 83.410; or
  - 4.10.1.2 Alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements under Section 3.11 (“Changes in Discharge of Toxic Substances”).
- 4.10.2 If the proposed changes are subject to plan review then the plans must be submitted at least 30 days before implementation of changes (see 18AAC 72 for plan review requirements).
- 4.10.2.1 Written approval is not required for an emergency repair or routine maintenance.

#### **4.11 Anticipated Noncompliance**

- 4.11.1 The Permittee must give advance notice to ADEC of any planned changes in the permitted facility or activity that may result in noncompliance with this permit.

#### **4.12 Site Operation**

- 4.12.1 No discharge of floating solids, garbage, grease, foam, oily waste or wastewater containing a visible sheen or which may produce a film, sheen or coloration on surface water is allowed.
- 4.12.2 Discharge shall not cause contamination of surface or ground waters, and shall not cause a violation of the Alaska Water Quality Standards (18 AAC 70) unless allowed in this permit through exceptions to the standards or in a compliance schedule.
- 4.12.3 Discharge shall not cause adverse effects on aquatic or terrestrial plant or animal life, their reproduction, or habitat.
- 4.12.4 Discharge shall not cause thermal or physical erosion.
- 4.12.5 The permittee must not place, deposit, or allow to be placed or deposited on the premises, any material which may produce, cause or contribute to the spread of disease, create a safety hazard or in any way endanger the health of the public.

### **5 GENERAL PROVISIONS**

#### **5.1 Permit Actions**

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 122.62, 122.64, or 124.5 and 18 AAC 83.130, 18 AAC 83.135 or 18 AAC 83.140. The filing of a request by the permittee for a permit modification, revocation

and reissuance, termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

## **5.2 Duty to Reapply**

- 5.2.1 If the permittee intends to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. In accordance with 40 CFR 122.21(d) and 18 AAC 83.105(b), and unless permission for the application to be submitted at a later date has been granted by ADEC, the permittee must submit a new application at least 180 days before the expiration date of this permit.

## **5.3 Duty to Provide Information**

- 5.3.1 The permittee must furnish to ADEC, within the time specified in the request, any information ADEC may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee must also furnish to ADEC, upon request, copies of records required to be kept by this permit.

## **5.4 Other Information**

- 5.4.1 When a permittee becomes aware they failed to submit any relevant facts in a permit application, or they submitted incorrect information in a permit application or any report to the ADEC, they must promptly submit such facts or information.

## **5.5 Signatory Requirements**

- 5.5.1 All applications, reports or information submitted to the ADEC must be signed and certified as follows.
- 5.5.1.1 All permit applications must be signed as follows:
- 5.5.1.1.1 For a corporation, by a responsible corporate officer.
- 5.5.1.1.2 For a partnership or sole proprietorship, by a general partner or the proprietor, respectively.
- 5.5.1.1.3 For a municipality, state, federal, or other public agency, by either a principal executive officer or ranking elected official.
- 5.5.2 All reports required by the permit and other information requested by ADEC must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- 5.5.2.1 Authorization is made in writing by a person described above;
- 5.5.2.2 Authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and
- 5.5.2.3 Written authorization is submitted to ADEC.

- 5.5.3 Changes to authorization. If an authorization under 5.5.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of 5.5.2 must be submitted to ADEC before or together with any reports, information, or applications to be signed by an authorized representative.
- 5.5.4 Certification. Any person signing a document under this Section must make the following certification:

"I certify under penalty of law this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure 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 significant penalties for submitting false information include the possibility of fine and imprisonment for knowing violations."

## **5.6 Availability of Documents**

- 5.6.1 In accordance with 40 CFR 2, and 18 AAC 83.165 information submitted to ADEC pursuant to this permit may be claimed as confidential by the permittee. In accordance with the Act and state law, permit applications, permits and effluent data are not considered confidential. Any confidentiality claim must be asserted at the time of submission by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, ADEC may make the information available to the public without further notice to the permittee. If a claim is asserted, the information will be treated in accordance with the procedures in 18 AAC 83.165.
- 5.6.2 The permittee shall post or maintain a copy of this permit and the authorization to discharge at the facility and make them available to the public, employees, and subcontractors at the facility.

