in effect [33 CFR part 159: ''Marine sanitation devices'']. e. Other wastewaters. A permittee shall not discharge any other such wastewaters that contain foam, floating solids, grease, or oily wastes which produce a sheen on the water surface, nor wastes which deposit residues which accumulate on the shoreline or sea floor. The incidental foam and scum produced by discharge of seafood transfer water must be minimized to the extent practicable as described in the best management practices plan of Part VI.A. Wastewaters which have not had contact with seafood process wastes are not required to be discharged through the process waste-handling system.

f. Residues. A permittee shall not discharge seafood sludge, deposits, debris, scum, floating solids, oily wastes or foam which alone or in combination with other substances

(1) make the water unfit or unsafe for use in aquaculture, water supply, recreation, growth and propagation of fish, shellfish, aquatic life and wildlife, or the harvesting and consumption of raw mollusks or other raw aquatic life;

(2) cause a leaching of deleterious substances;

(3) cause a film, sheen, emulsion or scum on the surface of the water;

(4) cause a scum, emulsion, sludge or solid to be deposited on the adjoining shorelines; or

(5) cause a scum, emulsion, sludge or solid to be deposited on the bottom.

g. State water quality standards (18 AAC Part 70). Discharges shall not violate Alaska Water Quality Standards for floating or suspended residues, dissolved oxygen, oil and grease, fecal coliform, pH, temperature, color, turbidity, and total residual chlorine beyond the mixing zone. For the purposes of shore-based seafood processors, the mixing zone shall be measured as one hundred (100) feet radius from the point of discharge. Discharges shall not violate Alaska Water Quality Standards for settleable solid residues beyond a one (1) acre zone of deposit.

h.Discharge pipe location. A permittee discharging to marine water shall discharge its wastewaters at a point at least ten (10) feet below the surface of the receiving water. A permittee discharging to fresh water shall discharge its wastewaters at least three (3) feet below the surface of the receiving water. An applicant may request a waiver to this condition by providing a description of the circumstances which make this condition onerous and unnecessary to the protection of State water quality standards.

i. Monitoring. A permittee shall monitor its processing and discharges to the extent necessary to develop and submit a timely and accurate annual report and to detect and minimize occurrences of noncompliance.

2. Best Management Practices Requirements

During the term of this Permit all permittees shall operate in accordance with a Best Management Practices (BMP) Plan as described in Part VI.A. below.

3. Annual Reporting Requirements

During the term of this Permit all permittees shall prepare and submit an accurate and timely annual report of noncompliance, production, discharges and process changes as described in Part VI.B. below.

4. Seafloor Monitoring Requirements

During the term of this Permit all permittees classified as shore-based seafood processors and discharging to receiving waters of depths of less than twenty (20) fathoms at a fixed position for more than seven (7) days within a reporting year shall conduct a seafloor monitoring program as described in Part VI.C. below.

5. Sea Surface and Shoreline Monitoring Requirements

During the term of this Permit all permittees classified as shore-based seafood processors shall conduct a daily sea surface and daily shoreline monitoring program as described below in Part VI.D. below.

VI. Specific Waste Minimization and Monitoring Requirements

A. Best Management Practices Plan

1. Applicability

During the term of this Permit all permittees shall operate in accordance with a Best Management Practices (BMP) Plan.

2. Implementation

A permittee shall develop and implement a BMP Plan within 18 months of the date of that permittee's authorization to discharge under this Permit.

3. Purpose

Through imp lementation of a BMP Plan a permittee shall prevent or minimize the generation and discharge of wastes and pollutants from the facility to the waters of the United States. Pollution should be prevented or reduced at the source or recycled in an environmentally safe manner whenever feasible. Disposal of wastes into the environment should be conducted in such a way as to have a minimal environmental impact.

4. Objectives

A permittee shall develop its BMP Plan consistent with the following objectives.

a. The number and quantity of wastes and pollutants shall be minimized by a permittee to the extent feasible by managing each effluent waste stream in the most appropriate manner.

b. Any Standard Operating Procedures (SOPs) shall ensure proper operation and maintenance of the facility.

c. Evaluations for the control of wastes and pollutants shall include the following.

(1) Each facility component or system shall be examined for its waste minimization opportunities and its potential for causing a release of significant amounts of pollutants to receiving waters due to the failure or improper operation of equipment. The examination shall include all normal operations, including raw material and product storage areas, in-plant conveyance of product, processing and product handling areas, loading or unloading operations, spillage or leaks from the processing floor and dock, and sludge and waste disposal.

(2) Equipment shall be examined for potential failure and any resulting overflow of wastes and pollutants to receiving waters. Provision should be made for emergency measures to be taken in such an event.

5. Requirements

The BMP Plan shall be consistent with the purpose and objectives in Parts VI.B.3.-4. above.

a. The BMP Plan shall be documented in narrative form, shall include any necessary plot plans, drawings or maps, and shall be developed in accordance with good engineering practices. The BMP Plan shall be organized and written with the following structure:

(1) Name and location of the facility;

(2) Statement of BMP policy;

(3) Materials accounting of the inputs, processes and outputs of the facility;

(4) Risk identification and assessment of pollutant discharges;

(5) Specific management practices and standard operating procedures to achieve the above objectives, including, but not limited to,

(a) the modification of equipment, facilities, technology, processes and procedures, and

(b) the improvement in management, inventory control, materials handling or