

may be considered justification for a waiver.

A waiver will not be granted until after consultation between EPA, ADEC and other appropriate government offices to determine that the proposed discharge will comply with applicable State and federal laws and regulations and State-approved Coastal Zone Management Plans.

#### IV. Application To Be Permitted Under This General NPDES Permit

In order to be authorized to discharge any of the pollutants set out in Part II above to waters of the United States under this general NPDES permit, one must apply for coverage under this Permit. This general NPDES permit does not authorize any discharges from facilities that have not applied for and received permission to discharge under this Permit from EPA.

##### A. Submittal of a Notice of Intent to be Covered Under This General NPDES Permit

An applicant wishing authorization to discharge under this Permit shall submit a timely and complete Notice of Intent (NOI) to EPA and ADEC in accordance with the requirements listed below. A qualified applicant will be authorized to discharge under this Permit upon its certified receipt from EPA of written notification of inclusion and the assignment of an NPDES permit number.

EPA may require any discharger applying for coverage under this general NPDES permit to apply for and obtain an individual NPDES permit in accordance with Code of Federal Regulations (CFR) Vol. 40, Section 122.28(b)(3).

A permittee authorized to discharge under this Permit shall submit to EPA and ADEC an updated and amended NOI when there is any material change in the information submitted within its original NOI.

In compliance with the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* the Office of Management and Budget has approved the information in a Notice of Intent for permit application (OMB No. 2040-0086).

A permittee shall submit its Notice of Intent to be covered under this general NPDES permit to:

U.S. Environmental Protection Agency  
Region 10, NPDES Compliance (WD-135), 1200 Sixth Avenue, Seattle, Washington 98101  
and, to the responsible ADEC office at  
Alaska Department of Environmental Conservation, Southeastern Regional Office, 410 Willoughby Avenue, Suite 105, Juneau, Alaska 99801

Attention: Wastewater Program  
Alaska Department of Environmental Conservation, Southcentral Regional Office, 3601 C Street, Suite 1334, Anchorage, Alaska 99503, Attention: Wastewater Program

or

Alaska Department of Environmental Conservation, Western District Office, Unalaska Field Office, P.O. Box 1071, Unalaska, Alaska 99692, Attention: Wastewater Program

##### B. What constitutes a "timely" submittal of a Notice of Intent

1. A new permittee seeking coverage under this Permit shall submit an NOI at least 60 days prior to commencement of operation and discharge.

2. An existing permittee authorized to discharge under the general NPDES permit for seafood processors, effective for the period October 30, 1989, through October 31, 1994, should submit an NOI at least 60 days prior to the expiration of that permit and shall submit an NOI no later than 60 days after the effective date of this Permit.

3. An existing permittee authorized to discharge under an individual NPDES permit and applying for authorization to discharge pollutants under this Permit should submit an NOI at least 60 days prior to the desired date of authorization to discharge under this Permit and at least 180 days prior to the expiration date of the individual NPDES permit.

##### C. What Constitutes a "Complete" Submittal of a Notice of Intent

###### 1. Permit Information

An NOI shall include any NPDES number(s) currently or previously assigned to the facility and the ADEC seafood processor license number.

###### 2. Owner Information

An NOI shall include the name and the complete address and telephone number of the owner of the facility and the name of its duly authorized representative. If a facsimile machine is available at this address, it is useful to provide a FAX number.

###### 3. Company Information

a. An NOI shall include the name and the complete address and telephone number of the company operating the facility and the name of its duly authorized representative. If a facsimile machine is available at this address, it is useful to provide a FAX number.

###### 4. Facility Information

a. An NOI shall include the name, address and telephone number of the facility. If the name of the facility has

changed during the last five years, the NOI shall include the previous name(s) of the facility and the date(s) of these changes. If a facsimile machine is available at this address, it is useful to provide a FAX number.

b. For nearshore and shore-based facilities, an NOI shall include a description of the physical location of the facility and its accurate location in terms of latitude and longitude with a precision of at least 15 seconds of a degree ( $\approx 0.25$  mile). In addition, the NOI should provide the Alaska Department of Fish and Game's (ADFG) Fishery Management Areas in which a facility will operate and discharge.

The NOI shall also include an area map of the facility and its outfall(s). This map shall be based upon an official map or chart of the National Oceanic and Atmospheric Administration (NOAA) or the U.S. Geologic Survey (USGS) of a scale of resolution of from 1:20,000 to 1:65,000.

c. An NOI should include the number of seasonal and annual employees of the facility.

d. For floating facilities, an NOI shall include the U.S. Coast Guard (USCG) vessel number, the type, length and date of purchase of the vessel, and the ADFG Fishery Management Area(s) in which a facility will operate and discharge.

##### 5. Facility Classification

An NOI shall include the classification(s) of the facility as one or more of the following categories of seafood processors.

a. *Offshore seafood processor*: a processor operating and discharging more than one (1) nautical mile from shore at MLLW.

b. *Nearshore seafood processor*: a processor operating and discharging from one (1) to one half (0.5) nautical mile from shore at MLLW.

c. *Shore-based seafood processor*: a processor operating and discharging less than one half (0.5) nautical mile from shore at MLLW.

##### 6. Production Information

An NOI shall include projected production data based upon historical operations and design capacity. Production data includes an identification of the process applied to the product, the name and quantity of the raw product(s) by species, the type of the finished product(s), and the maximum quantity of each raw product which can be processed in a 24-hour day. The NOI shall also include the projected processing location(s) and number of operating days by month for the facility.

##### 7. Receiving Water Information