



Alaska Department of Environmental Conservation
Division of Water



Module 2

History of the Seafood Processing Waste Permitting Program

2012 SEAFOOD PROCESSING WASTE PERMITTING & COMPLIANCE WORKSHOP

Anchorage, Alaska • February 28-29, 2012

Module 2 – History of the Seafood Processing Waste Permitting Program

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Module 2 – OBJECTIVES

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- Explain the Effluent Limit Guideline (ELG) History associated with the Seafood Point Source Category.
- Review the NPDES seafood processing General Permits and Individual Permits in place at the time of Alaska primacy transfer (October 31, 2008).

Module 2 – What You Will Learn

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- What the Effluent Limit Guideline is and how it came into regulation.
- What actions lead to the current state of ADPES General and Individual permits.

Effluent Limit Guideline (ELG)

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The Clean Water Act (CWA) requires particular categories of industrial dischargers to meet technology-based effluent limits established by EPA.

<http://water.epa.gov/scitech/wastetech/guide/index.cfm>

Effluent Limit Guideline (ELG)

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The CWA initially focused on the control of conventional pollutants

- pH
- Biochemical Oxygen Demand (BOD)
- Total Suspended Solids (TSS)
- Oil and grease
- Fecal coliform

Effluent Limit Guideline (ELG)

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Effluent Limit Guidelines are national standards

Developed on an industry-by-industry basis

Represent the greatest pollutant reductions that are economically achievable

Visit http://water.epa.gov/scitech/wastetech/guide/questions_index.cfm for additional information

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An ELG does not require the use or installation of particular technologies.

The CWA requires operators to

- meet certain performance standards
- based upon the proper operation of pollution prevention and treatment technologies

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These technologies were identified by EPA during an effluent guidelines and pretreatment standards rulemaking.

Facilities are required to achieve the regulatory standards that were developed based on a model technology.

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Effluent Limit Guideline establish control levels
for specific pollutants

BPT-Best Practicable Control Technology
Currently Available.

BCT- Best Conventional Control Technology

BAT- Best Available Technology Economically
Achievable

NSPS- New Source Performance Standards

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These limitations and controls are called

Technology-Based Limitations

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BPT-Best Practicable Control Technology
Currently Available.

BPT limitations based upon the average of the
best performance of existing facilities

BPT sets limitations for conventional, toxic and
non-conventional pollutants

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BCT- Best Conventional Control Technology

BCT limitations are to achieve effluent reduction levels for conventional pollutants

(BOD, TSS, Oil & Grease, Fecal Coliform, pH)

BCT limitations based upon a two-part “cost-reasonableness” test

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1975 - The EPA promulgated the Effluent Limit Guideline (ELG) for the Canned and Preserved Seafood Processing Point Source Category;

- Categorized US seafood processing activity into 33 sub-categories
- Established technology-based effluent limits for each sub-category.

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40 CFR Part 408

<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&rgn=div5&view=text&node=40:29.0.1.1.8&idno=40>

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There are 11 primary subcategories for Alaskan seafood processing activity:
(40 CFR 408 Subparts D, E, F, G, I, J, P, Q, T, AC, AE)

- (D) Non-remote Crab meat
- (E) Remote Crab meat
- (F) Non-remote Whole crab & crab section
- (G) Remote Whole crab & crab section
- (I) Non-Remote Shrimp
- (J) Remote Shrimp
- (T) Bottom fish
- (AC) Scallop
- (AE) Herring fillet
- (Q) Mechanized salmon
- (P) Hand-butchered salmon

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The ELG established numeric limitations for each subcategory dependant upon location:

Remote and **Non-Remote** locations.

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Non-Remote facilities are located in ‘population or processing centers.’

The ELG classified six specific locations as non-remote: Anchorage, Cordova, Juneau, Ketchikan, Petersburg, and Kodiak.

Non-remote ‘centers’ are not limited to only these locations.

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Non-remote locations require removal of solids from seafood processing waste waters by screening. These solids must then be removed from the facility's effluent.

Remote locations require that solids must be no larger than ½ inch in any dimension and may be released as part of a facility's effluent .

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BPT Limitations for Alaskan Mechanized Salmon Processing Subcategory (408.172 (a))

- Any mechanized salmon processing facility located in population or processing centers including but not limited to Anchorage, Cordova, Juneau, Ketchikan, Kodiak, and Petersburg shall meet the following limitations:

Effluent Limit Guideline (ELG)



This is an example of the numeric limits for Alaskan Mechanized Salmon Processing

Effluent Characteristic	Effluent Limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed -
	Metric units (kilograms per 1,00 kg of seafood)	
TSS	44	26
Oil and Grease	29	11
pH	(1)	(1)
	English units (pounds per 1,000 lb of seafood)	
TSS	44	26
Oil and grease	29	11
pH	within 6.0-9.0	Within 6.0-9.0

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408.172 (b)

- Any mechanized salmon processing facility not covered under §408.172(a) shall meet the following limitations: No pollutants may be discharged which exceed 1.27 cm (0.5 inch) in any dimension.