## **5.7 Inspection and Entry**

- 5.7.1 Permittee must allow ADEC or an authorized representative (including an authorized contractor acting as a representative of ADEC), upon the presentation of credentials and other documents as may be required by law, to:
- 5.7.1.1 Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
  - 5.7.1.2 Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - 5.7.1.3 Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  - 5.7.1.4 Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by State law or regulation, any substances or parameters at any location.

**5.8 Identification Sign(s)**

- 5.8.1 A sign must be posted at each discharge and must provide the identity and telephone numbers of the discharger, must have the permit and authorization number, must inform the public wastewater is being discharged, and users of the area should exercise caution. If a mixing zone is authorized for a discharge the posted sign must also specify the size and location of the mixing zone.

**5.9 Oil and Hazardous Substance Liability**

- 5.9.1 Nothing in this permit shall be construed to preclude the institution of any action or relieve the 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.

**5.10 Property Rights**

- 5.10.1 Issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to persons or property or invasion of other private rights, nor any infringement of state or local laws or regulations.

**5.11 Transfers**

- 5.11.1 This permit is not transferable to any person except after notice to ADEC in accordance with 18 AAC 83.150. ADEC may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Act. (See 40 CFR 122.61 and 18 AAC 83.150; in some cases, modification or revocation and reissuance is mandatory).

**5.12 State Laws**

- 5.12.1 Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation.

**5.13 Air and Land Releases**

- 5.13.1 The permittee must not place, deposit, or allow to be placed or deposited on the premises, any material which may produce, cause or contribute to the spread of disease, create a safety hazard or in any way endanger the health of the public.

#### **5.14 Cultural and Paleontological Resources**

- 5.14.1 If cultural or paleontological resources are discovered because of this disposal activity, work which 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.

#### **5.15 Fee**

- 5.15.1 The application must be accompanied by the appropriate permit fee found in 18 AAC 72, <http://www.state.ak.us/dec/regulations/pdfs/72mas.pdf>, or such regulations as amended.

#### **5.16 Reopener**

- 5.16.1 ADEC may modify or revoke and reissue the permit if the limits on the indicator parameter no longer attain and maintain applicable water quality standards.

#### **5.17 Other Legal Obligations**

- 5.17.1 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.

#### **5.18 Pollution Prevention**

- 5.18.1 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.
- 5.18.1.1 Waste source reduction,
  - 5.18.1.2 Recycling of waste,
  - 5.18.1.3 Waste treatment, and
  - 5.18.1.4 Waste disposal.

