

The final permit is printed below and establishes effluent limitations, standards, prohibitions, monitoring requirements and other conditions on discharges from seafood processors in the area of coverage. The conditions are based on material contained in the administrative record, including an ocean discharge criteria evaluation, an environmental assessment, a finding of no significant impact, and a biological evaluation of potential effects on threatened and endangered species. Changes made in response to public comments are addressed in full in a document entitled "Response to Public Comments on the Proposed Reissuance of the Alaskan Seafood Processors General NPDES Permit." This document in being sent to all commenters, current permittees and applicants and is available to other parties from the address below upon request.

EFFECTIVE DATE: The general NPDES permit shall become effective August 4, 1995.

ADDRESSES: Unless otherwise noted in the permit, correspondence regarding this permit should be sent to Environmental Protection Agency, Region 10, Attn: Wastewater Branch, WD-134, 1200 Sixth Avenue, Seattle, Washington, 98101.

FOR FURTHER INFORMATION CONTACT: Burney Hill or Florence Carroll, of EPA Region 10, at the address listed above or telephone (206) 553-1761 or 553-1760 respectively. Copies of the final general NPDES permit, response to public comments and today's publication will be provided upon request by the EPA Region 10 Public Information Center at 1-800-424-4372 or 206-553-1200.

SUPPLEMENTARY INFORMATION: EPA reissues this general NPDES permit pursuant to its authority under Sections 301(b), 304, 306, 307, 308, 401, 402, 403 and 501 of the Clean Water Act. The fact sheet for the draft permit, the response to comments document, the ocean discharge criteria evaluation, the biological evaluation, the environmental assessment, the 401 certification issued by the State of Alaska, and the coastal zone management plan consistency determination issued by the State of Alaska set forth the principal facts and the significant factual, legal and policy questions considered in the development of the terms and conditions of the final permit presented below.

The State of Alaska, Department of Environmental Conservation, has certified that the subject discharges comply with the applicable provisions of Sections 208(e), 301, 302, 303, 306 and 307 of the Clean Water Act.

The State of Alaska, Office of Management and Budget, Division of Governmental Coordination, has certified that the general NPDES permit is consistent with the approved Alaska Coastal Management Program.

Changes have been made from the draft permit to the final permit in response to public comments received on the draft permit, the final coastal management plan consistency determination from the State of Alaska, and the final 401 certification issued by the State of Alaska.

The following identifies several specific areas of change, among others, which have been embodied in the final permit: the areas excluded from coverage do not include the proposed category "special resource waters of Alaska" and have been expanded to include national wilderness areas, seabird colonies larger than 1,000 individuals, Udagak Bay, Ward Cove and the coastal seas of the Pribilof Islands; offshore seafood processors (discharging more than one nautical mile from shore) are required to develop and operate in accordance with a best management practices plan; one acre zones of deposit are authorized by the State of Alaska; circular mixing zones with radii of 100, 200 and 300 feet are authorized respectively for onshore, nearshore and offshore seafood processors by the State of Alaska; dive surveys are required for discharges of more than 7 days to receiving waters within one nautical mile of shore and in less than 20 fathoms of depth; requests for waivers from the monitoring of the seafloor, sea surface and shoreline are allowed; and an appendix describes the areas excluded from coverage under the permit in detail.

Within 120 days following this service of notice of EPA's final permit decision under 40 CFR 124.15, any interested person may appeal the general NPDES permit in the Federal Court of Appeal in accordance with Section 509(b)(1) of the Clean Water Act. Persons affected by a general NPDES permit may not challenge the conditions of the permit as a right of further EPA proceedings. Instead, they may either challenge this permit in court or apply for an individual NPDES permit and then request a formal hearing on the issuance or denial of an individual permit.

Dated: June 21, 1995.

Janis Hastings,

Acting Director, Water Division.

BILLING CODE 6560-50-M

Authorization To Discharge Under The National Pollutant Discharge Elimination System For Seafood Processors In Alaska

[General Permit No.: AKG-52-0000]

In compliance with the provisions of the Clean Water Act, 33 U.S.C. 1251 *et seq.* (hereafter, CWA or the Act), the owners and operators of seafood processing facilities described in Part I of this general National Pollutant Discharge Elimination System (NPDES) Permit are authorized to discharge seafood processing wastes and the concomitant wastes set out in Part II of this Permit to waters of the United States, except those excluded from authorization of discharge in Part III of this Permit, in accordance with effluent limitations, monitoring requirements and other conditions set forth herein. The discharge of wastes not specifically set out in Part II of this permit is not authorized under this permit.

The general NPDES permit AK-G52-0000 reissued in 1989 is invalid as of the effective date of this reissued permit, except as provided for in the State of Alaska Consistency Conditions.

A copy of this general permit must be kept at the seafood processors facility where the discharges occur.

This permit shall become effective August 4, 1995.

This permit and the authorization to discharge shall expire at midnight, 5 years from the effective date of the permit.

Signed this 21st day of June.

Janis Hastings,

Acting Director, Water Division, Region 10, U.S. Environmental Protection Agency.

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