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1980 - The Alaskan seafood industry submitted two petitions to EPA regarding the Seafood Processing Point Source ELG.

For more information:

http://water.epa.gov/scitech/wastetech/guide/seafood_index.cfm

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Petition 1-The first petition requested suspension of the “Processing Center” designation for 5 locations to allow industry to submit additional information.

In response, EPA temporarily suspended ‘non-remote’ designations for Anchorage, Cordova, Juneau, Ketchikan, and Petersburg.

These locations were required to adhere to ‘remote’ limitations.

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Petition 2-

- Requested a new ELG rulemaking
 - to modify regulations for non-remote locations included in the first petition
 - did not include Kodiak

Effluent Limit Guideline (ELG)

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Petition 2-

- Cost of screening was out of proportion to effluent reduction benefits
- Not a viable option for operators.

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1981 - EPA proposed to reclassify Juneau as a remote location and to continue non-remote classification for Anchorage, Cordova, Ketchikan, and Petersburg.

EPA also proposed to add Ward's Cove as part of Ketchikan and indicated it was considering the addition of Dutch Harbor and the Kenai Peninsula as non-remote locations.

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This notice stated ELG suspension from petition one would remain in effect until EPA issued a final response to petition two.

Current status- EPA has not issued a final response to petition two and this suspension remains in effect.

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Seafood Processing ELG implementation in Alaska

AKG520000 general permit

- Seafood Processing in Alaska general permit.
- Authorized discharges from facilities classified as remote

First issued- Possibly June 1984?

AKG520000 re-issued in 1989 and again in 1995

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AKG520000 permit reissuance in 2000

- Public comments were received regarding the suspended ELG standards.
- Comments suggested
 - technological advances provide reasonable alternative to the grind and discharge

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EPA response

- stated that they had insufficient information with respect to these alternative technologies to make any regulatory decisions
- would collect information in order to respond to the 1980 petitions.

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In April of 2010 EPA sent questionnaires to a number of seafood processing facilities:

- located in 'Processing Center' areas identified in the 408 regulations
- Dutch Harbor
- Kenai Peninsula

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Currently EPA is processing and analyzing this information in order to form it's response to the petitions and update the ELG if necessary to address comments received regarding new technologies.

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EPA will include a publication of a Notice of Data Availability for public review and comment.

EPA will publish the Notice of Data Availability and final regulatory action in the Federal Register

http://water.epa.gov/scitech/wastetech/guide/seafood_index.cfm

Review of Seafood Processing Permits In Place at Time of Primacy Transfer

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All NPDES Seafood Sector Permits were expired at the time of Alaska Primacy transfer on October 31, 2008.

One general and four individual permits were in process during primacy assumption

A majority of Alaskan seafood processing facilities were operating under expired permits.

Seafood Processing GP & IP in Place at the Time of Primacy Transfer

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Permit Number	Expiration Date	Number of Facilities
AK0000272	03/31/2008	
AK0049786	01/02/2007	
AK0028657	03/31/2008	
AK0037303	03/31/2008	
AK0052787	09/13/2004	
AK0052388	03/13/2004	
AK0052868	09/13/2004	
AKG520000	07/27/2006	200
AKG527000	02/08/2004	4
AKG528000	04/30/2003	8

Seafood Processing GP & IP in Process at the Time of Primacy Transfer

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Permit Number	Expiration Date	Number of Facilities
AKG524000	In Process	80
AK0053511	In Process	
AK0053503	In Process	
AK0053490	In Process	
AK0053520	In Process	

Review of Seafood Processing Permits In Place at Time of Primacy Transfer

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If a permittee submits a complete application prior to the expiration date

- The conditions of an expired general or individual permit continue in force until the effective date of a new permit, if DEC does not issue a permit with an effective date on or before the expiration date of the expired (extended) permit.
- New facilities can't be permitted under an expired general permit

Review of Seafood Processing Permits In Place at Time of Primacy Transfer

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Summary

- Reviewed the history of the Seafood Point Source ELG
- Provided the current status of the ELG suspension
- Discussed the status of permits transferred from EPA to DEC in 2008

End of Module 2

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