## ACRONYMS

18 AAC 15	Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 15: Administrative Procedures. Available at <a href="http://www.state.ak.us/dec/regulations/pdfs/15mas.pdf">http://www.state.ak.us/dec/regulations/pdfs/15mas.pdf</a>
18 AAC 70	Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 70: Quality Standards. Available at <a href="http://www.state.ak.us/dec/regulations/pdfs/70mas.pdf">http://www.state.ak.us/dec/regulations/pdfs/70mas.pdf</a>
18 AAC 72	Alaska Administrative Code. Title 18 Environmental Conservation, Chapter 72: Wastewater Disposal. Available at <a href="http://www.state.ak.us/dec/regulations/pdfs/72mas.pdf">http://www.state.ak.us/dec/regulations/pdfs/72mas.pdf</a>
40 CFR	Code of Federal Regulations Title 40: Protection of Environment. Available at <a href="http://www.access.gpo.gov/ecfr/">http://www.access.gpo.gov/ecfr/</a>
ACMP	Alaska Coastal Management Program. Available at <a href="http://www.alaskacoast.state.ak.us/">http://www.alaskacoast.state.ak.us/</a>
ADEC	Alaska Department of Environmental Conservation. Available at <a href="http://www.state.ak.us/dec/">http://www.state.ak.us/dec/</a>
APDES	Alaska Pollutant Discharge Elimination System, the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring, and enforcing permit...under sections 307, 402, 318, and 405 of the Clean Water Act
AS 46.03	Alaska Statutes Title 46, Chapter 03: Environmental Conservation. Available at <a href="http://www.legis.state.ak.us/default.htm">http://www.legis.state.ak.us/default.htm</a>
BOD <sub>5</sub>	Biochemical Oxygen Demand
BMP	Best Management Practices
COD	Chemical Oxygen Demand
DMR	Discharge Monitoring Report
DO	Dissolved Oxygen
EPA	U.S. Environmental Protection Agency
FC	Fecal Coliform Bacteria
GPD or gpd	Gallons per day
GPY or gpy	Gallons per year
mg/L or mg/l	Milligrams per liter
MGD or mgd	Million gallons per day
MLLW	Mean Lower Low Water
MZ	Mixing Zone

**ACRONYMS**

N/A	Not Applicable
pH	A measure, in Standard Units (SU), of the hydrogen-ion concentration in a solution. On the pH scale (0 –14), a value of 7 at 25°C represents a neutral condition. Decreasing values, below 7, indicate increasing hydrogen-ion concentration (acidity); increasing values, above 7, indicate decreasing hydrogen-ion concentration (alkalinity).
POTW	Publicly Owned Treatment Works
QAPP	Quality Assurance Project Plan
SU	Standard Units
TRC	Total Residual chlorine
TSS	Total Suspended Solids
ug/l	Micrograms per liter
WQS	Water Quality Standards
WWTP or WWTF	Wastewater Treatment Plant (or Facility)

## DEFINITIONS

Act	The Clean Water Act
Administrator	The Administrator of the EPA, or an authorized representative
Annual	Annual shall be once per calendar year
Aquaculture	The cultivation of aquatic plants or animals for human use or consumption
Average	An arithmetic mean obtained by adding quantities and dividing the sum by the number of quantities
Average Monthly Discharge Limitation	The highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured for that month
Backwash	the wash water resulting from the backwashing of a water filter
Best Management Practices	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.
Biochemical Oxygen Demand (BOD)	A measure of the amount of oxygen consumed in the biological processes that break down organic matter in water. The greater the BOD, the greater the degree of pollution
Black Water	Water that contains animal, human, or food waste
Boundary	Line or landmark that serves to clarify, outline, or mark a limit, border, or interface
Bypass	The intentional diversion of waste streams from any portion of a treatment facility
Chemical Oxygen Demand (COD)	A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water
Color	The condition that results in the visual sensations of hue and intensity as measured after turbidity is removed
Commissioner	The commissioner of the Alaska Department of Environmental Conservation, or the commissioner’s designee
Composite Samples	Composite samples must consist of at least four equal volume grab samples; “24 hour composite” sample means a combination of at least 4 discrete samples of equal volume, collected at equal time intervals over a 24 hour period at the same location. A “flow proportional composite” sample means a combination of at least 4 discrete samples collected at equal time intervals over a 24 hour time with each sample volume proportioned according to the flow volume. The sample aliquots must be collected and stored in accordance with procedures prescribed in the most recent edition of <i>Standard Methods for the Examination of Water and Wastewater</i> .
Contact Recreation	Activities in which there is direct and intimate contact with water. Contact recreation includes swimming, diving, and water skiing; contact recreation does not include wading

**DEFINITIONS**

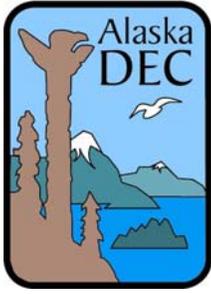
Criterion	A set concentration or limit of a water quality parameter that, when not exceeded, will protect an organism, a population of organisms, a community of organisms, or a prescribed water use with a reasonable degree of safety; a criterion might be a narrative statement instead of a numerical concentration or limit
Daily Discharges	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 limitation expressed in other unit 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	The Alaska Department of Environmental Conservation Division of Water Representative
Design Flow	The wastewater flow rate that the plant was designed to handle
Director	The Director of the Division of Water, ADEC, or an authorized representative
Dissolved Oxygen	The concentration of oxygen in water as determined either by the Winkler (iodometric) method and its modifications or by the membrane electrode method, also  The oxygen dissolved in water, wastewater, usually expressed in milligrams per liter, or percent saturation
Ecosystem	System made up of a community of animals, plants, and bacteria, and the system’s interrelated physical and chemical environment
Effluent	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
Estimated	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.
Fecal Coliform Bacteria	Bacteria that can ferment lactose at $44.5^{\circ} + 0.2^{\circ}\text{C}$ to produce gas in a multiple tube procedure; “fecal coliform bacteria” also means all bacteria that produce blue colonies in a membrane filtration procedure within $24 \pm 2$ hours of incubation at $44.5^{\circ} + 0.2^{\circ}\text{C}$ in an M-FC broth. Also, bacteria found in the intestinal tracts of warm-blooded animals. Fecal Coliform’s presence in water or sludge is an indicative measure of microbial pathogens and can serve as a warning mechanism for preventing potential human health risks.
Final Approval to Operate	A Final Approval to Operate is the approval that the Department issues after it has reviewed and approved the construction and operation of the engineered wastewater treatment works plans submitted to the Department in accordance with 18 AAC 72.210-285 or as amended.
Geometric Mean	The geometric mean is the $N^{\text{th}}$ root of the product of N. All sample results of zero will use a value of 1 for calculation of the geometric mean. Example geometric mean calculation. $\sqrt[4]{12 \times 23 \times 34 \times 990} = 55.$

## DEFINITIONS

Grab sample	A single instantaneous sample collected at a particular place and time that represents the composition of wastewater only at that time and place.
Gray Water	Wastewater from a laundry, kitchen, sink, shower, bath, or other domestic source that does not contain excrement, urine, or combined stormwater.
Influent	Untreated wastewater before it enters the first treatment process of a wastewater treatment works.
Maximum Daily Discharge	The highest allowable “daily discharge”
Mean	The average of values obtained over a specified period.
Mean Lower Low Water	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 Geological Survey, at any place subject to tidal influence
Measured	The actual volume of wastewater discharged using appropriate mechanical or electronic equipment to provide a totalizer reading. Does not provide a recorded measurement of instantaneous rates.
Micrograms per liter	The concentration at which one millionth of a gram ( $10^{-6}$ g) is found in a volume of one liter
Milligrams per liter (mg/l)	The concentration at which one thousandth of a gram ( $10^{-3}$ g) is found in a volume of one liter; it is approximately equal to the unit “parts per million (ppm),” formerly of common use
Mixing Zone	An area in a waterbody surrounding or downstream of, a discharge where the effluent plume is diluted by the receiving water within which specified water quality criteria may be exceeded
Month	Month shall be the time period from the 1 <sup>st</sup> of a calendar month to the last day in the month
Permittee	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
Primary Contact Recreation	Activities in which there is direct and intimate contact with water. Contact recreation includes swimming, diving, and water skiing; contact recreation does not include wading
Quality Assurance Project Plan	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	Quarter shall be the time period of three months based on the calendar year beginning with January
Receiving Body	Ocean, bay, marine area, tundra, river, stream, inlet etc. that an outfall line discharges into/onto
Recorded	A permanent record of volume using mechanical or electronic equipment to provide a totalized reading as well as a record of instantaneous readings.
Report	Report result of analysis
Residual Chlorine	Chlorine remaining in water or wastewater at the end of a specified contact period as combined or free chlorine

## DEFINITIONS

Secondary Contact Recreation	Activities in which incidental water use can occur. Secondary recreation includes boating, camping, hunting, hiking, wading, and recreational fishing. Recreational fishing, does not include fish consumption
Settleable Solids	Solid material of organic or mineral origin that is transported by and deposited from water, as measured by the volumetric Imhoff cone method and at the method detection limits specified in method 2540(F), Standard Methods for the Examination of Water and Wastewater, 18th edition (1992)
Severe Property Damage	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	An iridescent appearance on the water surface
Suspended Solids	Insoluble solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids. The quantity of material removed from wastewater in a laboratory test, as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue (See: total suspended solids).
Total Suspended Solids	A measure of the suspended solids in wastewater, effluent, or water bodies, determined by tests for "total suspended non-filterable solids." (See: suspended solids.)
Twice per year	Twice per year shall consist of two time periods during the calendar year, (Oct. through April and May through Sept.)
Upset	An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit 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.
Wastewater Treatment	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
Water Recreation	See contact recreation or secondary recreation
Water Supply	Any of the waters of the state that are designated in 18 AAC 70 to be protected for fresh water or marine water uses; water supply includes waters used for drinking, culinary, food processing, agricultural aquacultural, seafood processing, and industrial purposes; "water supply" does not necessarily mean that water in a waterbody that is protected as a supply for the uses listed in this paragraph is safe to drink in its natural state
Week	Week shall be the time period of Sunday through Saturday



**ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM  
NONCOMPLIANCE NOTIFICATION**

Please submit this Form to:

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
Wastewater Discharge Authorization Program**

**ANCHORAGE (907) 269-6285, Fax: 269-3487  
FAIRBANKS (907) 451-2130, Fax: 451-2187  
JUNEAU (907) 465-5300, Fax: 465-5274**

**DEC.Water.WQPermit@alaska.gov**

GENERAL INFORMATION		PERMIT/AUTHORIZATION #:
APPLICANT/COMPANY:	FACILITY NAME:	FACILITY LOCATION:
PERSON REPORTING	PHONE NUMBER OF PERSON REPORTING	REPORTED HOW? (e.g. by phone)
DATE/TIME EVENT WAS NOTICED	DATE/TIME REPORTED	NAME OF ADEC STAFF CONTACTED
<b>*VERBAL NOTIFICATION MUST BE MADE TO ADEC WITHIN 24 HOURS OF DISCOVERY (notification by email is acceptable)</b>		

**INCIDENT DETAILS (attach additional sheets, lab reports and photos as necessary)**

DESCRIBE THE EVENT (include amounts of wastewater involved)

CAUSE OF EVENT (be specific)

**PERMIT CONDITION DEVIATION (Identify each permit condition exceeded during the event. Attach additional sheets if necessary).**

Parameter (e.g. BOD, pH)	Permit Limit	Exceedance (sample result)	Sample date

**CORRECTIVE ACTIONS**  
Attach a description of corrective actions taken to restore the system to normal operation and to minimize or eliminate chances of recurrence.

<b>ENVIRONMENTAL DAMAGE:</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown	If yes, provide details below.
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**ACTUAL/POTENTIAL IMPACT ON ENVIRONMENT/PUBLIC HEALTH (describe in detail. Attach additional sheets as needed.)**

**ACTIONS TAKEN TO REDUCE OR ELIMINATE ACTUAL/POTENTIAL IMPACT ON ENVIRONMENT/PUBLIC HEALTH [(describe in detail) (e.g. Supplied drinking water to nearby well owners and informed well owners not to drink from wells until further notice)].**

**COMMENTS**

**Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete.**

**NAME:**

**SIGNATURE:**

**DATE:**

**FORMS MUST BE SENT TO DEC WITHIN 5 DAYS OF DISCOVERY OF THE EVENT.**

\*Includes noncompliance due to upset. See permit for full reporting requirements.